Reiland, Bernard F., xxx-xx-xxxx
Stecker, Donald C., xxx-xx-xxxx
Tamura, Raymond M., xxx-xx-xxxx
Williams, J. O., Jr., xxx-xx-xxxx
Wilson, Hal T., xxx-xx-xxxx

NURSE CORPS

Ballard, Sara E., xxx-xx-xxxx
Black, Barbara A., xxx-xx-xxxx
Boyce, Virginia E., xxx-xx-xxxx
Childs, Dixie K., xxx-xx-xxxx
Cole, Jane P., xxx-xx-xxxx
Crews, Bernice L., xxx-xx-xxxx
Curtis, Jeanne L., xxx-xx-xxxx
Davis, Edith R., xxx-xx-xxxx
Detraz, Linnie L., xxx-xx-xxxx
Dominowski, Elaine, xxx-xx-xxxx
Fikentscher, Rita F., xxx-xx-xxxx
Fitzgerald, Mary R., xxx-xx-xxxx
Geeller, Helen L., xxx-xx-xxxx
Grant, Phyllis E., xxx-xx-xxxx
Hallmark, Lula J., xxx-xx-xxxx
Haritos, Dolores J., xxx-xx-xxxx
Hart, Grace M., xxx-xx-xxxx
Higgins, Eileen M., xxx-xx-xxxx
Hilty, Winifred J., xxx-xx-xxxx
Hollen, Marriane R., xxx-xx-xxxx
Kubica, Veronica, xxx-xx-xxxx
Latimer, William T., xxx-xx-xxxx
Laurash, Mary K., xxx-xx-xxxx
Magie, Bonita D., xxx-xx-xxxx
Makowski, Mary H., xxx-xx-xxxx
Malone, Frances C., xxx-xx-xxxx
Marabito, Margaret, xxx-xx-xxxx
Mazzali, Billie L., xxx-xx-xxxx
McConnell, Lesta I., xxx-xx-xxxx
Morris, Betty L., xxx-xx-xxxx
Mosher, Lorene M., xxx-xx-xxxx
Moss, Dorothy E., xxx-xx-xxxx
Mulligan, Veronica E., xxx-xx-xxxx
O'Donnell, Georgia M., xxx-xx-xxxx
Oestreich, Phyllis J., xxx-xx-xxxx
Ohnemus, Blanche E., xxx-xx-xxxx
Owsiak, Mary S., xxx-xx-xxxx
Phillips, Sarah L., xxx-xx-xxxx
Power, Genevieve, xxx-xx-xxxx
Reavis, Mary A., xxx-xx-xxxx
Reuter, Margaret A., xxx-xx-xxxx
Schon, Lorraine M., xxx-xx-xxxx
Sidberry, Thelma R., xxx-xx-xxxx
Stanley, Bernice H., xxx-xx-xxxx
Stroup, Louise, xxx-xx-xxxx
Webb, Ima R., xxx-xx-xxxx
Weill, Leu, xxx-xx-xxxx
West, Agnes S., xxx-xx-xxxx
Wright, Evelyn J., xxx-xx-xxxx
Zumwalt, Richard I., xxx-xx-xxxx

MEDICAL SERVICE CORPS

Allen, Dewey E., xxx-xx-xxxx
Beighey, Herbert L., xxx-xx-xxxx
Black, Charles F., Jr., xxx-xx-xxxx
Bunce, William E., xxx-xx-xxxx
Cantu, Arnoldo, xxx-xx-xxxx
Casey, John F., xxx-xx-xxxx
Cohen, Phillip L., xxx-xx-xxxx
Davis, Charles, xxx-xx-xxxx
Eberle, Melvin H., xxx-xx-xxxx
Garris, Edward W., Jr., xxx-xx-xxxx
Joublanc, Eugene M., xxx-xx-xxxx
Katz, Murray L., xxx-xx-xxxx
Kelly, Robert W., xxx-xx-xxxx
Laville, Robert R., xxx-xx-xxxx
McInnis, Victor A., xxx-xx-xxxx
McKnight, Harry T., xxx-xx-xxxx
Miller, Seth A., xxx-xx-xxxx
Nixon, Lester D., xxx-xx-xxxx
North, Charles W., Jr., xxx-xx-xxxx
Rauschenberg, William H., xxx-xx-xxxx
Sevastos, James P., xxx-xx-xxxx
Shahan, Norman D., xxx-xx-xxxx
Shaw, Lawrence A. Jr., xxx-xx-xxxx
Veale, Francis J., xxx-xx-xxxx
Vogel, William O., xxx-xx-xxxx
Vogt, Harry A., xxx-xx-xxxx
Washburn, David D., xxx-xx-xxxx

VETERINARY CORPS

Bedell, David M., xxx-xx-xxxx
Canon, William W., xxx-xx-xxxx
Gisler, Donald B., xxx-xx-xxxx
Helper, Lloyd C., xxx-xx-xxxx
McConnell, Edward L., xxx-xx-xxxx
Rushing, Ernest B., Jr., xxx-xx-xxxx
Williams Leslie P. Jr., xxx-xx-xxxx

BIOMEDICAL SCIENCES CORPS

Brenner, Theodore E., xxx-xx-xxxx
Brodnicki, Dorothy M., xxx-xx-xxxx
Bruce, Jean Hunt, xxx-xx-xxxx
Burkhardt, Howard L., xxx-xx-xxxx
Cox, Joseph C., xxx-xx-xxxx
Downing, Suzanne E., xxx-xx-xxxx
Goodrich, May E., xxx-xx-xxxx
Hooten, Exa F., xxx-xx-xxxx
Klenck, Wayne F., xxx-xx-xxxx
Lewis, Charles R., Jr., xxx-xx-xxxx
Moyer, James E., xxx-xx-xxxx
Porterfield, Cliffo, xxx-xx-xxxx
Remboldt, Dennis A., xxx-xx-xxxx
Winslow, Glen R., xxx-xx-xxxx

The following officers for appointment in the Reserve of the Air Force, in grade of Lieutenant Colonel, under the provisions of Sections 593 and 1211, Title 10, United States Code and Public Law 92–129.

French, Kenard J., xxx-xx-xxxx
Stevens, Gene L., xxx-xx-xxxx

The following officers for appointment in the Reserve of the Air Force (Medical Corps), in the grade of Lieutenant Colonel, under the provisions of Section 593, Title 10, United States Code and Public Law 92–129, with a view to designation as Medical Officers under the provisions of Section 8067, Title 10, United States Code, with effective dates to be determined by the Secretary of the Air Force.

Costanzi, John J., xxx-xx-xxxx
Jones, Frank L., xxx-xx-xxxx
Marshall, Angus, xxx-xx-xxxx
Sisson, Charles A., Jr., xxx-xx-xxxx
Warren, Glen C., xxx-xx-xxxx

The following person for appointment in the Reserve of the Air Force in the grade indicated, under the provisions of Section 593, Title 10, United States Code, and Public Law 92–129.

To be Lieutenant Colonel

Malberg, Philip O., XXXX

DEPARTMENT OF THE TREASURY

Jack Franklin Bennett, of Connecticut, to be a Deputy Under Secretary of the Treasury (new position).

Warren F. Brecht, of Connecticut, to be an Assistant Secretary of the Treasury (new position).

DEPARTMENT OF JUSTICE

Robert E. J. Curran, of Pennsylvania, to be U.S. attorney for the eastern district of Pennsylvania for the term of 4 years vice Louis C. Bechtle, resigned.

CONFIRMATIONS

Executive nominations confirmed by the Senate June 26, 1972:

MISSISSIPPI RIVER COMMISSION

Subject to qualifications provided by law, the following for appointment as a member of the Mississippi River Commission:

Rear Adm. Allen L. Powell, Director, National Ocean Survey, National Oceanic and Atmospheric Administration.

DIPLOMATIC AND FOREIGN SERVICE

Clinton L. Olson, of California, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Sierra Leone.

Robert L. Yost, of California, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Burundi.

Terence A. Todman, of the Virgin Islands, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Guinea.

Edwin M. Cronk, of the District of Columbia, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Singapore.

W. Beverly Carter, Jr., of Pennsylvania, a Foreign Service information officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the United Republic of Tanzania.

C. Robert Moore, of Washington, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Federal Republic of Cameroon.

Miss Jean M. Wilkowski, of Florida, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Zambia.

INTERNATIONAL MONETARY FUND, INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT, INTER-AMERICAN DEVELOPMENT BANK, AND ASIAN DEVELOPMENT BANK

George P. Shultz, of Illinois, for appointment to the offices indicated:

U.S. Governor of the International Monetary Fund for a term of 5 years and U.S. Governor of the International Bank for Reconstruction and Development for a term of 5 years;

A Governor of the Inter-American Development Bank for a term of 5 years; and

U.S. Governor of the Asian Development Bank.

HOUSE OF REPRESENTATIVES—*Monday, June 26, 1972*

The House met at 12 o'clock noon.

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

My meat is to do the will of Him who sent me and to finish His work.—John 4: 34.

Almighty God, our Heavenly Father, we pray that Thy spirit may come to new life in the lives of these Representatives of our Nation, giving them strength for arduous tasks, wisdom to make right decisions, and courage to lead our Republic in the ways of truth and justice. Direct them in the work of this day that what is done may minister to the welfare of our citizens and increase the spirit of good will in our world.

Kindle in the hearts of all men a true love for peace, a real concern for justice, and a genuine desire for goodness that Thy kingdom may go forward and Thy will be done on earth. To the glory of Thy holy name. 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.

MESSAGE FROM THE SENATE

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

H.R. 632. An act for the relief of the village of River Forest, Ill.;

H.R. 3227. An act for the relief of S. Sgt. J. C. Bell, Jr., U.S. Air Force;

H.R. 4083. An act for the relief of Thomas William Greene and Jill A. Greene;

H.R. 6820. An act for the relief of John W. Shafer, Jr.;

H.R. 10595. An act 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;

H.R. 13918. An act to provide for improved financing for the Corporation for Public Broadcasting, and for other purposes; and

H.J. Res. 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.

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

H.R. 2118. An act for the relief of Amos E. Norby;

H.R. 12202. An act to increase the contribution of the Federal Government to the costs of health benefits, and for other purposes;

H.R. 15585. An act making appropriations for the Treasury Department, the U.S. Postal Service, the Executive Office of the President, and certain independent agencies, for the fiscal year ending June 30, 1973, and for other purposes; and

H.J. Res. 55. Joint resolution proposing the erection of a memorial on public grounds in the District of Columbia, or its environs, in honor and commemoration of the Seabees of the U.S. Navy.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 15585) entitled "An act making appropriations for the Treasury Department, the U.S. Postal Service, the Executive Office of the President, and certain independent agencies, for the fiscal year ending June 30, 1973, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. MONTOYA, Mr. ELLENDER, Mr. INOUYE, Mr. MCGEE, Mr. BOGGS, Mr. ALLOTT, and Mr. YOUNG to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the amendments of the House to a joint resolution of the Senate of the following title:

S.J. Res. 72. Joint Resolution consenting to an extension and renewal of the interstate compact to conserve oil and gas.

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

S. 1682. An act to amend title 5, United States Code, to establish and govern the Federal Executive Service and for other purposes;

S. 2147. An act for the relief of Marie M Ridgely;

S. 2753. An act for the relief of John C. Mayoros;

S. 2822. An act for the relief of Alberto Rodriguez;

S. 3001. An act to establish a Federal Financing Bank, to provide for coordinated and more efficient financing of Federal and federally assisted borrowings from the public, and for other purposes;

S. 3419. An act to protect consumers against unreasonable risk of injury from hazardous products, and for other purposes; and

S. 3722. An act to provide for the establishment of a Foreign Service grievance procedure.

S.J. Res. 204. Joint resolution to authorize the preparation of a history of public works in the United States; and

S.J. Res. 221. Joint resolution to designate Benjamin Franklin Memorial Hall at the Franklin Institute, Philadelphia, Pa., as the Benjamin Franklin National Memorial.

SWEARING IN OF POSTMASTER

Mr. Robert V. Rota, Postmaster-elect, appeared at the bar of the House and took the oath of office.

PERMISSION FOR COMMITTEE ON APPROPRIATIONS TO FILE REPORT ON AGRICULTURE-ENVIRONMENTAL AND CONSUMER PROTECTION APPROPRIATIONS, 1973

Mr. WHITTEN. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight tonight to file a privileged report on the bill making appropriations for agriculture-environmental and consumer protection programs for the fiscal year ending June 30, 1973, and for other purposes.

Mr. ANDREWS of North Dakota reserved all points of order on the bill.

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

There was no objection.

ATTEMPTED BUGGING OF DEMOCRATIC NATIONAL COMMITTEE

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

Mr. GONZALEZ. Mr. Speaker, during the past 2 weeks or so, the public mind and the newspaper headlines have been a great deal agitated by this very mysterious so-called bugging attempt of the Democratic National Committee. In fact, one of the individuals involved happens to bear a name the same as mine—Gonzalez—but I want to say he is not related. He is of Cuban origin and comes from Miami.

My Cuban underground sources have just informed me, and I hope all people involved including the grand juries and the prosecutors will keep this in mind, that this was a terrible foulup. These men were not really going in to bug the Democratic headquarters. They got the wrong apartment. They were supposed to bug Martha Mitchell, so we should not have anything against a husband trying to preserve the marriage.

PERSONAL ANNOUNCEMENT REGARDING VOTE

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

Mr. DANIELSON. Mr. Speaker, on Thursday, June 22, I left the floor at 6:30 p.m. after the final passage of H.R. 14370, the revenue-sharing bill. I, therefore, missed rollcall votes 222 through 226, which occurred later that evening, and I would have cast my votes as follows:

Rollcall No. 222: I would have voted "yea" on the amendment to H.R. 15585, that sought to reduce $2 million for salaries and expenses of the Office of Telecommunications Policy. This amendment was rejected by a record teller vote of 148 ayes to 188 noes.

Rollcall No. 223: I would have voted "no" on the amendment to H.R. 15585 that sought to delete $100,000 for the Commission on Executive, Legislative, and Judicial Salaries. This amendment was rejected by a record teller vote of 135 ayes to 196 noes.

Rollcall No. 224: I would have voted "yea" on the amendment to H.R. 15585 that sought to cut the number of personnel paid between $21,000 and $42,500 in the Executive Office of the President from 908 to 549—excluding members of the White House staff. This amendment was rejected by a record teller vote of 122 ayes to 210 noes.

Rollcall No. 225: I would have voted "yea" on the amendment to H.R. 15585 that sought to prohibit the use of funds for chauffeur-driven automobiles except for the President of the United States. This amendment was rejected by a record teller vote of 121 ayes to 205 noes.

Rollcall No. 226: I would have voted "yea" on final passage of H.R. 15585, making appropriations for the Treasury Department, the U.S. Postal Service, and the Executive Office of the President for fiscal year 1973. This measure passed by a record vote of 321 yeas to 11 nays.

INDIANA UNION CARBIDE CORP. AWARDS YOUNG CITIZENSHIP SCHOLARSHIP

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

Mr. MADDEN. Mr. Speaker, Washington sees many groups of young people come and go throughout the year, but one group of teenage Americans that are here with us this week merits special attention. I am speaking of the Washington Workshops Congressional Seminar. Since 1967, this involved organization has annually sponsored a series of creative and highly effective seminars dealing firsthand with the work of Congress and American government.

This week close to 200 of these intelligent and concerned workshops students are visiting here on Capitol Hill and throughout the city. I am particularly happy to note that one of my constituents is enrolled in the current seminar session. She is Crista Zivanovic of East Chicago, Ind. Crista's seminar attendance was made possible by a young citizenship award granted to her by the Union Carbide Corp. in East Chicago. I understand this company makes similar awards available to other

young people in their plant communities across the country.

I can think of no better way to make our fine young people more aware of the qualities and greatness of their national heritage. Through the teachers and administrators in each plant community, student scholars are chosen and presented with these Union Carbide-Washington Workshops awards, and I congratulate this organization on its unique and highly successful citizenship program.

Miss Zivanovic is fortunate indeeded to be one of the Union Carbide scholars this year, and I welcome her to Washington and extend my warm good wishes for her future and that of her entire young generation of Americans.

PERSONAL EXPLANATION

Mr. PETTIS. Mr. Speaker, last Thursday, June 22, I had to leave Washington, D.C. at 5:30 p.m. to make transportation connections for important appointments in seven communities of my district in California. Such local problems as flood control, sewage disposal, public housing and other federally related subjects required my presence in California and caused me to miss the final vote on the Revenue Sharing Legislation. At no time on Thursday was the final passage of this bill in doubt and had I been present I would have voted for passage as I did at all stages of this legislation including consideration of it by my committee on ways and means on the Post Office Civil Service appropriation bill I would also have voted "aye"

And on the gross amendment to strike the expenses for the commission on executive; legislative and judicial salaries I would have voted "aye."

CUT THE OFFICE OF EMERGENCY PREPAREDNESS

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

Mr. ROBISON of New York. Mr. Speaker, late last Thursday evening, during consideration of the Treasury, Postal Service, and General Government appropriation bill, the House defeated an amendment—on a recorded teller vote of 122 to 10—which would have resulted in about a 30-percent, across-the-board reduction of personnel within the so-called Executive Office of the President.

It is somewhat difficult to say exactly how such a cut in people would be applied—since the amendment did not so specify—but if it were applied proportionately to all the numerous agencies that would have been affected, I think it fair to state that this meat-ax attempt at what was false economy could have cost the Office of Emergency Preparedness some 62 people, reducing its staff from 216 to 154.

Of course, such a cut would not have prevailed until after July 1 but, in light of the vital functions OEP has had to carry out over these past several days, and will have to carry forward for weeks to come in helping the citizens of New York, Pennsylvania, Maryland, and Virginia, especially, recover from the ravages of the disastrous floods those regions have suffered. I should think every Representative from those States would be glad he was on the right side in helping defeat that ill-considered amendment—if that is where he was.

POSITION OF MR. CHAMBERLAIN

(Mr. CHAMBERLAIN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. CHAMBERLAIN. Mr. Speaker, I am unrecorded on several rollcall votes this session and wish to state my position for the RECORD:

On rollcall No. 12, I would have voted "yea."

On rollcall No. 52, I would have voted "yea."

On rollcall No. 76, I would have voted "yea."

On rollcall No. 87, I would have voted "yea."

On rollcall No. 119, I would have voted "yea."

On rollcall No. 123, I would have voted "yea."

On rollcall No. 124, I would have voted "yea."

APPOINTMENT OF CONFEREES ON H.R. 15585, TREASURY-POSTAL SERVICE APPROPRIATIONS, 1973

Mr. STEED. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 15585) making appropriations for the Treasury Department, the U.S. Postal Service, the Executive Office of the President, and certain independent agencies, for the fiscal year ending June 30, 1973, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

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

The Chair hears none, and appoints the following conferees: Messrs. STEED, ADDABBO, ROYBAL, STOKES, BEVILL, MAHON, ROBISON of New York, EDWARDS of Alabama, RIEGLE, MYERS, and BOW.

PERMISSION TO FILE CONFERENCE REPORT ON H.R. 15585, TREASURY-POSTAL SERVICE APPROPRIATIONS, 1973

Mr. STEED. Mr. Speaker, I ask unanimous consent that the conferees may have until midnight tonight to file a conference report on the bill (H.R. 15585) making appropriations for the Treasury Department, the U.S. Postal Service, the Executive Office of the President, and certain independent agencies, for the fiscal year ending June 30, 1973, and for other purposes.

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

There was no objection.

CONFERENCE REPORT (H. REPT. No. 92-1174)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 15585) "making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending June 30, 1973, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 1, 3, 4, 5, 6, 8, 9, 10, and 13, and agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$209,000,000"; and the Senate agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$65,859,000"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 7, 12, 14, 15, and 16.

TOM STEED,
JOSEPH P. ADDABBO,
EDWARD R. ROYBAL,
TOM BEVILL,
GEORGE MAHON,
HOWARD W. ROBISON,
JACK EDWARDS,
DONALD W. RIEGLE, Jr.,
JOHN T. MYERS,
FRANK T. BOW,
Managers on the Part of the House.

JOSEPH M. MONTOYA,
ALLEN J. ELLENDER,
DANIEL K. INOUYE,
GALE W. MCGEE,
J. CALEB BOGGS,
GORDON ALLOTT,
MILTON R. YOUNG,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 15585) making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain independent agencies, for the fiscal year ending June 30, 1973, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report.

TITLE I—TREASURY DEPARTMENT

Bureau of Accounts

Amendment No. 1: Appropriates $62,241,000 for salaries and expenses as proposed by the Senate instead of $62,500,000 as proposed by the House.

Bureau of Customs

Amendment No. 2: Appropriates $209,000,000 for salaries and expenses instead of $210,000,000 as proposed by the House and $208,000,000 as proposed by the Senate.

Bureau of the Public Debt

Amendment No. 3: Appropriates $74,000,000 for administering the public debt as proposed by the Senate instead of $75,000,000 as proposed by the House.

Internal Revenue Service

Amendment No. 4: Appropriates $34,500,000 for salaries and expenses as proposed by the Senate instead of $35,000,000 as proposed by the House.

Amendment No. 5: Appropriates $508,000,000 for accounts, collection, and taxpayer service as proposed by the Senate instead of $510,000,0000 as proposed by the House.

Office of the Treasurer

Amendment No. 6: Appropriates $11,300,000 for salaries and expenses as proposed by the Senate instead of $11,500,000 as proposed by the House.

General Provisions—Treasury Department

Amendment No. 7: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment as follows. In lieu of the language proposed by the Senate, insert the following:

"SEC. 102. No part of any appropriation contained in this Act shall be available for expenses of Customs preclearance activities after March 31, 1973, in any country which does not grant to the United States Customs officers the same authority to search, seize, and arrest which such officers have in connection with persons, baggage, and cargo arriving in the United States or which does not provide adequate facilities for the proper exercise of this authority, as may be approved by the Secretary of the Treasury."

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

TITLE III—EXECUTIVE OFFICE OF THE PRESIDENT

Expenses of Management Improvement

Amendment No. 8: Appropriates $700,000 as proposed by the Senate instead of $600,000 as proposed by the House.

Office of Management and Budget

Amendment No. 9: Appropriates $19,600,000 for salaries and expenses as proposed by the Senate instead of $19,700,000 as proposed by the House.

Office of Telecommunications Policy

Amendment No. 10: Strikes out House language concerning hire of passenger motor vehicles, as proposed by the Senate.

TITLE IV—INDEPENDENT AGENCIES

Civil Service Commission

Amendment No. 11: Appropriates $65,859,000 for salaries and expenses instead of $62,218,000 as proposed by the House and $66,218,000 as proposed by the Senate.

General Services Administration

Construction, Public Buildings Projects

Amendment No. 12: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment to eliminate the proviso contained in the Second Supplemental Appropriation Act, 1972, concerning approval of revised prospectuses for public buildings projects.

Expenses, United States Court Facilities

Amendment No. 13: Appropriates $5,344,000 as proposed by the Senate instead of $6,344,000 as proposed by the House.

Department of Defense

Civil Defense Preparedness Agency

Amendment No. 14: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate, which makes a portion of the sum appropriated contingent upon enactment of authorizing legislation.

Department of Health, Education, and Welfare

Health Services and Mental Health Administration

Emergency Health

Amendment No. 15: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate, appropriating $3,000,000 for Emergency Health community preparedness activities.

TITLE V—GENERAL PROVISIONS

Amendment No. 16: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate, which would direct the General Services Administration to continue to apply the existing Buy-America differential in the procurement of hand or measuring tools.

Conference total—with comparisons

The total new budget (obligational) authority for the fiscal year 1973 recommended by the Committee of Conference, with comparisons to the fiscal year 1972 total, to the 1973 budget estimate total, and to the House and Senate bills follows:

	Amounts
New budget (obligational) authority, FY 1972	$4,928,452,603
Budget estimates of new (obligational) authority, FY 1973	5,066,603,000
House Bill, FY 1973	5,057,145,000
Senate Bill, FY 1973	5,057,186,000
Conference agreement, FY 1973	5,057,827,000
Conference agreement compared with:	
New budget (obligational) authority, FY 1972	+129,374,397
Budget estimate of new (obligational) authority, (as amended), FY 1973	−8,776,000
House Bill, FY 1973	+682,000
Senate Bill, FY 1973	+641,000

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J. P. ADDABBO,
EDWARD R. ROYBAL,
TOM BEVILL,
GEORGE MAHON,
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JACK EDWARDS,
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DANIEL K. INOUYE,
GALE W. McGEE,
J. CALEB BOGGS,
GORDON ALLOTT,
MILTON YOUNG,
Managers on the Part of the Senate.

DISTRICT OF COLUMBIA BUSINESS

The SPEAKER. This is District of Columbia Day. The Chair recognizes the gentleman from Texas (Mr. CABELL).

NATIONAL CAPITAL TRANSPORTATION ACT OF 1972

Mr. CABELL. 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. 15507) to amend the National Capital Transportation Act of 1969 to provide for Federal guarantees of obligations issued by the Washington Metropolitan Area Transit Authority, to authorize an increased contribution by the District of Columbia, and for other purposes; and pending that motion, Mr. Speaker, I ask unanimous consent that general debate on the bill be limited to 1½ hours, the time to be equally divided and controlled by the gentleman from Minnesota (Mr. NELSEN) and myself.

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

There was no objection.

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

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 15507, with Mr. BRADEMAS in the chair.

The Clerk read the title of the bill.

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

The CHAIRMAN. Under the unanimous-consent agreement, the gentleman from Texas (Mr. CABELL) will be recognized for 45 minutes; and the gentleman from Minnesota (Mr. NELSEN) will be recognized for 45 minutes.

The Chair recognizes the gentleman from Texas.

Mr. CABELL. Mr. Chairman, under the terms of the unanimous-consent agreement the gentleman from Minnesota (Mr. NELSEN) or the gentleman from Virginia (Mr. BROYHILL) will have control of 45 minutes of the time, pending which I yield myself 15 minutes.

Mr. CABELL. Mr. Chairman and members of the Committee, this bill is for the final completion of the funding and financing of the Metro system, covering upon its completion some 90-odd miles of rapid mass transit covering the District of Columbia and portions of northern Virginia and Maryland, this being under a tripartite compact

As was originally planned, the balance of the financing, other than the grants and contributions made by the compact jurisdictions, and the grants made by the Department of Transportation, was to have been by revenue bonds or tax-free revenue bonds, which have generally been the case in financing operations of this sort. Due to considerable uncertainty concerning the salability of tax-free revenue bonds, and in an effort to hold down the number of such bonds to a minimum, the Department of the Treasury has sponsored this bill which would provide Government guarantee for not to exceed $1.2 billion for the completion of the capital requirements of the Metro system. That $1.2 billion would not exceed $900 million unless the compact made an additional contribution to the metro system of one-third of the $300 million involved.

In other words, they would put up additional venture capital.

To date, under the terms of the National Capital Transportation Act of 1960 and as amended in subsequent bills there has been committed $600 mililon. It is contemplated that with contracts

which are presently pending that commitment would be $800 million within the very near future.

Under the terms of this bond guarantee, the bonds would be sold on a competitive basis to the low bidder. The only exception would be, should the Secretary of the Treasury feel that a better price could be obtained on those bonds it could be done under negotiation. Otherwise it would be to the low bidder or the best bidder for the first increment of $900 million of these bonds.

It is contemplated that these bonds would be sold under those circumstances at a rate of not to exceed 7 percent. The Treasury would rebate to the Transit Authority 25 percent of the interest cost, costs of preparation, and other costs contingent upon the sale of those bonds.

A question has arisen—one always has and always will, of course—as to what chance Metro has for paying off these bonds without calling upon the guarantor.

I call the attention of Members to the first chart, which is on the left, showing the anticipated revenues, compiled by the best engineers and research people available, as to the contemplated and expected revenues to accrue to this operation.

May I say that the present plans, which are on schedule at the present time call for approximately 9 miles of the system to be operated in 1974, with nearly a complete innercity system in operation by 1976, in time for the centennial, and with a completion of the 90-odd miles for the entire system by 1979.

I should like to call attention to the anticipated and projected revenues of this system. Members will note that the total anticipated fare box revenue by 1990 will be $195.5 million. Taking the adjusted gross revenue, the total would be $203.8 million. This is annually. The operating and maintenance expenses are anticipated to be $107.2 million, with a net revenue after depreciation of $81.3 million. This we see is more than ample to pay the costs to retire these bonds, from the fare box.

I should like also to call attention to the fact that this type of financing is entirely feasible. because the payment of interest and principal on the bonds comes off the top of the revenue. It is granted that there are few, if any, subway systems which operate completely out of the fare box today. Please bear in mind that inasmuch as $2.1 billion of the total of $3 billion, approximately, is in the form of grants and contributions that do not have to be repaid under the terms of the Urban Mass Transportation Act. The DOT is committed to provide two-thirds of this cost of $2.1 billion, with the compact, made up of the District of Columbia, Virginia, and Maryland, providing one-third of that amount, or $720.5 million.

May I advise this Committee that at this time all of the contributions of the compact members have been paid in. they are not in default, and they are ready to meet their commitments as they fall due.

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

Mr. CABELL. I will be happy to yield to the gentleman from Iowa.

Mr. GROSS. Mr. Chairman, this is such a wondrous statement in high finance that I cannot resist the temptation to welcome some more people over here. Therefore, 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. 227]

Abbitt	Dent	McCloskey
Abernethy	Devine	McDonald, Mich.
Abourezk	Dickinson	McKinney
Abzug	Diggs	McMillan
Alexander	Dingell	Mathis, Ga.
Anderson, Calif.	Donohue	Meeds
Anderson, Tenn.	Dowdy	Melcher
Archer	Downing	Metcalfe
Arends	Edmondson	Mills, Ark.
Aspin	Erlenborn	Mills, Md.
Badillo	Esch	Mollohan
Baker	Fish	Mosher
Bell	Flood	Pelly
Blanton	Flynt	Pepper
Boggs	Ford, Gerald R.	Pickle
Bolling	Fraser	Pryor, Ark.
Broomfield	Frey	Pucinski
Burke, Fla.	Fulton	Railsback
Byrnes, Wis.	Gallagher	Rarick
Caffery	Gray	Riegle
Carney	Griffin	Ruppe
Celler	Griffiths	Scheuer
Chisholm	Hagan	Schmitz
Clark	Hall	Schwengel
Clay	Harsha	Stokes
Conyers	Hastings	Stuckey
Cotter	Hébert	Sullivan
Coughlin	Holifield	Symington
Davis, Ga.	Kee	Teague, Calif.
Davis, S.C.	Keith	Teague, Tex.
Delaney	Kluczynski	Thompson, N.J.
Dellums	Kuykendall	
Dennis	Lent	
	Long, La.	

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. BRADEMAS, 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. 15507, and finding itself without a quorum, he had directed the roll to be called, when 334 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. At the time the point of no quorum was made the gentleman from Texas (Mr. CABELL) had the floor, and the gentleman has 6 minutes remaining.

Mr. CABELL. Thank you, Mr. Chairman. I will try to wrap this up as quickly and as concisely as possible.

May I inform the Committee that the overall program of the Metro system contemplates not only the Rapid Transit System but also a series of parking facilities to assist those who come from a distance and then take the Metro either into the District or across the District, as the case may be.

There have been a number of proposals submitted with reference to the use of existing rail systems as a part of the rapid transit system. May I inform the Committee that very intensive study has been made as to the feasibility of the use of these rail lines, and it has not been deemed feasible at this time.

May I add, however, that additional studies are contemplated, which possibly will lead to the use of one or two, or perhaps three, of such rail lines, to provide feeders to the Metro System, if the studies indicate the feasibility of such operations.

This proposal, the method of financing came about by the recommendation of and with the full support of not only the Department of Transportation but also the Secretary of the Treasury and the White House. Obviously the bond attorneys and prospective underwriters who would have the problem of selling these bonds at the most advantageous price possible for such undertaking support it.

Does the gentleman from Iowa wish me to yield to him?

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

Mr. CABELL. I will be happy to yield to the gentleman from Iowa.

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

I note on page 4 of the report in the third paragraph that it says:

> In addition, the findings of the financial advisors to the Transit Authority were that it would be practically impossible to successfully place the tax-exempt bonds which the Authority was authorized to issue.

What does this mean? Does it mean that without the full faith and credit, and all the full faith and credit of the U.S. Government, these bonds cannot be sold? Is that what it means?

Mr. CABELL. Revenue bonds as such would not carry the full faith and credit of the U.S. Government. They would depend entirely on the fare box. And as the gentleman from Texas stated in the earlier part of this statement, the revenue bond market, the tax-free revenue bond market is very soft, and it is not possible to market them. And it is the considered opinion of the gentlemen who are far more knowledgeable than I am in this subject that it would be most difficult if not impossible to sell State tax-free revenue bonds for this much so that the Secretary of the Treasury and the Department of Transportation have recommended this means of financing these bonds.

Mr. GROSS. If the gentleman will yield further, does the gentleman mean to say that tax-free bonds selling at 7 percent are going to begging these days, and that buyers cannot be found?

Mr. CABELL. May I say that 7 percent is entirely too high for a tax-exempt bond, and that shows definitely how soft this market is.

May I remind the gentleman from Iowa that under the provisions of this bill where they can be guaranteed by the Treasury Department through the Department of Transportation that one-fourth of the interest collected would be rebated to the Metro system which would still yield the Government more money than they would get from a tax-free bond, and would yield as much money as they are getting from their present long-term obligations so that there would be no loss to the Government in that case.

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

Mr. CABELL. Yes; I will be happy to yield to the gentleman from Connecticut.

Mr. GIAIMO. Mr. Chairman, in answer to the question of the gentleman from Iowa as to why you cannot sell tax-exempt bonds, the fact of the matter is that upon the best evidence from those people who are most expert in this country in selling tax-exempt bonds, in the opinion of the Metro financial advisers, two of the most eminent companies in the country today, they have advised that they would not be able to sell tax-exempt bonds.

Now, we could argue back and forth as to why they cannot sell tax-exempt bonds, but the fact of the matter is that they say it would be almost impossible to sell tax-exempt bonds in the market, transit authority bonds particularly, and other types of authority bonds.

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

Mr. CABELL. Mr. Chairman, I yield myself 5 additional minutes.

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

Mr. CABELL. I yield to the gentleman from Connecticut.

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

We are actually faced with the fact that this type of bond cannot be sold. If we are going to proceed with the construction of Metro, then we must change the financing picture. This is why the Treasury Department and the Department of Transportation all have come forth with this revision—it will be a taxable bond with an interest subsidy.

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

Mr. CABELL. I yield to the gentleman.

Mr. GROSS. If that statement is so good—that net revenue statement—then why this bill?

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

Mr. CABELL. I am happy to yield to the gentleman.

Mr. GIAIMO. I can appreciate the gentleman from Iowa being impressed with the fact that there will be a net revenue after appreciation of $81 million.

But let me say, even though the gentleman from Iowa may be impressed with that statement, I am certain that no bonding company would be. Because that is talking of estimated income in 1990. You just cannot sell bonds any place in the United States, in 1972, on what the estimated income may be in 1990.

The fact is that we need this money and we need it now in order to provide for the construction of Metro.

Mr. GROSS. I thank the gentleman from Connecticut for his frankness. I was certain that that chart represents the King Midases on the District of Columbia Committee and not reality.

Everything that the District Committee brings here, as with stadiums and everything else, for the District, is sold to us as something which will turn to gold instantly.

I appreciate the gentleman's frankness in telling us that as related to 1972 that 1990 chart is about as meaningless as anything could be.

Let me ask the gentleman a question. If the Treasury Department is so strong for this bill, why did not the Treasury Department submit something to that effect for printing in the report? I find nothing in the report that represents the position of the Treasury Department, which certainly should be an interested party to this kind of a deal.

Mr. CABELL. If there was an omission as to that, it was an error. Because the Treasury Department appeared at our hearings, and representatives of the Treasury Department appeared and they were in full accord. It is in the report that has now been out for the necessary number of days.

May I remind the gentleman—as much as I dislike getting into any kind of argument with my good friend, the gentleman from Iowa—this is not a Midas touch by any means. This estimate has been made by people who we have reason to believe know their business and who know what they are talking about, and not shooting from the hip. The gentleman from Texas is not shooting from the hip on this and if he did not believe it, he surely would not be up here trying to put this bill across.

I will be as frank with you as I can be on any question you wish to ask.

May I further say that the maximum income is based on 1990, when it will be 1979–80 before the full system gets into operation.

But then you will have an ample cushion—you will have more than an ample cushion to retire those bonds as they become due, and during the interim there will be the money available for interest.

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

Mr. CABELL. I yield to the gentleman.

Mr. RANDALL. Mr. Chairman, I have a question or two.

Actually, there must be some strong reason that you are seeking a Federal guarantee for these bonds. There must be some doubt whether they are going to be salable without this guarantee.

Now I have great respect for the gentleman from Texas. He has a job to do, and he must go ahead with it.

I note under the second reason on page 2, why this guarantee is in the interest of the United States, which I read.

(2) the Transit Authority has entered into an agreement with the Secretary of Transportation providing for reasonable and prudent action by the Transit Authority respecting its financial condition if at any time the Secretary, in his discretion, determines that such action would be necessary to protect the interest of the United States;

Let me suggest contrary to this lofty language that there is just no way to protect the interest of the United States—if these revenues go down, then the Government is going to have to pay off the bonds. If we do what we are asked to do today these bonds are no longer revenue bonds, but become general obligation bonds of the U.S. Government.

Mr. CABELL. These are revenue bonds.

Mr. RANDALL. Sure, they are but you are proposing they be guaranteed revenue bonds.

Mr. CABELL. But nevertheless the revenues are derived from the fare box that are used.

Bear in mind, these payments to the bondholders come off the top of this revenue.

Mr. RANDALL. Yes.

Mr. CABELL. I would say at the time that this was worked out and approved, my good fellow, Texas is not in the habit of giving money away and it is with his full approval and full endorsement.

Mr. RANDALL. The fact of the matter is—something has gone wrong. These bonds are not moving. They are not being purchased. There is no way to deny that such is the reason they are asking for this guarantee. Without the guarantee they should be described as soft bonds.

Mr. CABELL. That is partly correct. They are not being purchased.

They are not soft bonds, but this makes them a good deal heavier, which will mean that we can sell them at a lower interest rate than if we had to just throw them on the market.

Mr. RANDALL. One more question: When we guarantee these bonds, they become, in effect, the obligation of the U.S. Government, and have to be paid by the United States if the revenues or fares are not enough to make the payments. Is that correct?

Mr. CABELL. Certainly they do, and may I remind the gentleman that there is ample precedent set for this type of financing? I call your attention to the financing of hospital construction. Bond issues for hospital construction are guaranteed by the U.S. Treasury. May I call your attention to the fact that bonds issued under the Model Cities program are guaranteed by the Federal Government? May I also call your attention to the fact that under FNMA there are certain Treasury guarantees? So this is not a unique situation. There is ample precedent for it.

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

Mr. CABELL. I am glad to yield to the gentleman from Kentucky.

Mr. SNYDER. Is it not true that a 7-percent tax-free bond on today's market, which is not soft, will sell at a premium of between $108 and $110?

Mr. CABELL. I think the gentleman is correct. Even then some of them go higher than that through a discount of the bonds so that the yield would be 10 percent or more. I thank the gentleman for his consideration.

I yield to the Delegate from the District of Columbia such time as he may consume.

Mr. FAUNTROY. Mr. Chairman, I rise in support of H.R. 15507, the 1972 National Capital Transportation Act which provides for Federal guarantees of obligations issued by the Washington Metropolitan Area Transit Authority, the agency which is charged with the construction of the subway in the Washington metropolitan area.

In 1965, the Congress passed the original legislation authorizing the construction of the subway. Since that time,

11 miles and 14 stations have been put under construction, 23 stations are in the final design stage, and financial plans are well enough along to require that debt financing be looked upon as the primary source of funds.

While the plan originally called for the sale of unsecured bonds, inflation and rising interest rates have made that initial decision unsound. If the bonds are to be marketed at rates which will attract investors and yet be low enough to be repaid from the anticipated revenues which will be collected through the farebox, Federal guarantees are necessary.

The Federal guarantee only assures the investor that for his lower yield the Federal Government stands ready, if the need should ever rise, to repay his principle and interest. The possibility of such an event is very remote for the legislation amply provides for the Secretary of the Treasury to determine and then certify that the bonds represent an acceptable risk to the United States. Beyond this the authority must agree with the Secretary of Transportation to take such action so as to assure that the interest of the United States is protected and the risks minimized. In every case, the decisions that would affect the financial integrity of the bonds is left to those Federal officials who are responsible for national fiscal and national transportation policy. There is no way that the transit authority can ignore the necessities that will permit the implementation of reasonable and intelligent plans for the repayment of these bonds.

Since the time of the original authorization, the local governments and the United States have obligated more than $900 million to this project. A failure to provide the guarantees will mean that work will have to stop. Ultimately—indeed very quickly—unless alternative means of finance were found, it would be necessary to fill the tunnels and the stations, wasting the money already spent. Additionally, since most of the funds have been spent in the District of Columbia, both Maryland and Virginia would have a basis for a suit of rather large proportions against the District, the costs of which may very well have to be ultimately paid out of the Federal Treasury since much of the work has been done with their money.

Both the District of Columbia and the States of Maryland and Virginia have relied on the good faith of the Congress to see this system through. Both Virginia and Maryland have allowed their funds to be committed and spent in building the portions in the city that we expect will be ready for the Nation's bicentennial celebration. More than 40 million Ameircans are expected to visit this city in honor of 200 years of freedom and progress in every conceivable area.

With the anticipated influx of visitors and the continued growth of our metropolitan area, the completion of this subway is our only hope in avoiding strangulation from automotive emissions and congestions that will drive business and people from the capital.

I urge you to support this urgently needed and timely legislation that will assure the completion of this subway system.

Mr. NELSEN. Mr. Chairman, I yield 10 minutes to the gentleman from Virginia (Mr. BROYHILL).

Mr. BROYHILL of Virginia. Mr. Chairman, first I should like to commend the gentleman from Texas (Mr. CABELL) for his outstanding leadership and the efforts that he put forth during the hearings and in subcommittee and in the full committee in order to get this bill written and make it possible for its consideration on the floor of the House today.

I rise to urge the support of my colleagues for the bill H.R. 15507, of which I am pleased to be a cosponsor. This proposed legislation is vitally important as a means of assuring uninterrupted progress on the construction of the Regional Transit System, an essential element in the orderly development of the Washington metropolitan area.

Basically, this legislation will assure the financial feasibility for the completion of the Metro system by providing assurance of the marketability of the revenue bonds and by helping the WMATA meet the increased costs of planning and construction which have resulted from the severe inflation which has beset the construction industry.

For nearly 20 years, the Congress and the governments of all the jurisdictions in the Washington metropolitan area have engaged in discussion, planning, and providing a basis for the development of a regional rapid transit system, which can serve to alleviate the growing problems of transportation solely by automobiles and buses. Public Law 86–669, approved on July 14, 1960, provided the foundation for the realization of this goal by authorizing the development of an interstate compact, and I am humbly proud that I was the author of that legislation.

In 1965, the Congress authorized initial appropriation to an interim agency; and in 1966, the interstate compact was approved. And most recently, the National Capital Transportation Act of 1969 authorized the construction of the 98-mile Metro system, which will provide a rapid transit system to serve the entire area.

This sequence of legislative achievement represents not only the diligent work of the Congress in its determination to provide a solution to the dire and growing problem of transportation in the Capital region. Much more than that, it reflects a truly remarkable degree of political and financial cooperation among the various local governments, without which this dream could never have been realized.

At this time, despite agonizing setbacks in financing, the Metro system is taking shape at a rapid pace. Starting, of course, in the District of Columbia itself as the heart of the system, the WMATA has forged ahead under most capable administration, in the planning and construction of this mammoth enterprise. Today, more than 9 miles of the system are under construction contract, including 11 stations. Work is proceeding rapidly at Judiciary Square, along G Street, at Dupont Circle, and on both sides of the Potomac River in the Rosslyn-Georgetown area. Tunneling has proceeded as far west as Rock Creek. In addition, final design has been completed on some 26 miles of the system, including 24 stations.

At this time, WMATA has a total of $887 million available, all of which has been committed. Of this amount, $834.7 million has actually been obligated. Thus, only $52.3 million of presently available funds remains unobligated.

When the National Capital Transportation Act of 1969 was approved, the total cost of the 98-mile system was estimated at $2.535 billion. Of this amount, $835 million was to be raised through the sale of revenue bonds, principal and interest of which would be paid from receipts from the fare box. The balance of $1.7 billion was to be shared by the Federal Government and the eight participating jurisdictions of the area, on the basis of two-thirds Federal and one-third local participation.

As a result of inflation and unexpected delays, it is now estimated that the construction of the entire system will cost some $500 million more than was projected in 1969. However, the revenue projections have also increased to some extent, so that the net increase in cost is estimated at $450 million.

This project has now reached the point where the sale of the revenue bonds is essential for the continued and uninterrupted development of the Metro system. However, it has been found that the present condition of the bond market makes it necessary to provide investors with assurances beyond those which were anticipated in 1969. This situation is a result of higher prevailing interest rates than were originally expected, the $450 million cost gap which has developed in the financial plan, and a reluctance on the part of investors to buy transportation bonds in view of the availability of many other types of securities.

Broadly, the thrust of H.R. 15507 is to provide the assurance needed to facilitate the sale of these revenue bonds by authorizing the Secretary of the Treasury to guarantee the repayment of both principal and interest thereon. The bill provides also that the interest on these bonds shall be taxable, with sufficient of these revenues thus accruing to the U.S. Treasury to be returned to WMATA as a subsidy to pay 25 percent of the interest, fees, and commissions incident to the issuance of the bonds. This subsidy is expected to finance the debt service on an additional $300 million in revenue bonds, the total of which will then reach $1.2 billion which is the maximum authorized to be guaranteed by the Federal Government. Thus, through this subsidy the Federal Government's two-thirds share will be provided of the additional $450 million cost of the system; and the local jurisdictions will be required jointly to contribute an additional $150 million as their one-third share of this additional cost. The bill also provides the means for the payment of the District of Columbia's share of this additional cost, through increased borrowing authority.

The bill prescribes certain conditions under which the Secretary of the Treasury may guarantee the Authority's obli-

gations incident to these bonds. First, the Secretary must find that the obligation to be guaranteed represents an acceptable financial risk to the United States. And further, there must be a determination and a certification by the Secretary that (a) the prospective revenues of the Transit Authority furnish reasonable assurance that timely payments of interest on the obligations will be made; (b) guaranteed obligations—other than short-term notes—will be sold by a process of competitive bidding as prescribed by the Secretary unless he makes a written determination that competitive bidding under prevailing market conditions would result in higher net interest costs or otherwise increase the cost of issuing obligations; and (c) the rate of interest payable or guaranteed obligations is reasonable in light of prevailing market yields.

The bill also makes several amendments to the Washington metropolitan area transit regulation compact, one of which removes an existing 6-percent interest-rate limitation applicable to both temporary and long-term borrowing by the Authority. Two other amendments to the compact relate to the protection of the Federal interest if the Authority's bonds are to be guaranteed. The first of these provides labor standards governing transit operations and protective arrangements, terms, and conditions of employment for employees of transit properties acquired by the Authority. These provisions include mandatory arbitration of labor disputes which should assure continuity of operations and, hence, no interruption in the flow of fare-box revenue. The second such amendment would assure that in the event any jurisdiction desired reduced fares for any class or category of its citizens, provision will be made for an equitable subsidy arrangement by contract with the Authority.

Other amendments to the compact provide (a) a redefinition of the term "transit services" so as to permit the performance by the Transit Authority of charter service originating within the transit Zone; (b) that an alternate Director from the District may act on behalf of an absent District of Columbia Director whether or not the absent Director is the one for whom the alternate was appointed—this provision applies, of course, to the board of directors of WMATA; permission for the WMATA to operate its transit facilities either directly or by contract as the board may determine. All of these amendments to the compact have been enacted by both Maryland and Virginia.

Essentially, therefore, this proposed legislation is designed to facilitate the sale of the revenue bonds, to maintain the original ratio of two-thirds Federal to one-third local payment of the balance of the costs, and thus to assure the completion of the Metro system on a schedule designed to minimize the total cost thereof.

The principal provisions of this bill were submitted to the Congress as far back as June 1971, jointly by the Department of Transportation, the WMATA, and the District of Columbia government. The Office of Management and Budget approves the measure as being in accordance with the President's program, and the bill has the full concurrence and support of all the local jurisdictions which are parties to the Interstate Compact.

Mr. Chairman, it has truly been said that the development of the Metro dream has been a bipartisan effort. It was started during the administration of President Dwight D. Eisenhower, it had the strong support of President John F. Kennedy, and President Lyndon Johnson urged the construction of the rapid transit system in the area to "help us fulfill our goal in making the District of Columbia the model city for the Nation that Washington ought to be." And we are all aware of the great promise for our Nation's Capital that President Richard Nixon envisions through the completion of this great enterprise.

All in all, we should be hard pressed to cite a finer example of local, congressional, and Executive togetherness than the spirit and effort of 20 years toward this goal.

All the studies and all the plans for the development and construction of this great transportation system have been made. At this point, the vital need is for a remedy for the financial crisis which has been brought about by the economic circumstances of recent years and which now threatens to delay the completion of the Metro system and thus further increase its cost. For two decades, the Congress has taken the lead in developing and approving the means of achieving this great vision for the Washington metropolitan area, and I am confident that this body will take firm and immediate steps to avert this present threat by favorable action on this proposed legislation today.

Mr. NELSEN. Mr. Chairman, I yield myself such time as I may require.

Mr. Chairman, some of us who find ourselves in the—I almost said "unfortunate"—position of being assigned to the Committee on the District of Columbia often find it very difficult, but we have been given an assignment and we try to do the job, having in mind that we are serving the Nation and our Federal city.

A number of years ago we put together a bipartisan team to go ahead with the transit system, having in mind that something would have to be done, but there has been delay, delay, delay not because of inaction of those who are in charge of the program but because of other obstacles that have arisen relative to other problems dealing with the transportation system of the District. But the cost has gone up and up and up because of inflationary trends which prevail all over the country.

Let me call attention to the fact that in 1950 459,000 automobiles crossed the District line daily in both directions. In 1960, 804,000 crossed the District line. In 1970, 1.2 million crossed the line daily, which is a 140-percent increase in that length of time. There will be further increases in the future unless some action is taken to implement mass transportation in the Washington, D.C., region.

I wish to call attention to the fact that in our deliberations in the committee some of us who move cautiously but deliberately were opposed to a provision in the bill that provided for public takeover. There are some of us who instinctively shy away from setting up a legislative delegative authority that is going to give WMATA a chance to expand its already broad authority. If that is to take place—public ownership—at a later date it needs to be reviewed carefully, because somehow or other it seems to be the rule rather than the exception that where there is public operation and ownership you do not always have the most efficient management. There is a loss of tax revenue, higher costs, and larger Government payrolls potentially facing a public takeover.

The committee has stricken the provision at one time appearing in the bill as far as public ownership of the D.C. Transit is concerned.

In the discussion earlier I noted that the Delegate from the District of Columbia asked to revise and extend his remarks. I do not know just what was in them. I should like to have heard the Delegate read the remarks for the reason that I noted on the news broadcasts this morning that he is requesting the presidential candidate he is supporting an endorsement of the so-called Washington agenda which provides for takeover of D.C. Transit and provision for free bus fares for District residents. If it is the feeling of the Congress that we are committing ourselves to free fares to District transit system users, I wish to make it known here and now that the taxpayers in Minnesota are not going to be very happy about putting Federal money into a system that is going to provide free bus rides in the District of Columbia.

I think it should be made very clear to the Congress whether they so intend to provide free busfares. I think that some of the very liberal forecasts of how the revenues are going to increase and be more than adequate to handle the interest costs of the bonds may be somewhat unrealistic 10 years from now. I have seen this happen before. It has not always worked out as promised; and I know there may be errors in judgment, but I do not wish to make the mistake of supporting something like free fares and bus company purchase without knowing that I may be indirectly supporting it.

The leadership of the District of Columbia Committee does not intend to provide free busfares or for the takeover of the D.C. Transit Co. I have not worked in committee on the details of this bill as some others have—Mr. CABELL and Mr. BROYHILL of Virginia—but I am generally well familiar with its provisions by reason of our work in the committee. My feeling is that we have done the best that we can under these circumstances in reporting out this bill. But I do not want loopholes in this bill that provide for things I do not support.

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

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

Mr. GROSS. I am very much interested because we had taken a position contrary to the position of the Delegate of the District of Columbia, because we had that issue up when the busing bill was before the House.

Is the gentleman suggesting that the delegate from the District of Columbia might come along at some time later, after good old "Uncle Sucker" was made the beneficiary of the bonds, in a takeover process, and want the people of the District of Columbia to ride free on this subway that had been unloaded on the Federal Government?

Mr. NELSEN. I do not know. The Delegate's position, I assume, is as stated in his extension of remarks in the RECORD without any oral statement on the floor. I would like to know what the position is on the part of the Delegate from the District of Columbia as to what he supports and what he believes this bill provides as it relates for bus fare subsidy and transit purchase.

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

Mr. NELSEN. I am happy to yield to the gentleman.

Mr. FAUNTROY. Mr. Chairman, while the discussion of free transportation is not at all relevant to the bond issue that is before us for decision——

Mr. NELSEN. I do not agree with the gentleman. It is very relevant in my opinion.

Mr. FAUNTROY. I am sorry this question has been raised. I only wish the distinguished gentleman, my close colleague, would carefully read the entire Washington agenda, for then he would see why the citizens of the District of Columbia believe transportation ought to be free. Frankly, personally I agree with them.

The time has arrived when transportation, like police and fire protection, street maintenance, sanitation, and street lights ought to be provided through the general revenues, thereby spreading the cost to everybody, and protecting everybody in the system at the lowest possible rates.

Mr. BROYHILL of Virginia. Mr. Chairman, will the gentleman yield?

Mr. FAUNTROY. I will yield to the gentleman.

Mr. NELSEN. Mr. Chairman, I have the time. Has the gentleman completed his statement?

Mr. FAUNTROY. No, I have not. May I simply revise and extend my remarks?

I cannot imagine anyone here wanting to return to the era of paying the firemen when they respond, of paying the police on a "use basis," of paying for the maintenance of the street and sidewalk in front of his house. No one seriously suggests "use basis" payment because we all want what is best for all of the people; we all want viable communities, we all want our children and our elderly to be able to participate in all of the events that this Nation and particularly this city can offer.

The fact is that a family of four cannot visit our free museums and galleries, they cannot attend the free concerts, they cannot visit the free zoo and see our playful pandas for less than $3.20. This is an utter shame and it is worse when we stop and realize that the man probably earns less than $3.20 per hour or a mere $6,300 per year.

Transportation is more than allowing people to visit the free events. It is allowing an elderly person to attend church, to visit the doctor and friends, to shop. It is the basis of bringing people to the central business district where goods and services are sold, taxes paid, people employed. It is the lifeblood of a city and it seems to me that these values are worth preserving and worth paying for through the use of general revenues.

The most recent studies show the fallacy of continuing to provide a system of private car transportation for an average one-way commuting trip to the central business district based on 6.2 miles distance in a metropolitan area of 1 million plus person. It costs 42 cents per person per one way by bus versus $2.28 per person for the same trip in a private car. Even using average per person costs in private car transportation, the costs, then based on 1.6 people per car, is a still very high $1.42 per one-way trip. Now the fact is that this is using a very favorable 10-year lifespan for a car and an average—and in this area low—12-year lifespan for buses.

Even the allocation of public costs is extraordinary between the two modes. Assuming transit fares cover operating costs and that fares represent private cost, the fact is that the taxpayer is paying 27 cents per one-way trip per car versus 8 cents per one-way trip per bus. For just a net expenditure of 7 cents more we can make that trip free.

Let me tell you what this means. It means that we can turn some of 142 miles of freeways back to productive use. In this urban community we have 340 square miles of urban area with 142 square miles of freeways—more freeways per miles and per capita than any other city in the United States. Of the 62.5 square miles or 40,000 acres in the city proper, 30 percent is devoted to highways. Since 1948, past and present plans consume 1,218 acres of land.

The loss of property and other taxes is expected to exceed $6 million per year. Today, 60 percent of the central business district is devoted to the function of storing and moving motor vehicles. Less than half of this figure results from the L'Enfant plan.

With the increases in roads and cars came increases in traffic injuries. In 1940, 5.9 persons per 1,000 residents were killed or injured in traffic accidents. In 1964, after $400 million in traffic improvements were made, the accident figures rose to 13.6 persons per 1,000 residents.

In short, injured and dead rose from 3,900 in 1940 to 11,000 in 1964. The costs of these accidents is immeasurable. Yet, the population decreased from a high of 920,000 in 1947 to 760,000 in 1970. Need I begin to discuss the other external costs? Inordinate travel times because everyone drives, pollution, respiratory disease, lead poisoning, et cetera.

Mr. Chairman, I am sorry that it is necessary to take the time to discuss a matter that is not at issue here. The issue is support for the bill and nowhere do I or does anyone urge that the system be free or even be subsidized. All we ask here is the opportunity to be able to see the means to sell bonds at prices we can afford in anticipation of fare box collections.

Mr. BROYHILL of Virginia. Mr. Chairman, will the gentleman yield?

Mr. NELSEN. I yield to the gentleman from Virginia.

But first let me say that if Mr. FAUNTROY wishes to provide free bus fares to District residents that he come up with ways to pay for it other than Federal subsidy. I might point out that in committee the other day Mr. FAUNTROY opposed retroactive pay for District police, as I understand it, because there were insufficient funds to provide for it. Where is he going to get the funds for free transit fares and to buy a bus company.

Mr. BROYHILL of Virginia. As I pointed out in my remarks, this legislation prohibits any subsidy for any community for any rides to be charged to the transportation system itself. That would have to be provided by the community.

If the Delegate from the District of Columbia (Mr. FAUNTROY) wants to provide free fares for the citizens of the District of Columbia, he would have to come back with subsequent legislation asking for such payment.

Mr. GROSS. Now is that not nice? What a beautiful clobbering for the taxpayers of Iowa and Minnesota when they come back in subsequent legislation and make them pay through the nose for a program that benefits principally the District of Columbia and the States of Maryland and Virginia. And they will ride the subway free if the Delegate from the District has his way, and all our taxpayers would pay the bill. I do not like it.

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

Mr. NELSEN. I yield to the gentleman from Connecticut.

Mr. GIAIMO. I believe it should be made eminently clear that on page 17 of the legislation, as the gentleman from Virginia pointed out, there is a compact against charging any of these reduced fares to the Washington Metropolitan Transit Authority. The Washington Metropolitan Transit Authority is going to furnish subway service. People are going to pay for it.

If some one of the subdivisions wants to come in and make a provision for reduced fares to the poor, or for reduced fares to the elderly, or for reduced fares to the handicapped, that is not a function or a cost of the WMATA. That money will have to be paid to the Transit Authority by the jurisdiction which wants to be generous and kind. We cannot and must not, and under the law absolutely cannot, charge it to the Transit Authority.

Whatever the delegate from the District of Columbia may suggest, he would have to find the money elsewhere, and presumably in the District of Columbia.

Mr. NELSEN. Mr. Chairman, I will conclude my remarks in a moment, and only wish to say that I realize what has been said is contained in this bill.

I dislike very much to have this kind of a proposition suggested over radio and television and not on the floor. I regret that I did not see the statement. It was put into the RECORD without my having an opportunity to read it. As you know one cannot read an extension of remarks, ordinarily until the next day or with the permission of the author.

This does not show responsible leadership, to ask the taxpayers in Minnesota, in Iowa, and all over the country to help pay for the construction of this subway system and then later be asked to provide free rides; because every other community could ask for the same thing and certainly they would be entitled to it if it is provided District residents.

I, for one, do not want to have my fellow members claim that we were not honest in bringing up this bill if 6 or 12 months from now another bill is reported out (even over my objection) providing for free bus fares.

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

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

Mr. ANDERSON of Illinois. Mr. Chairman, I think it is important at this point in the debate, and I would suggest to the gentleman from Minnesota that we should clarify one matter. Perhaps the explanation offered by the gentleman from Connecticut (Mr. GIAIMO) has already done that. But I, for my own part, would like to make it perfectly clear that in supporting this legislation today, and as I understand it this is an administration initiative, it is supported by the White House, by the Department of Transportation, by the Treasury Department, and supported by the Republican leadership on this side of the aisle, that in supporting this particular legislation we are not taking even the first small step down the road toward approving free fares for any riders in the District of Columbia.

I am correct in that, am I not?

Mr. NELSEN. The gentleman is correct and I thank him for his remarks which further clarify this matter and I state that I wish to associate myself with his remarks. I believe we are committed to this bill but I believe it should be made abundantly clear that we are not endorsing free transit use or the purchase of a bus company.

Mr. Chairman, the Congress is commited to the construction of a regional mass transportation system in the Nation's Capital. The large number of employees of the Federal Government who live in the metropolitan area must be transported from their homes to their offices in the District of Columbia in an expeditious manner and yet in a manner that does not cause excessive pollution in the air in the District of Columbia either for its residents or for those many visitors to the Nation's Capital. Furthermore, the traffic congestion that the city of Washington has experienced over the last 20 years cannot continue without either vastly improving and increasing the highway system, the parking system in inner city areas, while at the same time, insuring that some type of device is installed on all automobiles that will maintain the exhaust fumes from automobiles at a level that will not contaminate the air beyond permissible and reasonable limits.

The number of vehicles crossing the District of Columbia boundaries during a 24-hour period has increased dramatically since 1950. In 1950 it was estimated that 495,000 automobiles cross the District of Columbia boundaries daily. In the 1960's the estimate was approximately 804,000 automobiles crossed the District of Columbia boundaries daily; and in 1970, the number was approaching 1.2 million daily—for an increase over 20 years of 140 percent. There is every indication that that number has risen substantially since 1970 and will continue into the 1970's and 1980's without some relief such as a subway system.

The commitment of the Congress to the establishment to the National Capital region mass transportation goes back to 1960.

The most recent action of the Congress relating to the Transit Authority was the approval of the National Capital Transportation Act of 1969 (83 Stat. 223), which projected the development of a 98-mile system at a cost of $2.535 billion and authorized Federal contributions of two-thirds of the net project cost for the construction of the planned facilities.

Ground breaking for the 98-mile transit system took place soon after approval of the act by the President. Initial construction was concentrated in the District of Columbia which is the core area of the region. At the present time, about 11 miles of the system are under construction. Work is proceeding at Judiciary Square, Union Station, Farragut Square, and along G Street, out Connecticut Avenue to DuPont Circle, and on both sides of the Potomac River at Georgetown and Rosslyn, Va., and tunneling has progressed as far as Rock Creek. A total of 26.9 miles are under final design. Fourteen stations are under construction, and 23 stations are in the final stages of design.

A major objective of the Transit Authority, the administration, and the compact signatories is to hasten construction of the system, looking forward to completion to the maximum extent possible by the bicentennial year of 1976. It is estimated that during the bicentennial activities an estimated average of 100,000 visitors per day will visit the area during the year. Such parts of the system as are completed will furnish a much needed additional people moving capacity in the National Capital area.

As noted earlier, the principal construction authority for the transit system was enacted by the Congress in 1969, which placed the cost of the 98-mile system at approximately $2.5 billion. However, as all of us know from our own personal financial situation and from the experience in our own congressional districts in the cities, counties, and States that the costs of construction have risen dramatically in the last 3 years. The Washington Metropolitan Area Transit Authority is experiencing the same problems in increases in costs that all local, State, and Federal Government projects are encountering.

In early 1971, the Transit Authority completed a study of the construction progress as of that date, the trends in construction costs, and the conclusions reached by advisers concerning financing of the transit facilities. On the basis of this study it was concluded that the financial plan of the Transit Authority should be revised. The impact of inflation on the construction industry had been without precedent, and the capital costs of the system had increased by about $486 million. It was also found that the potential revenues to the Transit Authority had also increased but the result projected was a net increase of $441 million in net project construction costs.

The original financial plan called for sale of $835 million of bonds which were unsecured revenue bonds. The remainder of the total cost of $2.5 billion was to be borne by the Federal and local governments in a ratio of two-thirds to one-third Federal-local sharing. Revision of the financial plan was imperative to meet the apparent deficit of nearly $450 million.

In addition, the findings of the financial advisers to the Transit Authority were that it would be practically impossible to successfully place the tax-exempt bonds which the Authority was authorized to issue. The alternatives open to the Transit Authority were providing a tax back-up for the revenue bonds, or the issue of taxable obligations supported by a Federal Government guarantee as to interest and principal. The time requirements and the difficulty of securing the tax support of the several local jurisdictions and the urgency of meeting the early need for more capital funds dictated the selection the alternative of Federal guarantee of Transit authority obligations, which were endorsed by the Secretary of Transportation and the Authority's financial advisers.

Now there are those in the House who will say that they forecast this underestimation of the cost of the subway system for the District of Columbia. Certainly I think that most Members of Congress anticipated that over the near-term that there would be some additional costs as a result of inflationary factors in our economy. However, the only alternative to meeting these inflationary costs by providing for increasing bonding authority of approximately $450 million is to cover this with appropriations to meet an apparent deficit. I believe that the choice of increasing the bonding authority is the better way to proceed in the total circumstances as they exist currently in the Washington, D.C. metropolitan area.

The proposed provisions of the new section 9 of the National Capital Transportation Act of 1969 permits the Secretary of Transportation to guarantee Transit Authority bonds issued with the approval of the Secretary of the Treasury. In addition, the Secretary of Transportation must certify that: First, the obligations represent an acceptable financial risk to the United States; second,

that the Transit Authority has entered into a suitable agreement with the Secretary to take such prudent action respecting its financial condition as the Secretary determines to be necessary to protect the interest of the United States; third, that the issue, unless the obligation is a short-term note, will be sold through a process of competitive bidding as the Secretary may prescribed; and fourth, that the interest rate is reasonable in view of market yields.

These requirements clearly provide necessary protections to the Federal Government. The important determinations are not left to persons below the Federal level.

However, the bill also authorizes the Secretary of Transportation, under certain conditions, to guarantee obligations to be sold by the Transit Authority through a process of negotiation. The Secretary must first make a determination that the prevailing market conditions would result in a higher net interest cost to the Authority or the cost of the issuance would otherwise be higher through the competitive bidding process. The Secretary of Transportation shall report his findings in writing, with detailed explanation of the reasons for the recommended action.

The net effect of these new provisions is that while the Transit Authority may receive the benefits of the Federal guarantee, the prime responsibility for the guarantee rests with the Secretary of Transportation and the Secretary of Treasury rather than with the Transit Authority. Thus, the same elements of confidence and judgment which normally guide the Federal Government in its issuance of obligations would be operating in connection with the sale of obligations of the Transit Authority.

The revised financial plan for the subway system, as I understand it, is generally as follows:

Under the revised financial plan, the net additional project cost will be $450 million to be shared on a two-thirds to one-third ratio between the Federal and local governments. Second, the Transit Authority will issue only obligations which are taxable. Third, an interest subsidy of 25 percent of the interest and marketing costs of placing its obligations will be paid by the Federal Government to the Transit Authority. The amount paid will be recovered from the money received by the Federal Government from taxes on income from such bonds. It is estimated that the amount paid will be sufficient to cover the debt service on an additional $300 million of bonds, increasing the total issue of bonds which may be guaranteed to $1.2 billion. No additional outlay is required from the Federal Government. Fourth, local jurisdictions will be required to pay an additional $150 million as matching funds, thus preserving the Federal-local matching ratio of two-thirds to one-third. Fifth, the District of Columbia is authorized to increase its share from $216.5 million to $269.7 million, and the borrowing authority of the District of Columbia is increased by a like amount to secure the necessary funds.

The advantages of the revised plan are that it will allow immediate sale of bonds at the most favorable interest rate and thus avoid any delays in the construction scheduled. It will allow local governments time to arrange the necessary legal steps to provide their increased share and at the same time protect the Federal interest by withholding the sale of the $300 million additional amount of bonds until the matching funds have been committed to or contributions have been paid into the Transit Authority.

Any guarantee by the Secretary of Transportation of a security issued by the Transit Authority shall be conclusive and incontestible except for fraud or material misrepresentation. The aggregate amount which may be guaranteed shall not exceed $1.2 billion. However, no obligation in excess of $900 million may be guaranteed unless local participating governments have made contributions to the Transit Authority in an amount of not less than 50 percent by which any proposed additional obligation would exceed the sum of $900 million or, if local enforceable commitments have been made to the Transit Authority, for payment of such contributions by the end of the fiscal year in which the obligation is issued. The interest on such bonds shall be considered as income for tax purposes under the Internal Revenue Code.

The provisions of the amendments in these bills are generally as follows:

I. Amends the National Capital Transportation Act of 1969 to:

(a) authorize the Secretary of Transportation, on approval of the Secretary of the Treasury, to guarantee the payment of the principal and interest on bonds or other evidences of indebtedness issued by the Transit Authority.

(b) authorize the Secretary of Transportation to make payments to the Authority amounting to 25% of the interest and other financing costs incurred by the Transit Authority.

(c) authorize the appropriation of such sums as necessary to make such payments.

(d) authorize an increase in the contribution of the District of Columbia to the Transit Authority from $216.5 to $269.7 million and provides funds for the increased contribution by increasing—by a similar amount—the authority of the District of Columbia to borrow from the Treasury.

II. Provide the consent of the Congress to amendments to the Compact to:

(a) remove the present limitation on interest rates applicable to borrowing by the Authority.

(b) provide for maintenance of fare box revenues by requiring local jurisdictions to make equitable payments to the Transit Authority for any difference between the full rate fare and any reduced fare available to any class of riders.

(c) provide labor standards governing operation of the Authority's transit facilities including a system of arbitration for the settlement of controversies or disputes which may arise between employee groups or between employees and the Authority. This is in effect a "no strike—no lockout" provision.

(d) permit the Authority to operate its transportation facilities either directly or under contract.

Generally speaking, the cost estimates as noted in the House Report No. 92–1155, accompanying this bill, are as follows:

This bill provides for new expenditures of Federal funds as follows: there is an authorization of appropraitions of such sums as may be necessary to (1) make payments under Federal guarantees of Transit Authority obligations, and (2) make payments to the Transit Authority of one-fourth of the interest and other marketing costs it incurs in issuing such obligations. The Transit Authority estimates that appropriation requests under that authorization will be made as follows: Fiscal year 1973—$8 million, fiscal year 1974—$11 million, fiscal year 1975—$16 million, fiscal year 1976—$20 million, and fiscal years 1977 and 1978—$21 million each.

As has been pointed out, the additional costs to the Federal Government are expected to be offset by the additional revenue the Federal Government will receive from taxes on interest income received from Transit Authority obligations.

The District of Columbia's share of the transit system is increased by $53.2 million dollars. However, the additional contribution will be made from funds provided by loans from the United States which will be repaid by the District of Columbia from its revenues.

This bill has the support of the Department of Transportation, the District of Columbia government and the Federal Office of Management and Budget. The latter indicates that enactment of this bill is in accord with the President's program for the Washington metropolitan area. It also has the strong support of members of the business and community groups who testified before the Committee of the District of Columbia. There are also a number of other provisions in this bill, as indicated earlier, which I would like to address. First, at one point it was proposed to be included in this legislation a provision authorizing WMATA to purchase and operate the D.C. Transit Bus System. I voted in the committee to delete that provision from the bill, and I will vote against any amendment on the floor today which would add such a provision to this bill. It is my position that that matter should be the subject of separate legislation and that any such purchase authority that is undertaken by Congress should be narrowly drafted if it is to be delegated—and it is questionable whether it should in fact be delegated—and it should be consistent with the earlier action taken by Congress in granting a franchise for the operation of the transit system in the District of Columbia to the D.C. Transit Co.

Furthermore, I believe that questions of such a matter in this bill will only tend to confuse the principal issue which is before us, which is that of the commitment that the construction of the subway system should proceed as we have authorized on a number of previous occasions by this Congress.

The following subjects are included in the bill, and I believe they have been reported out in a form such that they can be given favorable consideration by the House, that is, matters covering reimbursement for interest and related costs, lawful investments, compact labor amendments, and the matter of the compact labor amendment as well as fare box revenues.

Mr. LONG of Maryland. Mr. Chairman, will the gentleman yield?

Mr. NELSEN. Mr. Chairman, I would rather reserve some of my time for other requests, and if the gentleman from Maryland would request time from my colleague (Mr. CABELL) I would prefer

that he do so. But I will be glad to yied time to the Members that I have on my list, and the first of those is the gentleman from Maryland (Mr. HOGAN).

So, Mr. Chairman, I yield such time as he may consume to the gentleman from Maryland (Mr. HOGAN).

Mr. HOGAN. Mr. Chairman, I want to associate myself with the remarks made by the gentleman from Illinois (Mr. ANDERSON) and to state that those of us who so strongly support this legislation as well as the concept of a balanced transportation system, are in no way indicating that we are in support of free bus transportation. I personally would very much oppose such a thing.

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

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

Mr. CABELL. Mr. Chairman and members of the committee, this dog has been kicked around long enough, and I think it is time we put it to rest. This argument about the reduced fares is completely moot. The bill before us becomes the indenture under which those bonds are sold and as long as there is one of those bonds outstanding it cannot be amended, and there can be no reduced fares. Furthermore, the compact has the obligation to put a fare on the fare box sufficient to pay these bonds and their interest.

So let us not kick that dog around any longer. If we have anything else to argue about, all right, but this argument is completely moot.

Mr. NELSEN. I thank the gentleman, but I believe our discussion was enlightening to all Members.

Mr. Chairman, I yield 5 minutes to the gentleman from Maryland (Mr. GUDE).

Mr. GUDE. Mr. Chairman, I do not believe the relationship between this bill and the reduction of fares could be any more forcibly or better stated than has already been done by the gentleman from Connecticut (Mr. GIAIMO), and the gentleman from Texas, the chairman of our subcommittee (Mr. CABELL).

The gentleman from Texas (Mr. CABELL), has served as the chief executive of one of the large cities in the United States, and he well understands the needs and problems of a metropolitan area. He has worked long and hard on this legislation, and we are eternally grateful to him for his careful analyses and his work in its production.

Let us face it, 12 of Metro's most difficult downtown underground track-miles and 16 similarly difficult subway stations are already under construction, with contracts let amounting to 27 percent of the total system's cost, as was planned and forecast. In terms of construction much of the hard work is done or underway so that a fast highly automated and very practical system will be ready to serve the citizens from the 50 States who will celebrate the Nation's bicentennial with visits here.

With labor costs in this automated system amounting to only about 55 percent of operating costs, the Metro is a practical and conservative investment. But its financing is tied to the sale of revenue bonds beginning now. At the present time, however, this is difficult because of the current strong demand for capital the availability of more seasoned securities, the past congressional delay in releasing the District of Columbia's contribution and the competition of bonds backed by tax-raising authority. Thus, Metro's revenue bonds require a Federal guarantee, as would be provided in this legislation.

The alternatives would produce an overall increase in costs and almost certainly an additional Federal grant. Economy and prudence—in assuring that the great investment already made in the system is not undermined—require a vote today for the Federal guarantee.

The guarantee sought today would be for an amount not to exceed $1.2 billion. Since the Metro program has always worked under a conservative approach designed to pay off all bonds from revenues, the Federal guarantee would be backing a very conservative enterprise.

The Metro cars' average speed of 35 miles an hour, for example, is as much as twice the speed of older systems and will not only attract riders but reduce the number of trains needed, saving on both crew and maintenance costs. The broad, sweeping curves of track that permit this speed are made of heat-treated rails that promise a life expectancy four times that of ordinary rail.

The longer cars, their automation and their easy housekeeping all are planned to permit a good ratio of revenue to costs.

Metro's planning and its accuracy in forecasting these future costs gain great credibility from its great accuracy in estimating the costs of construction.

Pride in our Nation, prudence in our use of public moneys, concern for the soundness of our cities—all dictate a vote in favor of this Federal guarantee.

Mr. CABELL. Mr. Chairman, I yield to the gentleman from Louisiana (Mr. WAGGONNER) 3 minutes.

Mr. WAGGONNER. Mr. Chairman, it is in no way my intention to criticize the House Committee on the District of Columbia.

The truth is that they have an impossible task. They are doing a good job in an impossible situation.

I think the truth is that all you can do here is probably to voice a protest by voting "no" because as a practical matter, I can see no way to build this system and to bring it to its completed stage except to guarantee these bonds.

But I am here today simply to point out that you have to be on pot—if you believe these statistics that are up here—having to do with the estimated income statement for 1990.

In 1965, we authorized the construction of a system to be 25 miles long. It was estimated to cost $438 million. In 1969, we expanded it to be a 98-mile regional project to cost in the vicinity of $2.5 billion.

Go back and look at the track record. How many of you remember the rosey and glowing projections about the District of Columbia stadium and its value—look where it is now. They cannot even pay the interest on the borrowed money. They are paid nothing on the principal.

Go back and look at the glowing and rosey projections about the Kennedy Center and what it would do and what income would be available there toward its operation and the retirement of the debt. Go and look at yesterday's paper and you will see that they cannot even pay the construction costs and they need upward of $5 million now to even pay their delinquent operating costs.

Anybody who believes that these figures are right just simply adheres to the old idea that you can prove whatever you want with statistics. It is not easy to believe, if you know what to believe in.

But do not believe these figures. The revenues are not going to be there. It simply is not going to be the case. The Government is going to subsidize it from here on and make no mistake about it.

If you think this is not so, look at New York City which has a system for which they cannot even pay their operating costs much less defray modernization costs and construction costs if they want to expand the system. You are not going to do it here either. Revenue sharing will not even do it.

I am just simply saying that if you are going to vote for it—just vote for it on the basis that this is the only way to complete it.

Mr. LONG of Maryland. Mr. Chairman, will the gentleman yield?

Mr. WAGGONNER. I yield to the gentleman.

Mr. LONG of Maryland. The gentleman surely has, as I have, looked at the average income of the people who live in the Washington area and compared it with the average income in his own district. I have certainly compared it with the average income in my district. Average income in the Washington area is the highest in the Nation.

I ask, why the moderate-income people who live in my district or in your district for that matter, should dig into their pockets to pay a transportation subsidy to the people who live in one of the highest income areas of the United States?

Can the gentleman give me any reason why?

Mr. WAGGONNER. We are told we are going to make Washington your model city. It is a model, all right, but at the wrong end of the spectrum.

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

Mr. WAGGONNER. I am happy to yield to the gentleman from Maryland.

Mr. HOGAN. The gentleman made some very sage observations about the stadium in the District of Columbia and the Kennedy Center. I would remind the gentleman that there are those who seriously propose creating still another white elephant here in the District of Columbia—a sports arena. I hope the gentleman will oppose that as I do. The facility which will be built in Largo, Md., is far preferable.

Mr. WAGGONNER. We have one here, do not worry about another one yet.

Mr. CABELL. Mr. Chairman, I yield 5 minutes to the gentleman from Connecticut (Mr. GIAIMO).

Mr. GIAIMO. Mr. Chairman, I rise in support of this legislation. I do not think there is any Member of the House who will be more adversely affected by the construction of the Metro than I am, as I told you some time ago, because they are building a station right in front of my house on D Street SE., and will be terrible for me personally for the next year and a half. It will come within 4 feet of my house, taking the front yard, the trees, and everything else.

The fact is that I believe in Metro because it is in the best interest of the District and of the people of this country, and I do not think we are here today to argue whether we should or should not have Metro. Metro is already in construction. Metro has been approved by the Congress. We must go ahead with it. Certainly we do not want to stop construction on Metro after we have spent or committed to spend in the neighborhood of $500 million already of the total package cost of $3 billion. The question today is one of financing. That is the argument.

Surely, it is all well and good to point out, as my good friend from Louisiana did—and I love him and he knows that I do—the problems of the District of Columbia Stadium, which is used 7, 8, 9, or 10 days a year, and surely it is all right to point out that the Kennedy Center is costing us money, and I am not going to get into the argument of how you evaluate the real benefits of a cultural center. Is it in terms of just dollars alone or is it in terms of the great cultural contributions which it brings to our Nation?

Suffice it to say, America lags behind many of the other nations of the world in supporting the arts and humanities, and at long last we have begun to do something about it and we are supporting them.

Metro is a very real thing. It is going to carry people to and from their occupations in the city, and the gentleman from Louisiana—and I hate to pick on my good friend, Mr. WAGGONNER—has pointed out that the New York Subway System cannot pay its own way, and it is true that it cannot pay its own way. Many Metro systems are old and antiquated, and with rising operating costs, rising labor costs and everything else, they cannot pay their own way.

But I would ask this committee one question today: Could the City of New York survive without a mass transit system? I submit to you that the city would not.

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

Mr. GIAIMO. I am delighted to yield to the gentleman from Louisiana.

Mr. WAGGONNER. Perhaps it would be a better question if we asked whether New York can survive with one.

Mr. GIAIMO. The question is a good one. But the fact of the matter is, and I am sure the gentleman well knows, that with our growing population we have got to have mass transit. We have got to have it in these large urban areas. We certainly have to have mass transit in a city the size of New York, and it is obvious that we have to have one here in the city and in the Greater Washington area.

So the question today is not whether we should go ahead and build a subway. We are already building it. We have already spent or committed $500 million. The question today is what? First, changing the method of selling bonds because of the fact that they cannot, on the best advice obtainable, sell tax-exempt bonds. They must be bonds guaranteed either by the full faith and credit of the Federal Government or by some tax back-up plan, which cannot be accomplished, particularly since, as I understand it, the Supreme Court of Virginia has ruled against it.

This leaves the full faith and credit of the Federal Government. Is that unusual? It is not.

We are guaranteeing hundreds of millions of dollars in bonds for housing, billions of dollars over a 40-year period. We are doing it in many other areas. In this instance, we are asking to have taxable bonds issued to the extent of $880 million or $900 million taxable bonds issued, guaranteed by the Federal Government, and hopefully and I trust they will be retired out of the fare box.

In addition to that, because of the high inflation which has hit this Nation in the last 3 or 4 or 5 or 6 years, and because of delays in construction and in getting underway, and because of refinement in engineering design, the original cost of Metro has increased by $450 million.

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

Mr. CABELL. Mr. Chairman, I yield the gentleman 3 additional minutes.

Mr. GIAIMO. Where will that money come from?

It will come, $300 million of it, from the Federal Government through this interest subsidy. Bear in mind that the $300 million will be matched by another $150 million by the other communities, making in all $450 million additional which is needed. Of the $300 million interest subsidy which the Federal Government will be putting in, that will be recouped by the Federal Government by the fact that it will be deriving taxable income on the bonds, and it should wash out; in fact, I think there will be a balance left in favor of the United States Treasury, as I think the gentleman from Viriginia pointed out.

So this works out fairly well, and it will enable us to obtain the $450 million additional needed for the additional cost estimate.

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

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

Mr. FUQUA. Mr. Chairman, I commend the gentleman from Connecticut for his very fine statement.

I support the bill. I had the privilege of serving on the District Committee and chairing this subcommittee the able gentleman from Texas chairs now. The plan was discussed in the committee for many years. I think this is the only way we can sell these bonds. It is not unique to pledge the full faith and credit of the Government behind these bonds. I think the plan is feasible, and we need it very desperately in the District of Columbia.

Mr. Chairman, I commend the gentleman for his statement and urge the passage of the bill.

Mr. GIAIMO. I thank the gentleman from Florida.

Mr. Chairman, there is another thing I would like to point out here. Metro has come in and honestly shown why it is going to cost $450 million additional over the past 3 years. There have been all kinds of figures mentioned as to what the ultimate cost of Metro will be. The best estimate figures at the present time are $3,046,000,000. We have never in the history of this Congress authorized a public works program where we have hit an estimate on the head, and let us not fool ourselves today, but Metro has held very closely to the line on its estimates and what has actually happened. I think they are to be commended. For example, on the contractor's low bids, compared with Metro estimates as of May 10, 1972, the Metro estimates were $592 million.

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

Mr. NELSON. Mr. Chairman, I yield the gentleman from Connecticut 2 additional minutes.

Mr. GIAIMO. Mr. Chairman, the contractors' low bids, and this included figures as of May 10, as compared with the WMATA estimates shows the estimate was $592 million—and remember, these are contracts actually contracted for and let—and the contractors' low bid was $544 million, which shows a differential in favor of Metro. So they are doing good bargaining. They are doing even better than staying within their original estimates.

There is no runaway in the costs as compared to the estimates. This includes many or all of the contracts which are contracted for and engaged in today. It includes the ones which were recently let for the subway cars. This shows a real effort on the part of the Transit Authority to hold the line on inflation and on inflated costs.

Mr. Chairman, I think this legislation is necessary, because obviously if we do not pass it and if they cannot sell their bonds under the present legalization, they will not be able to proceed with Metro.

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

Mr. GIAIMO. Yes. I yield to the gentleman from Iowa.

Mr. GROSS. Why can you not sell the bonds? This is a question that no one seems to be able to answer.

Mr. GIAIMO. Mr. GROSS, if you have ever dealt with bonding authorities—and they are mainly located in New York—you will find they are pretty tough cats to deal with. The fact of the matter is that they want the best they can get for the money and the best they can get for the money means governmental guarantees. Authorities which seek to sell bonds have a very difficult time in doing that at any time in our history and particularly today when there is high competition for the available bond dollar.

Mr. NELSEN. Mr. Chairman, I yield

5 minutes to the gentleman from Massachusetts (Mr. CONTE).

Mr. CONTE. Mr. Chairman, passage of this legislation is absolutely essential if we are to realize our goal of establishing and operating the Metro system in the Nation's Capital.

On two previous occasions this year, the House by overwhelming margins approved the continuing funding of the subway in the District of Columbia and transportation appropriations bills. This meritorious legislation should likewise receive our enthusiastic endorsement.

Make no mistake about it, a vote against this bill is a vote against the hopes, the sacrifices, and the determination of the many individuals who have such a vital stake in the successful completion of this project. I had the privilege of inspecting portions of the subway last December and I was amazed at its progress. There can be no question that the Metro will add immeasurably to the prestige of our Nation's Capital. I am convinced that our system will rival and surpass those of Moscow, Paris, and London. In terms of design, safety, and equipment, it will be second to none.

And with the 100,000 visitors that will be flocking to the Capital and its environs each day in 1976 for the bicentennial celebration, it is imperative that we allow for the anticipated 24 miles of service linking 28 stations by that time. Passage of this legislation will help insure the attainment of that goal.

There is more at stake here, however, than questions of prestige and convenience to visitors. There is the even more urgent concern of the millions of area residents. It is they who must bear the agonizing frustration of not being able to travel from one point to another in this area with a reasonable expenditure of time and effort.

The daily experience of us all, coupled with the catastrophic conditions caused by the flooding of the Potomac last week, dramatically demonstrates the need for an alternate mode of transportation in the Washington metropolitan area. We cannot ignore the legitimate interests of those who seek nothing more than to reach their jobs or residences with a modicum of dignity and efficiency.

It is important to stress that there are 175 cases of precedent for the Federal guarantee of bonds issued by local governmental agencies. And there are two recent instances in Congress which provide a precedent for the interest subsidy embodied in the legislation we are now considering.

Also important is the fact that the taxability of the bonds will enable the Federal Government to receive back as much or more than the amount of the subsidy that will be paid on the bonds. Thus, no extra cost to the Federal Government should result from passage of this legislation.

All of us on one occasion or another have invoked the rhetoric of commitment to a balanced transportation system. All of us have pledged our support of efforts to ease the plight of the urban traveler. Let us now transform our rhetoric into reality by approving this bill.

Thank you, Mr. Chairman.

Mr. CABELL. Mr. Chairman, I yield at this time 2 minutes to the gentleman from Missouri (Mr. RANDALL).

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

Mr. RANDALL. Thank you, Mr. Chairman. I asked for this time to try to put a few things into perspective. One speaker said a moment ago there were precedents for what we are doing. I would ask the Chairman now if he knows of any mass transit projects anywhere in the country, other than this one where the Federal Government is guaranteeing revenue bonds. I think I know the answer. This is the only project that after revenue bonds have already been issued there is a subsequent request that they be guaranteed by the United States.

Mr. CABELL. Will the gentleman yield?

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

Mr. CABELL. The gentleman from Texas cited several instances of guaranteed bonds for hospital construction for inner cities, and they have nothing to fall back on. This is not a general obligation tax bond; this is a capital bond which requires only one-third of this bond issue to pay their total capital outlay back. But they are given additional support and additional strength by pledging in their indenture that the fare rate must be kept at a rate that would top off and pay the obligation of these bonds; so it is a better bond than might otherwise be considered.

Mr. RANDALL. Of course, these may be guarantees for some hospital bonds, but I submit again this is the only transit project, metro or subway, in America in which the Government guarantees revenue bonds.

If I understood the Delegate from the District a moment ago, he advocated free transportation for the residents of the District.

The CHAIRMAN. The time of the gentleman has expired.

Mr. RANDALL. May I have 1 additional minute?

Mr. NELSEN. I yield the gentleman 1 additional minute.

Mr. RANDALL. I will ask the gentleman, what will happen as we look down the road a few years to the day of home rule. What will happen if the city government under home rule says, "No, we are not going to pay attention to the compact; we are going to provide free transportation to our citizens?"

Mr. CABELL. Mr. Chairman, apparently the gentleman from Missouri was out in the hall at the time that this dog was laid to rest, so for his benefit may I advise him that this becomes a part of the indenture under which the bonds are sold, and once they are sold and guaranteed, they cannot be amended.

I do not know how much the gentleman knows about bonds, but one does not amend a bond indenture without the approval of the bondholder.

Mr. FRENZEL. Mr. Chairman, the Washington Metropolitan Area Transit Authority study shows that the Metro subway system cannot go forward without a Federal guarantee of revenue bonds issued by the Transit Authority. Without this Federal guarantee, financial experts tell us it would be practically impossible to market the tax-exempt bonds which the Transit Authority is currently authorized to issue.

This project has suffered more than its share of delays in funding authority. A total of nearly $1 billion has already been obligated for the Metro. A significant proportion of the system should be working to help carry the thousands of daily visitors during the 1976 bicentennial celebration.

Delay will only permit further inflation of projects. Hopefully Congress will move quickly to forestall further delays in construction.

Mr. HOGAN. Mr. Chairman, I rise in support of H.R. 15507, the National Capital Transportation Act of 1972.

The purpose of the bill before us, H.R. 15507, is to authorize Federal guarantees of debt obligations issued by the Washington Metropolitan Area Transit Authority and to complete the enactment of certain amendments to the Washington Metropolitan Area Transit Authority Compact, these amendments have been adopted by the legislatures of the States of Maryland and Virginia. Approval of the bill is urgently needed to facilitate and expedite the construction program for the completion and operations of the Transit Authority facilities.

Enactment of the bill would amend the National Capital Transportation Act of 1969 to authorize the Secretary of Transportation, on approval of the Secretary of the Treasury to guarantee the payment of the principal and interest on bonds or other evidences of indebtedness issued by the Transit Authority. I would authorize the Secretary of Transportation to make payments to the Transit Authority of an amount equal to 25 percent of the interest and other financing costs incurred by the Transit Authority. It would authorize the appropriation of such sums as are necessary to make such payments and authorize an increase in the contribution of the District of Columbia to the Transit Authority from $216.5 million to $269.7 million and to provide funds for the increased contribution by increasing by a similar amount the authority of the District of Columbia to borrow from the Department of the Treasury. The bill would also provide the consent of the Congress to amendments to the Washington Area Transit Authority Compact to remove the present limitation on interest rates applicable to borrowing by the Transit Authority the legislation before us today provides for maintenance of fare box revenues by requiring local jurisdictions to make equitable payments to the Transit Authority for any difference in the full rate fare and any reduced fare available to any class of riders, such as the elderly, schoolchildren, or low-income people. The bill would provide labor standards governing operation of the Authority's transit facilities including a system of

arbitration for the settlement of controversies or disputes which may arise between employee groups or between employees and the Transit Authority, and permit the Authority to operate its transportation facilities either directly or under contract.

Severe inflationary pressures within the construction industry have made necessary the revision of the financial plan for the Transit Authority. The revised financial plan covers the deficiency in the original plan and maintains the two-thirds to one-third formula for Federal-local participation in the costs of financing the system.

The Transit Authority's financial advisors concluded that it would be impossible to successfully place an issue of Transit Authority revenue-financed bonds. The alternatives were either a Federal guarantee or a complicated tax back-up to be approved by the several local taxing jurisdictions involved. The revised financial plan proposes the use of a Federal guarantee. It is important to the Transit Authority and to the signatory parties to the Compact agreement as well as to the Federal Government that the obligations of the Authority be issued on such terms that will provide for their purchase in the market at the lowest possible interest cost. The Transit Authority plan has progressed to a point where the needs for capital require the Transit Authority to rely primarily upon debt financing through the issuance of bonds or, for short interim periods, the sale of short term notes. To provide the best possible protection to the Federal Government for its guarantee, the Transit Authority needs approval of the proposed Compact amendments to maintain fare-box revenues and those designed to resolve disputes which might otherwise curtail or stop transportation operations. It is, therefore, urgent that this bill be promptly enacted.

The program for mass transportation for the metropolitan area was launched by the enactment of the National Capital Transportation Act of 1960, which provided the authority to study and prepare a development program. The National Capital Transportation Agency was created and charged with the responsibility of preparing a mass transit program indicating the location of facilities and containing a timetable for such development and of reporting on financial costs, revenues, and benefits to the National Capital Region.

Maryland, Virginia, and the District of Columbia were authorized by the 1960 act to negotiate an Interstate Compact agreement which would provide for a regional organization, as a successor to the Agency, to carry out and perfect the plans and proposals of the Agency.

The first authorization of rapid transit facilities was made in the act of September 8, 1965, the National Capital Transportation Act of 1965 which authorized a development program essentially limited to the District of Columbia, consisting of a basic system of 25 miles at an estimated cost of $438 million and designed for expansion into a regional transit system. Following the development and approval of the terms of the Washington Metropolitan Area Transit Compact by the Congress in the act of November 6, 1966, the Washington Metropolitan Area Transit Authority was formed. The Authority proceeded with the expansion of the transit system into the National Capital region outside the District and the development of the financial base within the compact jurisdictions to provide the contributions to furnish the local share of construction costs.

The most recent action of the Congress relating to the Transit Authority was the approval of the National Capital Transportation Act of 1969, which projected the development of a 98-mile system at a cost of $2.535 billion and authorized Federal contributions of two-thirds of the net project cost for the construction of the planned facilities.

Ground breaking for the 98-mile transit system took place soon after approval of the act by the President. At the present time, about 11 miles of the system are under construction. Work is proceeding at Judiciary Square, Union Station, and, Farragut Square, and along G Street, out Connecticut Avenue to Dupont Circle, and on both sides of the Potomac River at Georgetown and Rosslyn, Va., and tunneling has progressed as far as Rock Creek. A total of 26.9 miles are under final design. Fourteen stations are under construction, and 23 stations are in the final stages of design.

A major objective of the Transit Authority, the administration, and the compact signatories is to hasten construction of the system, looking forward to completion to the maximum extent possible by the bicentennial year of 1976.

In early 1971, the Transit Authority completed a study of the construction progress as of that date, the trends in construction costs, and the conclusions reached by advisers concerning financing of the transit facilities. On the basis of this study it was concluded that the financial plan of the Transit Authority should be revised. The impact of inflation on the construction industry had been without precedent, and the capital costs of the system had increased by about $486 million. It was also found that the potential revenues to the Transit Authority had also increased but the result projected was a net increase of $441 million in net project construction costs.

The original financial plan called for sale of $835 million of bonds which were unsecured revenue bonds. The remainder of the total cost of $2.5 billion was to be borne by the Federal and local governments in a ratio of two-thirds to one-third Federal-local sharing. Revision of the financial plan was imperative to meet the apparent deficit of nearly $450 million.

In addition, the findings of the financial advisers to the Transit Authority were that it would be practically impossible to successfully place the tax-exempt bonds which the Authority was authorized to issue. The alternatives open to the Transit Authority were providing a tax back-up for the revenue bonds, or the issue of taxable obligations supported by a Federal Government guarantee as to interest and principal. The time requirements and the difficulty of securing the tax support of the several local jurisdictions and the urgency of meeting the early need for more capital funds dictated the selection the alternative of Federal guarantee of Transit Authority obligations, which were endorsed by the Secretary of Transportation and the Authority's financial advisers.

Under the revised financial plan, the net additional project cost will be $450 million to be shared on a two-thirds to one-third ratio between the Federal and local governments. Second, the Transit Authority will issue only obligations which are taxable. Third, an interest subsidy of 25 percent of the interest and marketing costs of placing its obligations will be paid by the Federal Government to the Transit Authority. The amount paid will be recovered from the money received by the Federal Government from taxes on income from such bonds. It is estimated that the amount paid will be sufficient to cover the debt service on an additional $300 million of bonds, increasing the total issue of bonds which may be guaranteed to $1.2 billion. No additional outlay is required from the Federal Government. Fourth, local jurisdictions will be required to pay an additional $150 million as matching funds, thus preserving the Federal-local matching ratio of two-thirds to one-third. Fifth, the District of Columbia is authorized to increase its share from $216.5 million to $269.7 million, and the borrowing authority of the District of Columbia is increased by a like amount to secure the necessary funds.

Mr. Chairman, I urge my colleagues to support this vitally needed legislation.

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

Mr. CABELL. I have no further requests for time.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "National Capital Transportation Act of 1972".

TITLE I—FEDERAL GUARANTEES OF WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY OBLIGATIONS

Mr. CABELL. 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 Texas?

Mr. GROSS. Mr. Chairman, at this time I object.

The CHAIRMAN. The clerk will read.

The Clerk read as follows:

SEC. 101. The National Capital Transportation Act of 1969 is amended by adding at the end thereof the following new sections:

"GUARANTEE OF TRANSIT AUTHORITY OBLIGATIONS

"SEC. 9. (a) The Secretary of Transportation is authorized to guarantee, and to enter into commitments to guarantee, upon such terms and conditions as he may prescribe, payment of principal of and interest on bonds and other evidences of indebtedness (including short-term notes) issued with the approval of the Secretary of the Treasury by the Transit Authority under the Compact. No such guarantee or commit-

ment to guarantee shall be made unless the Secretary of Transportation determines and certifies that—

"(1) the obligation to be guaranteed represents an acceptable financial risk to the United States and the prospective revenues of the Transit Authority (including payments under section 10) furnish reasonable assurance that timely payments of interest on such obligation will be made;

"(2) the Transit Authority has entered into an agreement with the Secretary of Transportation providing for reasonable and prudent action by the Transit Authority respecting its financial condition if at any time the Secretary, in his discretion, determines that such action would be necessary to protect the interest of the United States;

"(3) unless the obligation is a short-term note (as determined by the Secretary), it will be sold through a process of competitive bidding as prescribed by the Secretary of Transportation; and

"(4) the rate of interest payable with respect to such obligation is reasonable in light of prevailing market yields.

Notwithstanding clause (3) of the preceding sentence, the Secretary of Transportation may guarantee an obligation under this section sold through a process of negotiation if he makes a determination that prevailing market conditions would result in a higher net interest cost or would otherwise increase the cost of issuing the obligation if the obligation was sold through the competitive bidding process. The Secretary's determination shall be in writing and shall contain a detailed explanation of the reasons therefor.

"(b) Any guarantee of obligations made by the Secretary of Transportation under this section shall be conclusive evidence of the eligibility of the obligations for such guarantee, and the validity of any guarantee so made shall be incontestable, except for fraud or material misrepresentation, in the hands of a holder of the guaranteed obligation.

"(c) The aggregate principal amount of obligations which may be guaranteed under this section shall not exceed $1,200,000,000; except that (1) no obligation may be guaranteed under this section if, taking into account the principal amount of that obligation, the aggregate amount of that obligation, the aggregate amount of principal of outstanding obligations guaranteed under this section exceeds $900,000,000 unless the local participating governments (A) make, in accordance with agreements entered into with the Transit Authority, capital contributions to the Transit Authority for the Adopted Regional System in a total amount not less than 50 per centum of the amount by which the principal of such obligation causes such aggregate amount of principal to exceed $900,000,000, or (B) have entered into enforceable commitments with the Transit Authority to make such contributions by the end of the fiscal year in which such obligation is issued, and (2) obligations eligible for guarantees under this section which are issued solely for the purpose of refunding existing obligations previously guaranteed under this section may be guaranteed without regard to the $1,200,000,000 limitation.

"(d) The interest on any obligation of the Transit Authority issued after the date of the enactment of this section shall be included in gross income for the purposes of chapter 1 of the Internal Revenue Code of 1954.

"REIMBURSEMENT FOR INTEREST AND RELATED COSTS

"SEC. 10. The Secretary of Transportation shall make periodic payments to the Transit Authority upon request therefor by the Transit Authority in such amounts as may be necessary to equal one-fourth of the total of the—

"(1) net interest cost, and

"(2) fees, commissions, and other costs of issuance, which the Secretary determines the Transit Authority incurred on its obligations issued after the date of the enactment of this section.

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 11. (a) There are authorized to be appropriated to the Secretary of Transportation such amounts as may be necessary to enable him to discharge his responsibilities under guarantees issued by him under section 9 and to make the payments to the Transit Authority in accordance with section 10. Amounts appropriated under this section shall be available without fiscal year limitation.

"(b) If at any time the moneys available to the Secretary of Transportation are insufficient to enable him to discharge his responsibilities under guarantees issued by him under section 9 or to make payments to the Transit Authority in accordance with section 10, he shall issue to the Secretary of the Treasury notes or other obligations in such forms and denominations, bearing such maturities, and subject to such terms and conditions, as may be prescribed by the Secretary of the Treasury. Redemption of such notes or obligations shall be made by the Secretary of Transportation from appropriations available under subsection (a) of this section. Such notes or other obligations shall bear interest at a rate determined by the Secretary of the Treasury, taking into consideration the current average market yield on outstanding marketable obligations of the United States of comparable maturities during the month preceding the issuance of the notes or other obligations. The Secretary of the Treasury shall purchase any notes or other obligations issued hereunder and for that purpose he is authorized to use as a public debt transaction the proceeds from the sale of any securities issued under the Second Liberty Bond Act and the purposes for which securities may be issued under that Act are extended to include any purchase of such notes or obligations. The Secretary of the Treasury may at any time sell any of the notes or other obligations acquired by him under this subsection. All redemptions, purchases, and sales by the Secretary of the Treasury of such notes or other obligations shall be treated as public debt transactions of the United States.

"OBLIGATIONS AS LAWFUL INVESTMENTS

"SEC. 12. (a) Obligations issued by the Transit Authority which are guaranteed by the Secretary of Transportation under section 9 shall be lawful investments, and may be accepted as security for fiduciary, trust, and public funds, the investment or deposit of which shall be under authority or control of the United States or of any officer or officers thereof, and shall be deemed to be exempt securities within the meaning of laws administered by the Securities and Exchange Commission to the same extent as securities which are issued by the United States.

"(b) The sixth sentence of the paragraph of section 5136 of the Revised Statutes of the United States designated 'Seventh', (12 U.S.C. 24) is amended by inserting ', or obligations of the Washington Metropolitan Area Transit Authority which are guaranteed by the Secretary of Transportation under section 9 of the National Capital Transportation Act of 1969' immediately following 'or general obligations of any State or of any political subdivision thereof'.

"(c) Any building association, building and loan associations, or savings and loan association, incorporated of unincorporated, organized and operating under the laws of the District of Columbia, or any Federal savings and loan association, may invest its funds in obligations of the Transit Authority which are guaranteed by the Secretary of Transportation under section 9."

Mr. GROSS (during the reading). Mr. Chairman, I ask unanimous consent that section 101 of 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 Iowa?

There was no objection.

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

Mr. Chairman, none of the answers given as to why these bonds cannot be sold without a Federal Government guarantee, in my opinion, is valid.

These bonds could be sold if the brokers and purchasers had any faith in the District of Columbia. The reason why the bonds cannot be sold without Federal guarantee is because there is no confidence in the District of Columbia government's ability to pay. This is startling, because less than 2 months ago the Department of Commerce produced figures which showed that the per capita income in Washington, D.C., jumped 11.1 percent in 1971 over 1970, almost twice the national average of 5.6 percent.

When the people of my State, my county, or the municipality in which I live have to float bonds, there is no guarantee by the U.S. Government to help them get a favorable rate and U.S. Government to help pay the interest. They have to peddle their own bonds.

Let me add that in Virginia and Maryland per capita income has also increased. In Virginia it was up 6.9 percent and in Maryland it was up 5.9 percent. Thus the area served by this subway system is in better condition to issue bonds without the direct backing of the U.S. Government than are the people of Mississippi, Iowa, Minnesota, or Texas. Yet there are those who have the nerve to come in here today and ask that the taxpayers of Iowa and of all the other States underwrite the bonds for this subway boondoggle.

Let me go back to July 15, 1965, when Mr. Whitener, our former colleague from North Carolina, fronted out for a subway system. In a colloquy with the gentleman from North Carolina, Mr. Whitener, I asked:

Are the taxpayers of the country going to be saddled with the expense of providing parking lots to serve the subway in Virginia?

Mr. WHITENER. Of course the gentleman knows that after the $150 million is paid out of the District and Federal Treasuries in the fares paid in to the fare boxes will pay the balance. The folks who use the system will be paying for it.

I repeat:

The folks who use the system will be paying for it.

Later in that colloquy I said:

Go back and read the Record of the debate on the District of Columbia Stadium. You will find that Members of Congress came down to the well of the House as they are doing today saying it was not going to cost the taxpayers, your taxpayers and mine, a dime, for that white elephant stadium.

They also asserted that it would cost six or seven million, and it wound up costing $20 million.

Continuing with respect to the stadium I said:

Yet today not one dime has been paid on the principal of the stadium bonds, and they are not likely to be paid by the District. One of these fine days the House is going to get the bill for that $20 million. I said at that time I did not care if a stadium was built at every street intersection in the District of Columbia, and I do not care today if you build a subway system east, west, north and south in the District of Columbia, but I want the taxpayers of the District of Columbia and not the taxpayers I represent to pay the bill.

That was 7 years ago—

If you want this kind of a deal—if you propose to obligate your taxpayers today for nearly half a billion dollars to build a subway in Washington, D.C., that has an ultimate cost of $3 billion—

And I understand it is now estimated at $5 to $6 billion—

Then you explain it to the citizens you represent. I want no part of it.

And I doubt that the people of Texas want any part of this underwriting because you know as certainly as you are sitting or standing in this House today that it will be the U.S. Government that eventually takes over the bonds that you are proposing to underwrite—$1.2 billion worth of bonds. And it is something you will not do for any other transportation or transit system anywhere in the country.

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. Mr. Chairman, if you think that the Federal Government is not going to wind up holding the sack for $1.2 billion worth of subway bonds, you should look out of the windows of the House Chamber. I am sure you will see pigs flying by.

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

Mr. GROSS. Yes, I yield to the gentleman from Texas.

Mr. CABELL. I want to thank the gentleman in the well for his splendid contribution to the passage of this legislation by having cited the splendid per capita income that prevails in the District, in Virginia, and in Maryland. This shows that there is ample per capita income for those folks to afford the fares necessary to pay off these bonds.

Mr. GROSS. The gentleman does not think for one cockeyed minute that the people in and near this area are going to miss the opportunity to saddle on poor old Uncle Sam the $1.2 billion; do you? I have been around long enough to know better. I listened to the assurances made to the House on the stadium deal, and on the beggar's roost known as the Cultural Center. I have heard all these assurances that have not been kept, and I am hearing another one here this afternoon. I hope that before that chart disappears from the well of the House that somebody reads the estimated income figures into the RECORD for posterity so that when the day comes that the taxpayers of the Nation wind up holding the bag for these local bonds anyone who cares to do so can look back in the CONGRESSIONAL RECORD, as I went back today to the assurances of the gentleman from North Carolina 7 years ago that after the $150 million we would not be asked for additional money.

Mr. Chairman, the proponents of this bill have displayed a chart in the House this afternoon in an attempt to justify this legislation. It reads as follows:

Estimated income statement in millions of dollars

Total fare box revenue	195.5
Nonfare box revenue	8.3
Adjusted gross revenue	203.8
Operating and maintenance expenses	(107.2)
Net revenue before depreciation	96.6
Depreciation expenses	15.3
Net revenue after depreciation	81.3

Mr. Chairman, anyone who believes the District of Columbia subway will ever return a net revenue of $81.3 million in 1990 or any other year believes that the rails are made of pure gold.

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

Mr. O'KONSKI. Mr. Chairman, I move to strike out the last word.

Mr. Chairman and members of the Committee, here we are again with a broken record. I have heard it time and time again in the years I have been a Member of this House. This is all it is going to cost. This is all it is going to cost. This is all it is going to cost. How many times have we heard this refrain?

What we are actually engaged in is a deception. We are again deceiving the taxpayers of our Nation. Time and time again we have engaged in gross deception. But this Metro system is the grossest deception of all time.

We deceived the taxpayers and Members of Congress when the Member from this House from the State of Arkansas got on the floor of the House over here and said that the stadium was going to cost $4 million. He said every penny of it would come back from the use and the rental of the stadium.

He deceived the taxpayers. It did not cost $4 million—it cost close to $20 million. It is falling apart at the seams and is costing the taxpayers $2½ million a year to keep it up. Every time the Redskins play a game at the stadium it costs the taxpayers a quarter of a million dollars.

We deceived and we lied to the taxpayers about the Center for the Performing Arts. I remember when supporters of the Center came in the well of the House and said "If we give them the land, that Center is not going to cost the taxpayers a dime—it is going to be paid for by the schoolchildren, a dime a piece. The taxpayers were to be spared."

But somehow the schoolchildren forgot about it and did not respond. It already has cost us $70 million. As one gentleman mentioned in the paper yesterday they are $5 million in the red right now. What the end is going to be—nobody knows. But they will be back for more millions, rest assured of that. And they will be back for more and more and more.

Again we deceived the taxpayers of this Nation. We are engaged in the biggest deception in the history of the Congress with Metro. Now we are deceiving them by what I consider to be the biggest boondoggle in the history of all mankind—and that is what this Metro System is—the biggest boondoggle in the history of man. Nothing in the whole wide world comes near the cost of this biggest of all boondoogles.

I do not know of a single boondoogle in the history of the world that is going to cost as much as this Metro System. When Members get up on the floor of the House over here and say its going to pay for itself they are engaging in gross deception. These same people said the stadium is going to be paid for by the rentals and by those who are going to use this stadium. They said the center is going to be paid for by the schoolchildren of America. Now they say these bonds are going to be paid for by way of the fare box.

They also say that Metro is going to cost only $3 billion. When anybody here comes before this body and tells me that this Metro System is going to be finished for $3 billion, they are insulting my intelligence, and I do not subscribe to it at all. This system is going to cost the taxpayers of the United States of America a minimum of $5 billion before it is finished and it could well go to $7 billion. And it may well never be finished after we spend the $7 billion.

You talk about priorities spending $5 billion to $7 billion in one city is madness. I think we would be better if we turned those holes that they have dug into the ground and handed them over to the underground like the Quick Silver and other underground groups. At least we would know where they are.

Now this is just for one city. It is going to set an example of what we are going to be asked to do in every major city in the United States of America. This is not the end—it is just the beginning.

Now let us look at it in another way. Suppose we took this $3 billion—not the $5 billion or $7 billion that it is actually going to cost—let us take just $3 billion—if we gave this $3 billion to Amtrak, we could restore railroad service to every major community in the country—to every city with a population in excess of 10,000 and we could put a quarter of a million men and women to work if we give this money to Amtrak instead of giving it to this boondoggle, the largest in the history of mankind—in one city.

So I am not going to be fooled by this figure of $3 billion.

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

(Mr. O'KONSKI was granted permission, at the request of Mr. GROSS, to proceed for 2 additional minutes.)

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

Mr. O'KONSKI. I yield to the gentleman from Michigan.

Mr. RUPPE. Is it not really true that there is one reason, and probably one only, why these bonds cannot be sold, and that is simply that the bond houses in New York have absolutely no confidence whatsoever that either the principal or the interest on the bonds will ever be paid out?

Mr. O'KONSKI. If there is any notion, or if any financier had any idea or belief that the bonds were worth the paper they were written on, you would not have this bill before Congress. The very fact that you have this bill before Congress demonstrates that no one in America feels that the value of these bonds is worth the paper they are written on unless the Federal Government says, "If they default, we will pay the bill."

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

Mr. O'KONSKI. I yield to the gentleman from Iowa.

Mr. GROSS. I want to point out to Members of the House that the gentleman from Wisconsin (Mr. O'KONSKI) is no "Johnny come lately" in opposition to Federal financing of this subway deal. He denounced this proposed rape of all the taxpayers on July 15, 1965, 7 years ago, just as he denounces it today, and I commend him.

Mr. LONG of Maryland. Mr. Chairman, will the gentleman yield?

Mr. O'KONSKI. I yield to the gentleman from Maryland.

Mr. LONG of Maryland. The gentleman has made a profound statement and I agree with everything he says. I want to add one more consideration, however. People are going to be afraid to ride the subway because you are going to have a tremendous crime problem unless one or two thousand police ride shotgun on it day and night.

Mr. O'KONSKI. I wanted to point out that what you are doing is your are asking me and all other taxpayers to underwrite bonds that are not worth the paper they are written on otherwise you would not have to appear before this body and ask it to assist in the financing of the greatest boondoggle in the history of mankind.

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

(On request of Mr. CABELL, and by unanimous consent, Mr. O'KONSKI was allowed to proceed for 1 additional minute.)

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

Mr. O'KONSKI. I yield to the gentleman from Texas.

Mr. CABELL. The gentleman from Texas would like to express the very sincere regret that the gentleman in the well, who is a member of the committee, did not give to the committee any of his time or the benefit of his superior knowledge as to what the ultimate cost of this system would be. I am sure that had he seen fit to attend the hearings and to attend the markup meetings on the bill, his very sage observations and, I am sure, his accurate statements as to the probable cost would have been given an attentive hearing.

Mr. O'KONSKI. Is the gentleman talking about the cost of the system? Is that what the gentleman referred to? I may answer that by saying that the Rayburn Building, in which I have my office, was originally supposed to cost the taxpayers $32 million. When it was finished it had cost, I believe, $138 million.

Then you come before this body and say that you are going to build the subway for $3 billion, and I say that I have been around here long enough to know that that will be only a small percentage of what it will actually cost.

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

The CHAIRMAN. The gentleman from Minnesota is recognized.

Mr. FRASER. Mr. Chairman and members of the committee, I am not an expert on the Metro subway and I am not an expert on selling revenue bonds. But I do have the very firm impression from my work on the District of Columbia Committee that this bill is essential. We are going to have the Metro System completed. I do not really see any choice. This system is well under construction. We cannot stop now.

Before I was a Member of Congress there was a time that I was involved in trying to market municipal bonds. I know that just because a bond might be difficult to market does not mean it is worthless.

The revenue bonds are notoriously difficult to market particularly, when it is hard to predict with certainty that they will generate the needed revenue. But this does not mean the bonds are no good or that there is prospect for repayment.

I see no choice except to move ahead with Metro unless we leave a great many holes in the ground, and leave this area with a transportation system that is totally inadequate. I just do not see any choice. I really do not understand how anybody can propose that there is a realistic alternative before us.

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

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

Mr. ANDERSON of Illinois. Mr. Chairman, I think the gentleman has made a very valid statement.

I ask the gentleman if it is not true that, given a choice, given the fact that the subway is already under construction, and the fact that we do not want to come to 1976 or any other year with torn up holes in the ground, I ask the gentleman whether the only other choice would be the infusion of more Federal capital funds into this project? The very purpose of this guaranty provision of the revenue bonds is to avoid new amounts of Federal capital having to be appropriated by this body.

Mr. FRASER. The gentleman is correct. As I understand it, the only other way to do it is by appropriation, if we do not do it in this way.

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

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

Mr. GROSS. I would be glad to shift the burden of this from the taxpayers of Iowa to the taxpayers of Illinois or Minnesota. I would be delighted to have it taken off our backs and transferred to the backs of the taxpayers of Illinois and Minnesota.

Mr. FRASER. I think the gentleman's constituents want to get around in the capital in an efficient manner also. These observations should have been made before this project was started.

Mr. GROSS. They were made.

Mr. FRASER. If we do not underwrite the sales of these bonds in this fashion, the funds for Metro will come directly from the taxpayers. There is no other choice.

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

Mr. FRASER. I yield to the Delegate from the District of Columbia.

Mr. FAUNTROY. Mr. Chairman, I thank the gentleman for his observations. I would like to remind the Members that at stake in this vote is whether or not we will complete the subway system. We have already voted on a number of occasions as to whether or not there should be a system, and that subject is not really the question before us unless we vote against this bond bill, in which case there will be required, as the gentleman pointed out correctly, an infusion of Federal capital to carry out the construction of the system, or we will not be able to complete the system.

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

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

Mr. RUPPE. Mr. Chairman, I can understand the gentleman's interest and the fact that he has done a great deal of work, profound work, exercised in behalf of the subway system.

I do think one of the weakest excuses possible for this legislation is the feeling or the statement that since we have begun or that we have 24 holes dug in the ground, that we have to go forward regardless of the cost. It seems to me the subway ought to be able to stand on better merit than that. This legislation today reflects the fact that the legislation was not well considered, and the cost and revenues of the project were not estimated accurately.

As the gentleman says, the revenue bonds are difficult to sell when the revenue itself is in question, and I think the gentleman has indicated that very well by his statement.

Mr. FRASER. When the revenue bondholders cannot predict with some confidence that the revenues will be sufficient to pay the principal and interest, they want some margin of safety. When we cannot give that firm assurance, it does not mean the bonds cannot be paid off, but only that marketing might be somewhat more difficult. Obviously its a gross overstatement to say that the bonds are worthless. I have been involved in the sale of municipal bonds, and I have some concept and some understanding of what the buyers want.

I think it is also unfair to say that Metro to date is only a series of holes in the ground. Development is much farther along than that.

Former Congressman Whitener was involved in the original work on this project, and he spent a great deal of time on it. There have been some changes in cost, and there will probably be more, but it seems to me quite clear that Washington needs a Metro subway system.

Mr. RUPPE. I understand the gentleman's position. I would suggest whether we guarantee the bonds or put more Government infusion of money into it is immaterial. I think we will have to pay out the moneys for the increased cost in the subways.

AMENDMENT OFFERED BY MR. BIAGGI

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

The Clerk read as follows:

Amendment offered by Mr. BIAGGI: Page 7, insert after line 18 the following:

SEC. 102. The Secretary of Transportation shall (1) conduct a study to determine the additional funds (if any) needed to bring the facilities and services of the Adopted Regional System into conformity with the national policy respecting the needs of the elderly and the handicapped stated in section 16(a) of the Urban Mass Transportation Act of 1964, and (2) report to the Congress the results of such study.

The CHAIRMAN. The gentleman from New York is recognized for 5 minutes.

POINT OF ORDER

Mr. GROSS. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. GROSS. Mr. Chairman, I think the House ought to proceed in an orderly fashion. This bill has not been considered as read. Only the first section, section 9, has been read. Therefore, I ask unanimous consent, without invalidating the reading of the gentleman's amendment, that the bill now be considered as read and open to amendment at any point.

PARLIAMENTARY INQUIRY

Mr. CABELL. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. CABELL. Was this amendment to section 1, which has been read? Does it apply to that?

The CHAIRMAN. It is an amendment to the first section of the bill.

Mr. CABELL. I believe the gentleman from Iowa himself asked unanimous consent that it be open to amendment to the first section.

Mr. GROSS. Mr. Chairman, yes, but page 7 goes beyond the first section of the bill.

The CHAIRMAN. The Chair will state that the amendment offered by the gentleman from New York is an amendment to the first section of the bill.

Mr. GROSS. Mr. Chairman, a further point of order. The request I made was to dispense with the reading of section 9, which ends on page 4 with section 10.

The CHAIRMAN. The Chair will state that the unanimous consent request that was made by the gentleman from Iowa and that was agreed to was to dispense with further reading of the first section of the bill, which ends on page 7, line 18, and the amendment offered by the gentleman from New York is to the first section of the bill and is therefore in order.

The Chair recognizes the gentleman for 5 minutes in support of his amendment.

Mr. CABELL. Mr. Chairman, this side accepts the amendment offered by the gentleman from New York.

Mr. NELSEN. Mr. Chairman, we find the amendment acceptable.

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

Mr. BIAGGI. Yes. I am delighted to yield.

Mr. GROSS. What is the amendment?

Mr. BIAGGI. The amendment deals with the Mass Transportation Act of 1964, as amended by my amendment of 1970. This amendment would require the Secretary of Transportation to conduct a study to determine what additional funds, if any, would be needed to bring the facilities and services of the Metro subway stations into conformity with the national policy respecting the needs of the elderly and the handicapped. This national policy was established with the passage of my amendment to the Urban Mass Transit Act of 1970 which stated that the elderly and the handicapped should have an equal right to mass transit facilities. It further required that all federally funded projects include design features to meet their needs. It also authorized discretionary funding for modification of existing facilities and for research and development programs.

I decided to offer this amendment when I learned this weekend that a U.S. district judge ruled Friday that unless Congress provides the money, the Washington Metropolitan Area Transit Authority cannot be compelled to obey the Urban Mass Transit Act requiring added facilities to serve the handicapped.

Under the present plans for Metro stations, they will have only escalators to carry passengers from street-level station entries to the fare-collection mezzanines and from the mezzanines to the track platform and back again. The handicapped and elderly citizens need elevators at these stations, however, if they are to use this system. The Urban Mass Transit Act requires Metro to use part of whatever money is now available for the system to provide the elevators.

Mr. Chairman, the vast majority of Federal resources have been directed toward research and development of separate systems such as the Dial-a-Ride bus program currently in operation. Such separate systems are too costly and do not reach a sufficient number of the affected persons to justify the expenditures. We must have systems that can be used equally by our elderly and handicapped citizens—not separate and unequal facilities. The Washington Metro system and all of the Nation's transit systems must be as accessable to our elderly and handicapped citizens as they are to anyone else. We cannot stand idly by while these citizens are kept from riding on these facilities.

We must, therefore, modify existing systems as well as be certain that new mass transit facilities are accessible to these people. They cannot be treated as second-class citizens any longer. They have an equal right to use the system and should be served as a matter of course.

Mr. Chairman, my amendment to the Urban Mass Transit Act, section 16, marked a turning point in national concern for the transit needs of the elderly and the handicapped. For the first time, it was acknowledged that these people have an equal right to mass transit facilities. We must make every effort in the Congress to see to it that this section of the law is carried out.

I, therefore, offer this amendment to the National Capital Transportation Act to require a cost study by the Secretary of Transportation to determine the costs, if any, to bring the Metro facilities in line with the intent of Congress and make these facilities accessable to the elderly and handicapped citizens.

I urge my colleagues to support my amendment for the good of our elderly and handicapped citizens so that they may enjoy the new Metro system—along with everyone else.

Mr. GROSS. This does not provide for policemen or armed persons of some description to ride on every subway car, does it?

Mr. BIAGGI. No. Nothing whatsoever like that.

Mr. NELSEN. Will the gentleman yield?

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

Mr. NELSEN. I want to say this is a very thoughtful amendment. I know the gentleman is concerned that facilities are designed in a manner that makes it possible for the handicapped to make use of the system. It is a thoughtful amendment and I am sure this House will approve it.

I thank the gentleman for yielding.

Mr. CABELL. Will the gentleman yield?

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

Mr. CABELL. Will the gentleman yield for a motion?

Mr. BIAGGI. Yes.

Mr. CABELL. Mr. Chairman, I move that the bill be considered as read and printed at this point in the RECORD and open to amendment at any point.

The CHAIRMAN. The Chair must rule that the gentleman from Texas is not in order in making that motion at this time. The Chair will entertain, however, a unanimous-consent request to that effect.

Mr. CABELL. Then, I make that as a unanimous-consent request.

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

There was no objection.

The remainder of the bill is as follows:

TITLE II—INCREASED DISTRICT OF COLUMBIA CONTRIBUTION

SEC. 201. (a) Section 4(a) of the National Capital Transportation Act of 1969 (D.C. Code, sec. 1–1443(a)) is amended (1) by striking out "$216,500,000" and inserting in lieu thereof "$269,700,000", and (2) by striking out "$166,500,000" and inserting in lieu thereof "$219,700,000".

(b) Paragraph (3) of subsection (b) of the first section of the Act of June 6, 1958 (D.C. Code, sec. 9–220(b)(3)) is amended (1) by striking out "$216,500,000" and inserting in lieu thereof "$269,700,000", and (2) by striking out "$166,500,000" and inserting in lieu thereof "$219,700,000".

TITLE III—COMPACT AMENDMENTS

SEC. 301. (a) The Congress hereby consents to amendments to articles I, III, VII,

IX, XI, XIV, and XVI of title III of the Washington Metropolitan Area Transit Regulation Compact (D.C. Code, sec. 1-1431 note) substantially as follows:

(1) Section 1(g) of article I is amended to read as follows:

"(g) 'Transit services' means the transportation of persons and their packages and baggage by means of transit facilities between points within the Zone including the transportation of newspapers, express, and mail between such points, and charter service which originates within the Zone but does not include taxicab service or individual-ticket-sales sightseeing operations; and".

(2) Section 5(a) of article III is amended to read as follows:

"5. (a) The Authority shall be governed by a Board of six Directors consisting of two Directors for each signatory. For Virginia, the Directors shall be appointed by the Northern Virginia Transportation Commission; for the District of Columbia by the City Council of the District of Columbia from among its members, the Commissioner and the Assistant to the Commissioner of the District of Columbia; and for Maryland, by the Washington Suburban Transit Commission. In each instance the Director shall be appointed from among the members of the appointing body, except as otherwise provided herein, and shall serve for a term coincident with his term on the body by which he was appointed. A director may be removed or suspended from office only as provided by the law of the signatory from which he was appointed. The appointing authorities shall also appoint an alternate for each Director, who may act only in the absence of the Director for whom he has been appointed an alternate, except that, in the case of the District of Columbia where only one Director and his alternate are present, such alternate may act on behalf of the absent Director. Each alternate shall serve at the pleasure of the appointing authority. In the event of a vacancy in the office of Director or alternate, it shall be filled in the same manner as an original appointment."

(3) Section 21 of article VII is amended to read as follows:

"Temporary Borrowing

"21. The Board may borrow, in anticipation of receipts, from any signatory, the Washington Suburban Transit District, the Northern Virginia Transportation District or any component government thereof, or from any lending institution for any purposes of this title, including administrative expenses. Such loans shall be for a term not to exceed two years and at such rates of interest as shall be acceptable to the Board. The signatories and any such political subdivision or agency may, in its discretion, make such loans from any available money."

(4) Section 35 of article IX is amended to read as follows:

"Interest

"35. Bonds shall bear interest at such rate or rates as may be determined by the Board, payable annually or semiannually."

(5) Section 39 of article IX is amended to read as follows:

"Sale

"39. The Board may fix terms and conditions for the sale or other disposition of any authorized issue of bonds. The Board may sell bonds at less than their par or face value but no issue of bonds may be sold at an aggregate price below the par or face value thereof if such sale would result in a net interest cost to the Authority calculated upon the entire issue so sold in excess of the applicable rate determined by the Board, payable semiannually, computed with relation to the absolute maturity of the bonds according to standard tables of bond values, deducting the amount of any premium to be paid on the redemption of any bonds prior to maturity. All bonds issued and sold pursuant to this title may be sold in such manner, either at public or private sale, as the Board shall determine."

(6) Section 51 of article XI is amended to read as follows:

"Operation oy Contract or Lease

"51. Any facilities and properties owned or controlled by the Authority may be operated by the Authority directly or by others pursuant to contract or lease as the Board may determine."

(7) Section 66 of article XIV is amended to read as follows:

"Operations

"66. (a) The rights, benefits, and other employee protective conditions and remedies of section 13(c) of the Urban Mass Transportation Act of 1964, as amended (49 U.S.C. 1609(c)), as determined by the Secretary of Labor shall apply to the operation by the Washington Metropolitan Area Transit Authority of any mass transit facilities owned or controlled by it and to any contract or other arrangement for the operation of transit facilities. Whenever the Authority shall operate any transit facility or enter into any contractual or other arrangements for the operation of such transit facility the Authortiy shall extend to employees of affected mass transportation systems first opportunity for transfer and appointment as employees of the Authority in accordance with seniority, in any nonsupervisory job in respect to such operations for which they can qualify after a reasonable training period. Such employment shall not result in any worsening of the employee's position in his former employment nor any loss of wages, hours, working conditions, seniority, fringe benefits and rights and privileges pertaining thereto.

"(b) The Authority shall deal with and enter into written contracts with employees as defined in section 152 of title 29, United States Code, through accredited representatives of such employees or representatives of any labor organization authorized to act for such employees concerning wages, salaries, hours, working conditions, and pension or retirement provisions.

"(c) In case of any labor dispute involving the Authority and such employees where collective bargaining does not result in agreement, the Authority shall submit such dispute to arbitration by a board composed of three persons, one appointed by the Authority, one appointed by the labor organization representing the employees, and a third member to be agreed upon by the labor organization and the Authority. The member agreed upon by the labor organization and the Authority shall act as chairman of the board. The determination of the majority of the board of arbitration, thus established shall be final and binding on all matters in dispute. If after a period of ten days from the date of the appointment of the two arbitrators representing the Authority and the labor organization, the third arbitrator has not been selected, then either arbitrator may request the Federal Mediation and Conciliation Service to furnish a list of five persons from which the third arbitrator shall be selected. The arbitrators appointed by the Authority and the labor organization, promptly after the receipt of such list shall determine by lot the order of elimination, and thereafter each shall in that order alternately eliminate one name until only one name remains. The remaining person on the list shall be the third arbitrator. The term 'labor dispute' shall be broadly construed and shall include any controversy concerning wages, salaries, hours, working conditions, or benefits including health and welfare, sick leave, insurance or pension or retirement provisions but not limited thereto, and including any controversy concerning any differences or questions that may arise between the parties including but not limited to the making or maintaining of collective bargaining agreements, the terms to be included in such agreements, and the interpretation or application of such collective bargaining agreements and any grievance that may arise and questions concerning representation. Each party shall pay one-half of the expenses of such arbitration.

"(d) The Authority is hereby authorized and empowered to establish and maintain a system of pensions and retirement benefits for such officers and employees of the Authority as may be designated or described by resolution of the Authority; to fix the terms of and restrictions on admission to such system and the classifications therein; to provide that persons eligible for admission in such pension system shall not be eligible for admission to, or receive any benefits from, any other pension system (except social security benefits), which is financed or funded, in whole or in part, directly or indirectly by funds paid or appropriated by the Authority to such other pension system, and to provide in connection with such pension system, a system of benefits payable to the beneficiaries and dependents of any participant in such pension system after the death of such participant (whether accidental or otherwise, whether occurring in the actual performance of duty or otherwise, or both) subject to such exceptions, conditions, restrictions and classifications as may be provided by resolution of the Authority. Such pension system shall be financed or funded by such means and in such manner as may be determined by the Authority to be economically feasible. Unless the Authority shall otherwise determine, no officer or employee of the Authority and no beneficiary or dependent of any such officer or employee shall be eligible to receive any pension or retirement or other benefits both from or under any such pension system and from or under any pension or retirement system established by an acquired transportation system or established or provided for, by or under the provisions of any collective bargaining agreement between the Authority and the representatives of its employees.

"(e) Whenever the Authority acquires existing transit facilities from a public or privately owned utility either in proceeding by eminent domain or otherwise, the Authority shall assume and observe all existing labor contracts and pension obligations. When the Authority acquires an existing transportation system, all employees who are necessary for the operation thereof by the Authority shall be transferred to and appointed as employees of the Authority, subject to all the rights and benefits of this title. These employees shall be given seniority credit and sick leave, vacation, insurance and pension credits in accordance with the records of labor agreements from the acquired transportation system. Members and beneficiaries of any pension or retirement system or other benefits established by the acquired transportation system shall continue to have rights, privileges, benefits, obligations and status with respect to such established system. The Authority shall assume the obligations of any transportation system acquired by it with regard to wages, salaries, hours, working conditions, sick leave, health and welfare and pension or retirement provisions for employees. It shall assume the provisions of any collective bargaining agreement between such acquired transportation system and the representatives of its employees. The Authority and the employees, through their representatives for collective bargaining purposes, shall take whatever action may be necessary to have pension trust funds presently under the joint control of the acquired transportation system and the participating employees through their representative transferred to the trust fund to be established, maintained

and administered jointly by the Authority and the participating employees through their representatives. No employee of any acquired transportation system who is transferred to a position with the Authority shall by reason of such transfer be placed in any worse position with respect to workmen's compensation, pension, seniority, wages, sick leave, vacation, health and welfare insurance or any other benefits, than he enjoyed as an employee of such acquired transportation system."

(8) Section 79 of article XVI is amended to read as follows:

"Reduced Fares

"79. The District of Columbia, the Northern Virginia Transportation District, the Washington Suburban Transit District and the component governments thereof, may enter into contracts or agreements with the Authority to make equitable payments for fares lower than those established by the Authority pursuant to the provisions of article XIII hereof for any specified class or category of riders."

(b) The Commissioner of the District of Columbia is authorized and directed to enter into and execute on behalf of the District of Columbia amendments, substantially as set forth in subsection (a), to title III of the Washington Metropolitan Area Transit Regulation Compact with the States of Virginia and Maryland.

Mr. PEYSER. Will the gentleman yield?

Mr. BIAGGI. I am delighted to yield to my colleague.

Mr. PEYSER. I would like to compliment the gentleman from New York on his amendment. I think it speaks to the very problem involved in transportation throughout this country. I am delighted to have the elderly and the physically handicapped included in this kind of action and hope that it will produce results that will enable their travel to be made far easier and less expensive under this system.

I strongly urge that the House support this amendment.

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

Mr. BIAGGI. I shall be glad to yield to the gentleman from Maryland.

Mr. GUDE. Mr. Chairman, I wish to commend the gentleman from New York on his amendment. It is certainly worthwhile and deserving of support of the House.

We must explore every reasonable means to assure that the elderly and the handicapped truly have the same right as other persons to mass transit facilities. Conduct of this study to eliminate such barriers to free access to transit is consistent with the rigorous standards the Metro authority has steadfastly pursued.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. BIAGGI).

The amendment was agreed to.

Mr. CABELL. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with an amendment, with the recommendation that the amendment be agreed to and that the bill, as amended, do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the Chair, Mr. BRADEMAS, 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. 15507) to amend the National Capital Transportation Act of 1969 to provide for Federal guarantees of obligations issued by the Washington Metropolitan Area Transit Authority, to authorize an increased contribution by the District of Columbia, and for other purposes, had directed him to report the bill back to the House with an amendment, with the recommendation that the amendment be agreed to and that the bill as amended do pass.

The SPEAKER. Without objection, the previous question is ordered on the bill and the amendment thereto.

There was no objection.

The SPEAKER. The question is on the amendment.

The amendment was agreed to.

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

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

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

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

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

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 282, nays 75, not voting 75, as follows:

[Roll No. 228]

YEAS—282

Abbitt	Carlson	Evins, Tenn.
Adams	Carter	Fascell
Addabbo	Casey, Tex.	Findley
Anderson, Ill.	Cederberg	Flynt
Andrews, N. Dak.	Chamberlain	Foley
Annunzio	Clausen, Don H.	Ford, William D.
Ashley	Clawson, Del	Forsythe
Aspin	Clay	Fountain
Aspinall	Cleveland	Fraser
Badillo	Collier	Frelinghuysen
Barrett	Collins, Ill.	Frenzel
Begich	Conable	Fuqua
Belcher	Conover	Galifianakis
Bennett	Conte	Garmatz
Bergland	Conyers	Gaydos
Betts	Corman	Gettys
Biaggi	Culver	Giaimo
Biester	Curlin	Gibbons
Bingham	Daniel, Va.	Gonzalez
Blackburn	Daniels, N.J.	Goodling
Blatnik	Danielson	Grasso
Boland	Delaney	Gray
Brademas	Dellenback	Green, Oreg.
Brasco	Dellums	Green, Pa.
Brooks	Derwinski	Grover
Brotzman	Dingell	Gubser
Brown, Mich.	Dorn	Gude
Brown, Ohio	Dow	Haley
Broyhill, N.C.	Drinan	Halpern
Broyhill, Va.	Dulski	Hamilton
Buchanan	du Pont	Hammer-schmidt
Burke, Mass.	Dwyer	Hanley
Burleson, Tex.	Eckhardt	Hanna
Burton	Edmondson	Hansen, Idaho
Byrne, Pa.	Edwards, Ala.	Hansen, Wash.
Byrnes, Wis.	Edwards, Calif.	Harrington
Byron	Ellberg	Harvey
Cabell	Eshleman	Hathaway
Carey, N.Y.	Evans, Colo.	Hébert
Hechler, W. Va.	Minish	Scott
Heckler, Mass.	Minshall	Selberling
Heinz	Mitchell	Shipley
Helstoski	Mizell	Shoup
Hicks, Mass.	Monagan	Shriver
Hillis	Moorhead	Sikes
Hogan	Morgan	Sisk
Horton	Moss	Smith, N.Y.
Hosmer	Murphy, Ill.	Springer
Howard	Murphy, N.Y.	Staggers
Hungate	Natcher	Stanton, J. William
Hunt	Nedzi	Stanton, James V.
Jarman	Nelsen	Steele
Johnson, Calif.	Nix	Steiger, Wis.
Johnson, Pa.	Obey	Stephens
Jones, Ala.	O'Hara	Stratton
Karth	O'Neill	Stubblefield
Kastenmeier	Pelly	Talcott
Kazen	Pettis	Taylor
Keating	Peyser	Teague, Calif.
Keith	Pike	Thompson, Ga.
Kemp	Pirnie	Thompson, N.J.
King	Poage	Thone
Koch	Podell	Tiernan
Kyros	Poff	Udall
Landrum	Powell	Ullman
Leggett	Preyer, N.C.	Van Deerlin
Lennon	Price, Ill.	Vander Jagt
Lent	Pucinski	Vanik
Link	Purcell	Veysey
Lloyd	Quie	Vigorito
Lujan	Rangel	Waldie
McClory	Rees	Wampler
McCloskey	Reid	Ware
McClure	Reuss	Whalen
McCormack	Rhodes	Whalley
McCulloch	Riegle	White
McDade	Robison, N.Y.	Whitehurst
McEwen	Rodino	Widnall
McFall	Roe	Wiggins
McKay	Rogers	Williams
McKevitt	Roncalio	Wilson, Bob
Macdonald, Mass.	Rooney, N.Y.	Wilson, Charles H.
Madden	Rooney, Pa.	Winn
Mahon	Rosenthal	Wolff
Mailliard	Rostenkowski	Wright
Mallary	Roush	Wyatt
Mann	Roy	Wylie
Martin	Roybal	Yates
Mathias, Calif.	Ruth	Yatron
Matsunaga	Ryan	Young, Tex.
Mazzoli	St Germain	Zablocki
Melcher	Sandman	Zwach
Mikva	Sarbanes	
Miller, Calif.	Satterfield	
	Saylor	
	Schneebeli	

NAYS—75

Andrews, Ala.	Henderson	Price, Tex.
Archer	Hicks, Wash.	Quillen
Ashbrook	Hull	Randall
Baring	Hutchinson	Roberts
Bevill	Ichord	Robinson, Va.
Bow	Jacobs	Rousselot
Bray	Jonas	Runnels
Brinkley	Jones, N.C.	Ruppe
Burlison, Mo.	Jones, Tenn.	Scherle
Camp	Kyl	Sebelius
Chappell	Landgrebe	Skubitz
Clancy	Latta	Slack
Collins, Tex.	Long, Md.	Smith, Calif.
Colmer	McCollister	Smith, Iowa
Crane	Mayne	Snyder
Davis, Wis.	Michel	Spence
de la Garza	Miller, Ohio	Steed
Denholm	Mills, Md.	Steiger, Ariz.
Duncan	Montgomery	Terry
Fisher	Myers	Thomson, Wis.
Flowers	Nichols	Whitten
Goldwater	O'Konski	Wydler
Gross	Passman	Wyman
Harsha	Patman	Young, Fla.
Hays	Patten	Zion

NOT VOTING—75

Abernethy	Chisholm	Frey
Abourezk	Clark	Fulton
Abzug	Cotter	Gallagher
Alexander	Coughlin	Griffin
Anderson, Calif.	Davis, Ga.	Griffiths
Anderson, Tenn.	Davis, S.C.	Hagan
Arends	Dennis	Hall
Baker	Dent	Hastings
Bell	Devine	Hawkins
Blanton	Dickinson	Holifield
Boggs	Diggs	Kee
Bolling	Donohue	Kluczynski
Broomfield	Dowdy	Kuykendall
Burke, Fla.	Downing	Long, La.
Caffery	Erlenborn	McDonald, Mich.
Carney	Esch	McKinney
Celler	Fish	McMillan
	Flood	Mathis, Ga.
	Ford, Gerald R.	

Meeds	Perkins	Schwengel
Metcalfe	Pickle	Stokes
Mills, Ark.	Pryor, Ark.	Stuckey
Mink	Railsback	Sullivan
Mollohan	Rarick	Symington
Mosher	Scheuer	Teague, Tex.
Pepper	Schmitz	Waggonner

So the bill was passed.

The Clerk announced the following pairs:

Mr. Teague of Texas with Mr. Arends.
Mr. Waggonner with Mr. Hall.
Mr. Dent with Mr. Devine.
Mr. Cotter with Mr. McKinney.
Mr. Celler with Mr. McDonald of Michigan.
Mr. Kluczynski with Mr. Broomfield.
Mr. Holifield with Mr. Erlenborn.
Mr. Fulton with Mr. Baker.
Mr. Pickle with Mr. Esch.
Mr. Pepper with Mr. Burke of Florida.
Mr. Meeds with Mr. Schwengel.
Mr. Blanton with Mr. Fish.
Mr. Boggs with Mr. Gerald R. Ford.
Mrs. Sullivan with Mr. Mosher.
Mr. Stuckey with Mr. Perkins.
Mr. Stokes with Mr. Dowdy.
Mr. Anderson of California with Mr. Bell.
Mr. Abourezk with Mrs. Abzug.
Mr. Hawkins with Mr. Scheuer.
Mr. Carney with Mr. Metcalfe.
Mr. Diggs with Mr. Gallagher.
Mrs. Chisholm with Mrs. Griffiths.
Mr. Abernethy with Mr. Hagan.
Mr. Anderson of Tennessee with Mr. Kuykendall.
Mr. Mollohan with Mr. Donohue.
Mr. Davis of Georgia with Mr. Dickinson.
Mr. Clark with Mr. Caffery.
Mr. Davis of South Carolina with Mr. Frey.
Mr. Alexander with Mr. Long of Louisiana.
Mr. Flood with Mr. Coughlin.
Mr. Fountain with Mr. Hastings.
Mr. Rarick with Mr. Dennis.
Mrs. Mink with Mr. Railsback.
Mr. Mathis of Georgia with Mr. Symington.
Mr. McMillan with Mr. Schmitz.
Mr. Mills of Arkansas with Mr. Downing.
Mr. Kee with Mr. Pryor of Arkansas.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PUBLIC WORKS FOR WATER AND POWER DEVELOPMENT AND ATOMIC ENERGY COMMISSION APPROPRIATIONS, 1973

Mr. EVINS of Tennessee. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 15586) making appropriations for public works for water and power development, including the Corp of Engineers—Civil, the Bureau of Reclamation, the Bonneville Power Administration and other power agencies of the Department of the Interior, the Appalachian regional development programs, the Federal Power Commission, the Tennessee Valley Authority, the Atomic Energy Commission, and related independent agencies and commissions for the fiscal year ending June 30, 1973, and for other purposes.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H.R. 15586, with Mr. ASPINALL in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on Tuesday, June 20, 1972, the Clerk had read through line 10, page 2 of the bill.

Mr. EVINS of Tennessee. Mr. Chairman, I move to strike the last word.

Mr. Chairman, on Tuesday, June 20, under the rule of general debate I spoke at length on the public works and Atomic Energy Commission appropriations bill for 1973.

I went into some detail concerning the appropriations and merits of this vital and important bill.

At that time I omitted any reference to the disastrous flood at Rapid City, S. Dak. Subsequently the tropical storm Agnes has wreaked havoc in the mid-Atlantic States, triggering the worst floods in this area in the Nation's history.

Virginia, Maryland, Pennsylvania, New Jersey, New York, Delaware, and the District of Columbia have all been hard hit by devastating floods.

The latest reports indicate that 117 persons have died in this unprecedented flood in the East with thousands left homeless and property damages estimated at more than $2 billion.

I am sure it is not necessary to point out the impact of nature uncontrolled as a polluter and contaminator of the natural environment.

I am also sure it is not necessary to point out that this flood demonstrates the necessity of providing for adequate flood control to assure the protection of life and property.

In this connection, I think it is again appropriate to stress the importance of this bill as a protector of life and property throughout the United States.

In my view, these latest disastrous floods have demonstrated the necessity of strengthening existing floodwalls which have shown to be inadequate.

My committee will consider any request for supplemental appropriations to relieve the effects of this disaster as required and needed.

The Corps of Engineers has advised that their preliminary estimates are that during the recent flood disaster on the east coast—

First. The Kinzua Dam, Allegheny River, averted damages of $160 million in the areas of Pittsburgh and New Kensington, Pa., and Wheeling, W. Va. Total cost of the dam was $107 million.

Second. The Conemaugh Dam, Allegheny River, averted $200 million worth of damages in the areas of Pittsburgh and New Kensington, Pa. and Wheeling, W. Va. The total cost of the dam was $46 million.

Third. The Mount Morris Dam, Genessee River near Rochester, N.Y., averted $140 million in damages; the cost of the dam was $24 million.

Fourth. Various projects on the Lehigh River averted $25 million worth of damage.

Total $860 million.

In addition, five other projects—Bush Curwensville, and Sayers Reservoirs; and local protection projects at Williamsport and Sunbury, Pa.—averted damages of $360 million. The total cost of these works was $80 million.

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

Mr. EVINS of Tennessee. I yield to the gentleman from New York.

Mr. ROBISON of New York. I should like to congratulate the distinguished gentleman, the chairman of our subcommittee, for the statement he has just made.

I am probably one of several Members of this House who, over the past weekend, returned to their home districts to see the actual amount and extent of the devastation which followed in the wake of "Agnes" this past week and continued into the weekend.

The area in my part of upstate New York, particularly the cities of Corning and Elmira, were especially badly hit, as reported in the press, with loss of life and destruction of property which will obviously cost millions of dollars to repair or restore.

The CHAIRMAN. The time of the gentleman has expired.

Mr. EVINS of Tennessee. Mr. Chairman, I ask that the Clerk read.

The CHAIRMAN. The Clerk will read.

Mr. ROBISON of New York. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I should like to complete my statement.

Mr. Chairman, the Chemung River, a tributary of the Susquehanna River flows through Corning and Elmira. On that river there is a flood prevention structure under construction, in the northern part of Pennsylvania, to be known as the Tioga-Hammond Reservoir. I wish there were additional money in this bill before us to further accelerate the construction of that reservoir, because if it had been in existence at the time of this flood there would not have been anywhere near this amount of damage, and perhaps no damage at all, to these communities. The $10.8 million in the bill before us for this particular reservoir represents, however, the full capability of the Corps of Engineers. I merely wish to express the hope, for the record, that the Corps will keep this project in mind and appreciate more than it has, perhaps, in the past, the now demonstrated and re-demonstrated need for this particular flood prevention project, and will do all it can in future years to accelerate its construction.

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

Mr. ROBISON of New York. I yield to the gentleman from Arizona.

Mr. RHODES. I should like to say to my good friend the gentleman from New York, and to the chairman of the subcommittee, that I associate my remarks of both gentlemen concerning the effectiveness of the structures which have been completed. I join in the remarks of my friend from New York, in being sorry that perhaps some projects have not now been completed.

In Arizona we had 160 days without rain. Then mother nature tried to make up for it all in one day. As a result there were disastrous floods in the Phoenix and Scottsdale areas. The flood at Scottsdale would have been contained largely by the Indian Bend Wash flood control project, had the project been completed.

The Arizona Canal, a part of the Salt River Project system, helps carry off flood waters, but in this instance could not carry them off fast enough. The waters broke over the canal and flooded the north central area of the city of Phoenix.

There again, if Cave Creek Dam, also in the planning stage in this bill, had been constructed, this probably would not have happened.

The bill we have before us today is extremely important to all parts of the country, and I hope we can proceed with expedition to pass it.

Mr. ROBISON of New York. I thank the gentleman.

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

Mr. ROBISON of New York. I yield to the gentleman from Pennsylvania.

Mr. CONOVER. I thank the gentleman for yielding.

I should like to say to the chairman of the subcommittee, I have just returned from Pittsburgh. I believe the comments he made about the projects in Pittsburgh and the vicinity are very appropriate, and those projects have reduced the amount of damage. It is estimated that without those projects the flood would have been about 3 feet higher than the 1936 flood. It crested at approximately 37 feet, in this flood.

I should like to compliment the gentleman on his comments, and I hope we can continue our review of flood control projects which I hope will avoid any future situation in southwestern Pennsylvania similar to those of 1936 and the recent damage caused by Hurricane Agnes.

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

Mr. ROBISON of New York. I yield to the gentleman from Iowa.

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

Mr. Chairman, I want to commend the committee for including in the bill substantial funds for flood control on the Missouri and Big Sioux Rivers which affect my hometown of Sioux City. We have had disastrous floods there in the past, but fortunately they are not occurring in that part of the country right now, thanks in part to the good foresight that this committee has shown in providing adequate funds for flood control and abatement.

Mr. Chairman, I am pleased that the administration and the House Appropriations Committee would provide $78,000 for this next fiscal year for Army Corps of Engineers planning toward solution of flood control problems engendered by the lower Big Sioux River at my hometown of Sioux City, Iowa, and its South Dakota environs. There is no question but that the history of disastrous floods in the lower Big Sioux River Basin and the tragic experiences of the hapless victims of this flooding more than amply justifies this expenditure. Although this year those living in the area of the Big Sioux River have so far been fortunate in not having the torrential rains and conditions which brought tragedy to our good neighbors in western South Dakota, there is no guarantee that the Big Sioux River, if not tamed, will not soon again surge out of its banks and wreak havoc upon all in its path.

The tragedies caused by the torrential flooding in recent weeks at Rapid City, S. Dak., and in Metropolitan Washington and other parts of the eastern seaboard must surely have persuaded all in this Chamber of the urgent need for stepping up flood control planning and construction to help prevent such disasters in the future. We can ill afford to ignore this pressing problem. Appropriate solutions are within our grasp within the foreseeable future if only we continue to allocate the needed funds for flood control and assign to such projects higher priority than any other public works programs.

I commend the administration and the committee also for providing $10,000 for general investigations and study regarding flood control for the Little Sioux River, another northwest Iowa tributary of the Missouri River capable of tremendous destructive power if left unleashed. I know those living in the basin of the Little Sioux, a beautiful and fertile valley in normal times, will appreciate this consideration of their need for assistance to assure protection of their homes, farms, and businesses.

The administration requested and the committee fully provided in its wisdom the $1,675,000 required to continue construction of flood control projects affecting the Missouri River. I strongly approve this action, and the further action taken by the committee providing the $10,300,000 requested for the improvement of navigation on the Missouri River between the Port of Sioux City and the mouth of the Missouri. The Army Corps of Engineers over the years through its persistent and dedicated efforts has to a great extent tamed the wild Missouri, making disastrous floods largely a thing of the past—this work must not be abandoned.

Mounting inadequacies of railroad transportation and recurrent problems of boxcar shortages at harvest time, together with vast export market opportunities abroad for corn, soybeans, and other produce of northwest Iowa and other Missouri River Basin areas served by the Port of Sioux City, have made it increasingly important that water routes to the Midwest, particularly between the Port of Sioux City and the Gulf of Mexico, be maintained and improved. The export trade flowing through this already important and thriving river port has contributed massively to the improvement of our balance-of-payments picture. The future of the Port of Sioux City may well be assured by the funds which the administration and the committee have provided in the present bill for Missouri River navigation programs.

In this connection, I am pleased to take this opportunity to invite all my colleagues, but most particularly those serving on the House Appropriations Committee Subcommittee on Public Works Appropriations, to participate in the annual Rivercade celebration beginning July 26 at Sioux City. There you will readily observe the great extent to which opening the Missouri River to navigation has already contributed to the continuing economic prosperity of an area which otherwise would be painfully caught in the pinch of diminishing access to adequate transportation.

Certainly the committee's direction to the Army Corps of Engineers, that the corps consult with the Tribal Council in an effort to work out a mutually acceptable plan of action before any construction is initiated regarding the proposed Snyder-Winnebago recreation project, is appropriate. Every effort should be made in every project to consult with all persons and parties affected.

In general, I believe the various flood control and navigation projects contemplated in the bill and report are justified. Growing needs for energy to meet industrial needs and home consumption can be met at least partially through hydroelectric and nuclear power generation capabilities proposed in the bill, subject to appropriate safeguards to negate or lessen impact on the environment.

However, I seriously question the wisdom of funding the several very substantial Bureau of Reclamation irrigation projects proposed in this bill. These projects would add countless acres of irrigated cropland to the present surplus of tillable acres, in subsidized competition with northwest Iowa farmers and other farmers who have voluntarily cooperated in the feed grain program's retirement of land from production. This does not make good sense in my opinion and that of millions of farmers and taxpayers throughout this Nation.

No land receiving irrigation through these Federal projects should be able to enter into production of crops already in surplus or near surplus. Bureau of Reclamation programs should not become a vehicle for moving the Corn Belt artificially from those areas best adapted by nature to the raising of feed grains, and as the fertile, unirrigated farms of northwest Iowa, farms dependent on God's providence and not on taxpayer-subsidized irrigation. I seriously question whether there is any real national interest in the false economy proposed by these Bureau of Reclamation irrigation projects. In many cases they do irrevocable damage to our environment, bury some of our Nation's most beautiful natural wonders under the muck of irrigation reservoirs, wash away the soil cover and pollute the rivers and lakes with salts and alkali. I do not believe many of these irrigation projects will produce any short- or long-term benefits which can equal their high cost and detrimental effects.

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

Mr. ROBISON of New York. I yield to the gentleman from California.

Mr. DON H. CLAUSEN. Mr. Chairman, I rise once again in strong support of the Public Works Appropriations bill for fiscal year 1973. I reviewed the basis for my approval of this legislation in some depth during debate last week. Since that time, however, much of the Eastern Seaboard has been hit hard by severe flooding caused by heavy rains.

It is extremely regretable that it takes a major disaster of this magnitude to focus some people's attention on the need

for adequate and foresighted flood control and water conservation planning.

For years I have witnessed the aftereffects of these natural disasters and have on each occasion urged the completion of an integrated, comprehensive flood control and water conservation plan for every river basin in the country. But, on each occasion and with each passing day the memory of the devastation fades and with it goes the impetus for constructive action.

Many are willing to expend billions after the fact for repair and restoration but give no consideration or, in fact, oppose the expenditure of only millions—or even thousands—for prevention. In this particular instance, if ever a cliche was true it is that "an ounce of prevention is worth a pound of cure."

At the present time there are 117 dead and 112,000 homeless in this most recent flooding. According to early reports, property damage in Pennsylvania alone has exceeded $1 billion.

These incredible damage costs justify our Government assisted flood insurance concept and our comprehensive disaster relief program. Both of these measures have been enacted by the Congress but the basic solution—flood control and water conservation—remains a budgetary stepchild.

The committee report on the bill before us points out that only 25 of 127 flood control or related projects ready for construction can be funded in the coming year. In addition, planning starts for only 31 of a backlog of 185 can be funded.

Preventing floods requires a carefully formulated combination of flood plain management, major reservoirs, smaller impoundments, estuarine improvements, development prohibtions, and many other actions.

In many river basins the river can, and should, be left as it is. In others, flood protection is desperately needed and a plan should be adopted. In any event, planning should begin now.

I believe the Subcommittee on Public Works has come up with and excellent bill but, as I have said, last week's major flood shows clearly the scope of the task that lies before us.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

TITLE I—ATOMIC ENERGY COMMISSION

OPERATING EXPENSES

For necessary operating expenses of the Commission in carrying out the purposes of the Atomic Energy Act of 1954, as amended, including the employment of aliens; services authorized by 5 U.S.C. 3109; hiring, maintenance, and operation of aircraft; publication and dissemination of atomic information; purchase, repair and cleaning uniforms; official entertainment expenses (not to exceed $30,000); reimbursement of the General Services Administration for security guard services; hire of passenger motor vehicles; $2,129,000,000 and any moneys (except sums received from disposal of property under the Atomic Energy Community Act of 1955, as amended (42 U.S.C. 2301)) received by the Commission, notwithstanding the provisions of section 3617 of the Revised Statutes (31 U.S.C. 484), to remain available until expended: *Provided*, That of such amount $100,000 may be expended for objects of a confidential nature and in any such case the certificate of the Commission as to the amount of the expenditure and that it is deemed inadvisable to specify the nature thereof shall be deemed a sufficient voucher for the sum therein expressed to have been expended: *Provided further*, That from this appropriation transfers of sums may be made to other agencies of the Government for the performance of the work for which this appropriation is made, and in such cases the sums so transferred may be merged with the appropriation to which transferred.

AMENDMENT OFFERED BY MR. DOW

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

The Clerk read as follows:

Amendment offered by Mr. Dow: On page 2, lines 21 and 22, strike "$2,129,000,000" and insert in lieu thereof "$2,079,000,000".

Mr. DOW. Mr. Chairman, the amendment I am offering would delete $50 million in the appropriation which is authorized for the liquid metal fast breeder reactor—LMFBR—demonstration project. This item is referred to on page 5 of the committee's report. I am not attempting to reduce the $131.5 million in the bill for LMFBR research which we already debated during the authorization process on June 7.

The LMFBR has been hailed as the answer to our energy shortage problems. It is argued that the predicted national uranium shortage will be avoided, because the LMFBR will produce more fuel than it consumes. Great savings have been projected.

The negative side of the picture, however, should make us stop dead in our tracks and reassess our entire program for developing future energy resources.

The switch to LMFBR's will lead to a tremendous increase in the Nation's production of plutonium, one of the most toxic substances known to man.

It is unanimously agreed that fusion reactors will be preferable to LMFBR's when they are developed.

We are committing the Nation to LMFBR's when their feasibility has not been fully established.

The toxicity of plutonium, considered by itself, should make us very wary of a switch to plutonium energy production. An impressive list of America's foremost scientists, including several Nobel laureates, have warned us of the hazards involved. As long as these eminent men express such doubt, the LFMBR should be held in limbo and the doubt resolved before going ahead.

Plutonium has a half-life of 24,000 years. It takes half a million years to decay to an innocuous level. The persistence of this substance in the environment is said to exceed any of the chemicals or elements we have ever worked with on a large scale. The amount of plutonium now produced in the Nation annually is measured in kilograms. AEC projects that 30 tons will be produced annually by 1980, and by the year 2000, 100 tons will be produced annually. This will add up to millions of pounds of material that will be extremely deadly so far into the future that it is impossible for the ordinary mind to comprehend the danger.

Plutonium is so deadly that one-millionth of a gram has caused cancer in mice. Similar amounts injected into dogs created a high incidence of bone cancer, one of the most painful and incurable forms of this dread disease. Plutonium is not soluble; as a consequence, it cannot be diluted in the environment or a living organism. Plutonium is eliminated so slowly from the body that as much as 80 percent will still be there after 50 years.

At the present time, the permissable concentration of plutonium in the air is about one part per million billion. A particle of plutonium the size of a pollen grain can remain suspended in the air for a very long period of time. If inhaled, a tiny particle such as this would pose a threat of lung cancer.

It is true that we do handle plutonium now and even ship it for long distances, but nothing done presently even approaches the scale of transportation and production contemplated with a plutonium energy economy. Right now we make about 100 shipments per year of spent radioactive material. By the year 2000, we will have 20,000 shipments per year. We are multiplying the chance of an accident by a factor of 200.

In addition to the chance of accident, we are greatly increasing the risk of unauthorized diversion or sabotage. It only takes a few kilograms to provide the raw material for an explosive device. The Nuclear Materials and Equipment Corp.—NUMEC—over several years of operation, was unable to account for 6 percent, or 100 kilograms, of highly enriched uranium that passed through its plant. A number of misroutings of nuclear material has already occurred. Crime in interstate commerce is notorious. Consider, for a moment, that plutonium, at a present price of $10,000 a kilogram, is five times more costly than heroin, and 10 times as costly as gold.

With 100 tons transported in 20,000 shipments per year, you do not need a very fertile imagination to consider the possibilities for unauthorized diversion. AEC has conceded that, at the very best, losses can be limited to 1 percent. We will have to do better than that, or there will be 1 ton of plutonium unaccounted for every year by the year 2000.

I do not see why we must be so committed to the plutonium energy economy. We are running low on uranium to fuel our existing light water reactors, but we will have plenty enough to last into the next century. Long before that, we should be able to develop a fusion reactor technology which is much cleaner and efficient. Everyone agrees that we should eventually switch to fusion reactors, so why should we sink $3 or $4 billion into development of a reactor that will become obsolete? I would like to offer an amendment on the positive side to increase funding for the fusion process but that option was foreclosed when we sought to do just that in the related authorization bill.

Moreover, the feasibility of LMFBR's has not been firmly established. The first attempt to build a commercial LMFBR power plant, the Enrico Fermi nuclear powerplant near Detroit, has not succeeded in producing more than a trickle of electric power, and a fossil-fueled plant had to be built to supplement it. It was shut down in 1966 after a core melt-down accident, and its license ex-

pired in February of this year. Experimental Breeder Reactor I—EBR I—went into operation in 1951 and melted down in 1955 due to an operator's mistake. Finally, testing of the LMFBR's component parts has not been completed. Appropriations for such a facility were begun in 1967, and it will not be completed until June or July 1974. The LMFBR operates at a temperature quite close to the melting point of its component parts, and is more difficult to control for that reason. Moreover, recent studies indicate that the stainless steel portions of the reactor swell due to radiation bombardment, and the implications of this discovery have yet to be fully assessed.

I think we ought to delay this project, and not put so much emphasis on the LMFBR to meet our future power needs. Other nations are proceeding with the development of the LMFBR, and it has been argued that we ought keep ahead of these nations. If we really want to be ahead we should concentrate on fusion, which everyone agrees is the power source of the future. We should not allow the LMFBR, a questionable endeavor, to gather so much momentum that our course is irreversible and our work toward fusion is neglected.

In a memorandum to Senator GRAVEL, Hannes Alfven, winner of the 1970 Nobel Prize for physics, stated that—

In my opinion, a solution of the fusion problem is less distant today than the moon was when the Apollo project was started.

He stated that, although there were serious problems to be overcome in fusion technology, there was no fundamental obstacle.

In testimony before the Joint Committee on Atomic Energy, Dr. Roy Gould, AEC's Assistant Director of Reactor Reseach, stated that a strong financial commitment would create a high probability of scientific feasibility for fusion in the 1970's.

At best, LMFBR's will not begin to function in any significant number until 1985 or later. With the proper amount of research and funding, we could probably have fusion power on a large scale by the end of the century. With fusion so close, we should not fund an interim power source that will leave a permanent legacy of deadly waste. The demonstration project should be delayed until we have a total assessment of all the technologies that will best meet our future power needs, and the feasibility and safety of any program fully established before we proceed with a multibillion dollar commitment.

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

Mr. DOW. I yield to the gentleman.

Mr. BINGHAM. Mr. Chairman, I rise in support of Mr. Dow's amendment to delete the funds for the LMFBR demonstration plant until an independent assessment of this technology taking into consideration other energy options is completed. There are many aspects of the LMFBR project that disturb me. There have been questions raised about this project's environmental, technological, and safety hazards by a group of over 30 prominent scientists, including the noted physicist, Dr. Donald Geesemen, of Lawrence Livermore Radiological Laboratory. The 1970 Nobel Prize winner in physics, Dr. Hans Olof Alfven, has released a statement known as the "Alfven Memorandum" in opposition to the LMFBR technology. The AEC's uranium reserve estimates have been brought into question by the Edison Electric Institute, the Kerr-McGee Corp., and the new Energy Forms Task Force of the National Petroleum Council. Without a uranium reserve incentive, there is no reason to push rapidly ahead with this project. With ample supplies of uranium, we have the time to wait until the feasibility of fusion is established before we push forward with a new nuclear energy initiative.

The priority of this initiative is very much a major point to consider in this situation. Dr. Gould of the AEC believes that with a high funding priority, the scientific feasibility of fusion could be established by 1977. I see no reason for us not to wait. The LMFBR will not be giving us a significant amount of electricity until 1995 if all goes well. We could have fusion power by 2000 or 2010. Why are we funding an interim power source which will leave us with a permanent legacy of radioactive wastes?

I urge my colleagues to withhold the funds for the LMFBR demonstration plant until we have the answer to the fusion question and until this project has been evaluated by an impartial panel of experts.

Mr. EVINS of Tennessee. Mr. Chairman I rise in opposition to the amendment.

Mr. Chairman, the gentleman from New York wants to strike out $50 million for the liquid metal fast breeder reactor program.

May I say, this Nation is confronted with a power crisis. Leaders in key positions in the energy field have warned repeatedly that many areas of the Nation this summer may face blackouts and serious brownouts.

Chairman Schlesinger of the Atomic Energy Commission testified to this fact. Chairman Nassikas of the Federal Power Commission, Chairman Wagner of the Tennessee Valley Authority, and leaders in the private power industry have all warned of this potential danger.

We must develop more efficient sources of power. With only a few hydroelectric sites remaining available in the Nation—and with fossil fuels limited—the LMFBR appears to offer the best opportunity for safe, clean, efficient, and abundant electric power.

This reactor will utilize uranium 40 times more efficiently than today's light water nuclear plants.

The President in a special message to the Congress recommended high priority for the fast breeder technology.

The President recommended $100 million for a demonstration project. Fifty million dollars has already been appropriated and this bill will provide the remaining $50 million for the demonstration project.

The demonstration plant has been approved by the Joint Committee on Atomic Energy. The amount has been recommended by the President and these funds have been approved by the Committee on Appropriations.

With reference to the technical and economic aspects pointed out by the gentleman from New York (Mr. Dow), I would say the only way to determine these factors and the only way to get the information is to build the demonstration plant and to secure the facts through research and development.

The bill does not commit this Nation to a $4 billion or $5 billion investment, as was stated, but only the $100 million that the President recommended.

The gentleman from New York (Mr. Dow) refers to fusion in his "Dear Colleague" letter circulated to Members. Fusion power is way down the road.

Testimony before our committee, Dr. Gould, of AEC, indicated that fusion power will not be available before the year 2000 or beyond. With the current power crisis facing this Nation, we cannot wait that length of time. We face a power crisis, and we should go forward with this LMFBR technology. I recommend defeat of the amendment.

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

Mr. EVINS of Tennessee. I yield to the gentleman from Pennsylvania.

Mr. SAYLOR. I thank my colleague for yielding. Nobody has been more critical of the AEC than I have been over the years, but in this instance I rise in opposition to the Dow amendment. We should build a plant that will really test the technology that has been developed up until now. If we do not do so, all the money that we have spent in experiments until now will have been wasted. I urge defeat of the amendment.

Mr. PRICE of Illinois. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the amendment offered by the gentleman from New York would eliminate appropriations requested for this Nation's first liquid metal fast breeder demonstration reactor.

Much can be said about the importance of this project to our national effort to meet our future energy needs. I would like to point out that the Joint Committee on Atomic Energy, of which I have the honor to serve as vice chairman, has been studying for well over a decade the potential contribution which nuclear power and other energy sources can make toward solving the energy needs of our future generations. The committee's review has been founded upon comprehensive studies within the executive branch which have collated and evaluated the data, the research, and the judgments of the major Federal agencies having expertise in the various energy fields. The judgments, made years ago, have produced carefully considered programs which are already underway and are vital to future progress in this important endeavor.

The Joint Committee on Atomic Energy has oversight and authorizing responsibility with respect to the programs conducted by the Atomic Energy Commission. We have fully supported the

scope, the objectives and the plans which form this country's liquid metal fast breeder reactor program. President Nixon has designated the development of the breeder reactor as a national program of highest priority and has established the goal of achieving a successful demonstration breeder by 1980. I am pleased to note that the Appropriations Committee of this body has consistently supported this program and provided the necessary funds to permit it to proceed at an appropriate pace. Our colleagues on the Appropriations Committee have given careful study to this program and I would be reluctant to see any modifications made which did not represent a carefully considered, well-thought-out appraisal of the impact which those modifications could have on the program.

The LMFBR research program is now over 20 years in being. It has been supported to the extent of some $800 million. Experimental reactors of this type have been operating since 1951 when ERB–I was started up—and, by the way, that was the first generation of electricity by any type of nuclear reactor in the world. That reactor demonstrated the feasibility of breeding in 1953. Since then we have had the EBR–II started in 1963 and the SEFOR—Southwest experimental fast oxide reactor—in 1969. The first, small, central station type liquid metal breeder, Enrico Fermi atomic powerplant unit 1, was started in 1963 under the power demonstration program and it generated approximately 60 megawatts of electricty. We are now undertaking the demonstration of a commercial size breeder—the goal of this 20 years of research. The very questions being raised by the proponents of the amendments are those which this demonstration plant is designed to answer.

I urge my colleagues not to send this research program to purgatory—not to resort to the bromide of bureaucracy by avoiding decision for yet more study. I urge defeat of the amendment.

Individual Members of this body in recent years have urged that funds be provided to exploit the possibilities of various new sources of electrical energy—fusion, wind power, solar power, ocean thermal gradients, tidal power, photosynthesis, and the like.

Our need for energy is so great and the provision of that energy is so vital to our national well-being that we must utilize all practicable means of meeting those needs. I do not scoff at the possibility that a form of energy other than fossil fuel, nuclear fuel, or hydropower will some day make a significant contribution. I do urge, however, that every Member of this body recognize that it does require a great deal more than simply a provision of funds to achieve a device or technique which will contribute to the solution of the problems now before us. Certainly, time is a factor ignored by those who recommend the exploitation of the various energy forms and energy converters which I have already enumerated. We cannot overnight demonstrate the scientific feasibility, the practicability, and the economic attractiveness of fusion, magneto-hydrodynamics, harnessing the gulf stream, or satellite-borne solar collectors microwaving energy into Times Square. We need research and development at a studied pace in all areas which show reasonable promise of success.

The Federal energy R. & D. funding picture for other than the LMFBR program is far from discouraging. An examination shows that during the past 5-year period the following percentage increases are evident:

	Percent
Coal Resources Development	+305
Fusion	+100
Petroleum and Natural Gas	+93

The appropriations request now before us contains $50 million intended for a portion of the Federal assistance to be provided for the first demonstration fast breeder reactor—the total amount authorized in prior years for this demonstration project is $100 million. The funds requested are needed to keep this program going at a pace which should make it possible to meet the goal established in June of last year by President Nixon to have a demonstration fast breeder reactor on the line by 1980. Time is already short, we must continue to move ahead without delay.

It is anticipated that liquid metal fast breeder reactor plants will begin to come on the line in increasing numbers late in the 1980's and throughout the 1990's. The expectation is that by the year 2000 one-half of this country's electric generation will be in the form of reactor powerplants and many of these will be breeder reactors.

The breeder reactor, as has been stated many times, has been demonstrated to have the capability of producing more nuclear fuel than it consumes. This attribute will extend the energy capability of our uranium resources from a few decades to centuries. It is our responsibility in this body to authorize and appropriate funds for programs which have far reaching impact. Our judgment should be based upon the very best information, counsel, and advice we can obtain. We should not shoot from the hip hoping that somehow we will hit the right target.

I urge rejection of the amendment.

I should like to make one additional—and very fundamental—point. The proponents of the amendment state in their letter of June 20 to the Members of this body:

> We will not attempt to delete research funds, but only those appropriations for the demonstration project.

I am compelled to inquire, what is a demonstration project if not the last step in and the culmination of a research program—that final portion of research effort without which all of the labor, all of the funding, all of the plans are relegated to limbo. This assertion by the proponents of the amendment is tantamount to advocating that research for research's sake is justifiable, but research for the purpose of developing and testing and proving the usefulness of a real machine is not what the Congress had in mind when it authorized this LMFBR demonstration powerplant 2 years ago in the AEC authorization act for fiscal year 1971—Public Law 91–273.

Such an assertion is astounding. I cannot imagine that any Member of the Congress supported a program of research with the thought that it should never be applied in a practical sense, and the capacity to make such a practical application is not developed without the final phase of the research—the demonstration plant.

Mr. EVINS of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. PRICE of Illinois. I yield to the gentleman from Tennessee.

Mr. EVINS of Tennessee. Does the gentleman feel that the best way to get the facts and the information needed for analysis is to have the demonstration plant itself?

Mr. PRICE of Illinois. That is the only way we are going to get the information. The gentleman from New York himself said he supports the research in this area. You are not going to get the answer, no matter how much book research you do, unless you do build a demonstration plant. A demonstration plant is the essential part of any reactor research program.

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

Mr. PRICE of Illinois. I yield to the gentleman from New York.

Mr. DOW. I am fearful that we will put our eggs in this one basket of the fast breeder reactor and come down the road 10 years from now and find out that it is unsafe.

It is a hazard, because there will be less of plutonium around, not just the grams we have today, and then where will we be if we have not put more emphasis on the much better prospects inherent in the fusion process?

Mr. PRICE of Illinois. We are not placing all our eggs in one basket. I think the gentleman from New York recognizes that fact. For 20 years we have been researching the fusion process. We are 10 years away from proving the feasibility of the fusion process, and maybe it would not be until the year 2000, after we prove feasibility before we have it available. I will say to the gentleman that we have appropriated millions in fusion research and we have increased our efforts about 100 percent in the last year.

Our distinguished colleagues who would scuttle the LMFBR demonstration project while searching madly for other methods of generating electricity have not done their homework with regard to fusion as the means to alleviate the forthcoming energy crunch. They have stated only a very small part of what will be necessary to have fusion providing electricity for the United States. In their "Dear Colleague" letter of June 20, they stated that Dr. Gould, who is Director of the Atomic Energy Commission's Division of Controlled Thermonuclear Research, stated that the scientific feasibility phase, the so-called "break even" experiment, could be demonstrated by 1977. For the edification of those present, I would like to explain that the dem-

onstration of scientific feasibility requires that a gas be heated to a temperature near 100 million degrees; that this gas be dense enough to represent a current of 1 million amperes or more; and that this hot, dense gas be held together for the significant portion of a second so that the fusion reaction can take place.

Let me tell you what Dr. Gould said at the joint committee hearings, which were held November 10 and 11, 1971, on controlled thermonuclear research in the United States. Dr. Gould stated that should the Congress approve a significantly expanded program for CTR, an expenditure of $559 million from fiscal year 1973 through 1980, he was fairly certain that scientific feasibility could be demonstrated. If the Congress was willing to go all out and appropriate almost $900 million between 1973 and 1977, there was a probability that scientific feasibility might be demonstrated by 1977.

But where are we when we have this demonstration of scientific feasibility? Our distinguished colleagues who are against the LMFBR failed to inform you that two additional research phases will still be necessary before CTR will be providing electrical energy in the United States. After scientific feasibility, it will be necessary to develop an experimental reactor which will provide a net output of energy. This demonstration will take the program well into the 1980's. After the experimental reactor proves successful, it will still be necessary to build prototype or demonstration reactors to prove the economics of the system. The best estimates of the experts who testified before the Joint Committee was that this would not take place before the time period of 1995 to the year 2000. I would ask my distinguished colleague what we will use for electricity so that we can conduct experiments if the breeder program does not come to fruition.

I urge that the amendment be rejected.

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

Mr. Chairman, I hope this amendment will not be adopted. The liquid metal fast breeder reactor is a most important mechanism for the future welfare not only of the people of this country, but also for the economy of the country. As is well known, there are studies that the Federal Power Commission has made recently which indicate we face an imminent power shortage in this country. We face brownouts and sometimes even blackouts, and some of them may occur in certain parts of the country this year. It would be well if we could have this liquid metal fast breeder reactor ready right now, but we do not have it. But let us do all we can to make sure it is on the line as soon as possible.

Mr. Chairman, this device will allow the consumption of uranium at a rate 40 times as efficient as is the case in the most efficient reactor we have now in operation. We do not have enough uranium in this part of the world to provide for all our needs at the rate of efficiency at which we are now using it, so it becomes necessary for us to be more efficient. The liquid metal fast breeder reactor allows us to do that. The gentleman from New York, I think, has an anachronistic position here. He is saying he is going to strike the demonstration plant because he feels there will be too much plutonium created, and yet he is not striking the amount of money which is in for research for the liquid metal fast breeder reactor. It seems to me if plutonium is such a terribly bad thing, we should not be even conducting research to complete a reactor which will result in more plutonium being created from the U^{238} which is in the reactor. The credibility of the movement to take this money out, I think, suffers rather heavily from this very fact.

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

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

Mr. DOW. Mr. Chairman, we intended to take out the research money in the authorization bill, and since we were thwarted in that endeavor, we have turned to the demonstration project.

Mr. RHODES. The gentleman knows perfectly well plutonium is plutonium, and if it is bad in a demonstration plant, it is bad as far as research is concerned.

The gentleman has also made some very simplistic statements concerning the fusion process. To hear the debate on the floor today, we would assume the fusion process is going to be available the day after tomorrow, if we just spend more money on it. Those unfortunately are not the facts. I would agree with the gentleman that the best means for producing power for the distant future of this country and for the world will be in the fusion process, but it is not ready, and it is not going to be ready for the foreseeable future.

The state of the art has just not advanced that far. We hope it will. We are spending more mony in this bill for the fusion process than ever before. There is $38 million, compared to $31 million last year. We have told the Atomic Energy Commission year after year that if they can spend more money and do it efficiently to hasten the day we have the fusion process completed, we will give them the money. They have not been able to do that as yet, and there is not any reason to believe they are going to be able to complete this process much before the year 2000.

Mr. Chairman, we just cannot wait for the year 2000 to begin to supply the electric energy which this country will need long before that time.

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

Mr. RHODES. I will be glad to yield.

Mr. DOW. I am in confusion about the fusion process, because on the one hand, I hear we are working on it, and spending money on it, yet other speakers on the gentleman's side of this issue have said it is way down the track, years away, to the year 2000.

Mr. RHODES. That is what I have said.

Mr. DOW. Which is it?

Mr. RHODES. Those statements are not contradictory.

Mr. DOW. What is the status of the fusion process today?

The CHAIRMAN. The time belongs to the gentleman from Arizona.

Mr. RHODES. Those statements are not contradictory. The gentleman is confused, as he said he was. We are working on the process and hope for success, but it has not yet occurred.

Mr. DOW. Will the gentleman yield further?

Mr. RHODES. Yes. Certainly.

Mr. DOW. I want to apologize. I understood the gentleman yielded to me, and I hope that the Chairman will understand that I thought he had yielded to me. I did not intend to usurp his time.

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

Mr. Chairman, in relation to the question that was just posed as to when fusion technology might on an economic scale be available to produce kilowatts in the United States, I would say to the gentleman from New York that in careful hearings last November held by the Joint Committee on Atomic Energy addressed to that precise question we asked most of the greatest experts on the subject in the United States to come to the hearing room here in the Capitol and tell us when this could be expected.

Their universal answer was the year 2000 as a beginning, and they added this qualification: that if you spent untold billions of dollars, you might accelerate that date by perhaps as much as 10 years. That would bring you to the year 1990 for this fusion process at the absolute earliest.

In the meantime this country requires all of the kilowatts that it is now capable of producing, and each day, each month, each year it requires more. Our usual conventional sources of energy are finding it difficult to supply the new and additional electrical generating capability. We are starting to depend heavily upon overseas petroleum and we are having problems in the coal mines getting out low-sulphur coal which is compatible with producing electric kilowatts without at the same time contaminating the environment.

Mr. DOW. Will the gentleman yield?

Mr. HOSMER. So at this period of time between now and when this fusion process can come into being there has to be some kind of a rational system in addition to what we have now of generating kilowatts. This gap is at least 20 years wide and, as a practical matter, probably much wider.

Throughout many years of study both in the United States and abroad the liquid metal fast breeder reactor has been decided upon by men of wisdom on this side of the Iron Curtain and on the other side of the Iron Curtain as the most likely prospect for filling this gap and producing these necessary kilowatts.

Today we are at the stage of putting $50 million up to demonstrate the feasibility of this particular process that has been agreed upon.

There could be alternate ways of generating these needed kilowatts with different kinds of breeder reactors. There are such possibilities as the light water breeder reactor, the molten salt breeder reactor, and the high-temperature gas pool. These are good possibilities but

none of them is by no means as good a possibility as the liquid metal fast breeder reactor. That is why we are betting on it primarily and covering our bets by continued research and development in these other technologies.

Going ahead with the LMFBR is the only sensible thing we can do unless we want to surrender our modern world to the antitechnologists, turn back the clock to the dark ages, and forget about the modern, energy-dependent economic society we now enjoy and simply revert to some totally different and primitive kind of life.

This is the decision that the Dow amendment is posing to this body today. To stop the breeder would be the signal to stop other things too. Are we going to forget about technology and go back to a different, a pretechnology type of existence? I do not think you want to do that.

Nor do I think you would particularly want for the totally specious reasons stated by the gentleman from New York (Mr. Dow) concerning plutonium. Plutonium already is being manufactured in quantity in the light water reactors we have today. There is plenty of it around. If there is a proliferation problem or a toxicity problem it has certainly not been created nor will it be intensified by the fast breeder reactors. Rather, it will probably be minimized by them because plutonium is valuable for a peaceful purpose, namely the production of energy. When we have the breeders, plutonium will find its way inside reactors. It will not be stored and be laying around some place to cause proliferation or public health problems.

I urge defeat of the amendment.

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

Mr. HANSEN of Idaho. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I shall be glad to yield to the gentleman from Idaho.

Mr. HANSEN of Idaho. Mr. Chairman, I rise in opposition to the amendment to delete funds for the liquid metal fast breeder reactor demonstration plant.

This demonstration plant is an integral part of the Commission's research and development program. The engineering accomplishment of a demonstration project is an inherent part of any development program. If this project is slowed or eliminated, the entire program of developing this needed new resource for energy production will suffer.

It has been alleged that the safety aspects of the breeder give cause for alarm. I know from personal study of the Commission's reactor safety program over the years, including visits to remote sites where safety experiments are conducted, that safety has been of paramount importance in the breeder development program. Much of this work has been done at the National Reactor Testing Station in Idaho. It was there that in 1953 the feasibility of the breeding reaction was first achieved in the EBR–I reactor. The TREAT reactor, also at NRTS, was instrumental in providing valuable data on the safety of breeder fuel. The SEFOR reactor, in Arkansas, was built and operated solely for the purpose of proving the inherent shutdown capability of the breeder through the demonstration of a negative doppler coefficient.

Let me list some of the other factors under study by the Commission which form the basis for my belief that breeder reactor safety design is receiving the utmost in consideration:

First. Incorporation of intrinsic design features, protection against minor incidents, prevention of major failures.

Second. Capability for inspection and maintenance of systems and components.

Third. Capability to detect and locate failed fuel assemblies—outlet instrumentation on fuel assemblies—design features to avoid flow blockage.

Fourth. Control and protection equipment testable during full load operation.

Fifth. Use of nationally recognized codes and standards.

Sixth. Use of three piped loops with loop isolation provisions.

Seventh. Emergency cooling through natural circulation in primary system.

Eighth. Two independent shutdown systems with diverse location and configuration.

Ninth. Use of inerted equipment cells and gastight, steel-lined reinforced concrete containment building to provide a two barrier containment system.

There has been much said about the toxicity of plutonium. It is highly toxic, no one denies that. But, we have been handling it for 25 years in this country in a variety of forms. We have this experience both in our nuclear weapons program and in our civilian reactor program. Naturally, we will need to continue to exercise a high degree of care and engineering expertise in the design and operation of nuclear facilities which utilize plutonium.

In summary, the Commission and the participants in the demonstration breeder project are fully cognizant of the need to develop a safe, reliable reactor plant which will assure proper protection of the public health and safety and the environment.

I urge rejection of the amendment.

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

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

Mr. DON H. CLAUSEN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I want to take this time to express my support for the defeat of the amendment offered by the distinguished gentleman from New York (Mr. Dow).

I suggest, Mr. Chairman, that our colleagues pay particular attention to the remarks of the chairman of the Subcommittee on Public Works (Mr. EVINS) and the gentleman from Arizona (Mr. RHODES) who have been holding hearings on this appropriation for about 5 months.

In addition, we should note well the views of two leading congressional experts on this subject, the gentleman from California (Mr. HOSMER) and the gentleman from Washington (Mr. McCORMACK) who is a nuclear physicist.

Based upon the research I have conducted both on my own and with the Committee on Interior and Insular Affairs, of which I am a member, I am of the very strong conviction that we cannot postpone the President's recommendation for the necessary research and development of pilot breeder reactor plants.

While others more technically qualified can discuss this question in more depth, it is my understanding that the overwhelming percentage of scientists are in accord with the President's recommendation and the committee's decision on this matter.

We must develop and demonstrate the scientific feasibility now because it will obvoiusly require a long leadtime to accomplish.

Questions of safety have quite rightly been raised by those who would have us limit our energy capacity and capability. However, the overwhelming preponderance of the evidence anyone has yet to offer clearly shows that safety has been and can be expected to be the primary concern of those in the nuclear energy field.

The greatness of America is due in part to a cheap, bountiful supply of electrical energy. Every aspect of American society and culture is served and enhanced by electricity. Furthermore, atomic energy is the least damaging to our environment.

Increasing utilization of nuclear power is inevitable and we must now move to make certain that all the basic research and development is concluded at an early date so we can make our future decisions on the basis of firm scientific knowledge.

The Dow amendment would nullify this effort and should be soundly defeated.

Mr. McCORMACK. Mr. Chairman, I should like to speak directly to the sponsors and supporters of this amendment concerning several points that have been made here today. Perhaps I can take this opportunity to clear up a little confusion that may exist in your minds. Some of my statement will be repetitious, but let us make these points once more, just for clarification. There are many tons of plutonium in existence today, and more is being manufactured every day. It has been manufactured for the last 25 years. It will continue to be manufactured by our light water reactors, and every reactor that operates. The proper care of plutonium is simply a matter of responsible engineering.

We have demonstrated, under the guidance and regulations of the Atomic Energy Commission that we can manage plutonium. It does not create any problem that cannot be solved by good sense and responsible engineering.

The second asks why we should develop the breeder. The answer to that is really quite simple. Based on what we know today, we need the breeder reactor to provide us with adequate fuel to give us the energy we need during the late years of the century. If we do not have the breeder, we are in serious danger of having to burn up virtually all the fossil fuels we have in this country, and use up most of our uranium resources just to provide the energy we need between now and the year 2000.

Speaking to the schedule for the development of the fusion reactor, Congressman Dow has quoted the statement that scientific feasibility may be demonstrated in the 1970's. I agree. I hope we can make it. If we can demonstrate scientific feasibility for a fusion reaction during the seventies, then we can hope that we can have electricity from fusion by the year 2000; but it will require that 20 years between demonstrating scientific feasibility and getting the power on the line. There are major steps between. When we demonstrate scientific feasibility, we will not be creating electricity; we are just showing that a reaction will occur. Then we have to determine how to convert the energy released into electricity.

Then we have to learn what materials we can use in fusion reactors. This will be a billion-dollar program itself, just developing materials that can be used in a fusion reactor. Then we will need a pilot plant before we get a demonstration plant producing electricity. We hope to accomplish this by the year 2000, if we demonstrate scientific feasibility by the 1970's. So we must proceed with the breeder now because we cannot now anticipate fusion produced electricity before the year 2000. The energy crisis we are facing demands an unemotional program, and this program calls for building a breeder now and pushing ahead on fusion research as rapidly as we can in the hope that we can have breeders on the line producing by 1985, and fusion reactors by the year 2000.

I urge the Committee to reject this amendment.

Mr. DOW. Will the gentleman yield?

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

Mr. DOW. I have heard a great deal about the need for more power sources, and certainly we all admit the need for more power sources, but I have heard very little from the other side to rebut the assertion I have made that these grant breeder reactors are very unsafe, and I do not think, I may say to the gentleman, that the need for power is any index for safety. The emphasis that I should like to place here is an emphasis on safety.

Mr. McCORMACK. The consensus of almost all qualified nuclear physicists and nuclear engineers is that breeder reactors will be in many respects safer than are the light water reactors now in use, and these water-cooled reactors are so safe that the most informed and qualified nuclear scientists all over the world have no qualms about working in the reactor control rooms, and raising their families just downwind and downstream from them.

Mr. DOW. May I comment on that?

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

Mr. DOW. I have the names of a large number of eminent scientists, some of them Nobel laureates, who are advising against the breeder on the grounds of safety. Among these are Dr. Linus Pauling, Dr. Barry Commoner, Dr. Harold Urey, and Dr. George Wald.

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

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

Mr. McCORMACK. Mr. Chairman, it is true there are about 30 members of the scientific community whose names have been solicited and have been obtained in a statement that says they believe the breeder program should not be pursued on its present schedule. These gentlemen, esteemed as they may be, represent only a minute fraction of the scientific community, and their position is overwhelmed by that of thousands of highly qualified nuclear physicists and engineers who have spent their lives in research and development on reactor and nuclear safety.

Mr. RONCALIO. Mr. Chairman, during the recent AEC funding bill, several Members spent a long afternoon debating the value of the various programs now under discussion.

I offered at that time to transfer some $10 million from the Wagon Wheel program on natural gas production to the breeder program, arguing among other things that Wagon Wheel was a waste of two valuable resources, uranium and natural gas. Also that Wagon Wheel was not making a substantial contribution to solving the emerging energy crisis.

I was pleased to notice that an item in the Sunday Denver Post by Mr. Robert C. Cowen, copyrighted by the Post and the Christian Science Monitor, sustains my point and makes an excellent argument in its favor. The high point of this article is that the success in harnessing fusion begins to look not like a question of whether but more like a question of when.

When depends only on Congress.

Energy planners will continue to emphasize fusion plants, especially breeders. To continue wasteful programs like Wagon Wheel, and skimp on thermonuclear research, is the essence of shortsightedness, of national folly. New sources of energy cannot be found by repeating wasteful practices of the past. The only technologically visible solution is atomic (fusion) energy, not atomic explosives compounding wasteful practices of the past.

I was very pleased to notice that within 3 days following the House debate on delaying the Wagon Wheel project for a year or two, Dr. Philip Randolph of the El Paso Natural Gas Co. was thoughtful enough to delay the program on his own initiative citing the congressional discussion regarding the program as one of his reasons. Also, AEC has not yet OK'd the trigger mechanisms to sustain the shock of the one below it, to safely be used in sequential firings.

Wagon Wheel and similar unsound programs should be permanently delayed and the atomic (fission) program should be spurred on with a crash program of research funding now. This article tells why. This is why I reluctantly oppose the Dow amendment.

The article from the Denver Post of June 25 follows:

HOPES BEGIN TO GROW FOR FUSION POWER UNIT

(By Robert C. Cowen)

WASHINGTON.—Trying to tame hydrogen fusion to tap a virtually unlimited fuel supply has been like a fairy tale quest for fabled treasure.

Whenever discouragement threatened to overwhelm the researchers, their goal swam distantly into view. They realized just enough laboratory progress to keep their hopes alive.

Now that goal looms more closely, those hopes glow more brightly than in the two decades. A bit more money, a bit more effort, and most fusion workers expect they could have a tame hydrogen reaction running in their laboratories by 1980.

Given a bit more money and prodigiously more effort they think they could have a prototype power plant running by the late 1980s or early 1990s and by the century's end, they just might have developed economically attractive power plants.

The energy reward of fully mastering fusion power would be immense. It's primary fuel would be doubly heavy hydrogen, called deuterium. This is present in seawater to the extent of one in every 6,500 hydrogen atoms.

While this may not sound like much of a concentration, the half gram of deuterium in a gallon of seawater has the fusion energy equivalent of 300 gallons of gasoline.

VAST SOURCE

To put it another way, the fusion energy available from a cubic kilometer of seawater corresponds to the energy equivalent of 2,000 billion barrels of oil or roughly the world's oil reserve, to use a recent estimate.

Experts figure there's enough easily extracted deuterium to supply human-energy needs at something like 10 times present world consumption for several billions of years and a population level of seven billion people.

Lawrence M. Lidsky of the Massachusetts Institute of Technology notes in the journal, Technology Review, "It is far simpler and just as accurate to say that fusion of deuterium represents an essentially inexhaustible supply of energy."

Furthermore, the deuterium fuel can be had rather cheaply. Its extraction should account for only a few thousandths of a percent of the price of electric power.

To get that power, physicists must hold the reacting hydrogen gas together for perhaps a second and at temperatures of many tens of millions or even hundreds of millions of degrees. The research agonies they have endured for the past decade have involved this problem of containment.

MAGNETIC FORCES

Since the hot gas is made up of electrically charged particles, magnetic forces can grasp hold of it. Thus researchers use magnetic fields to manage the gas. They quickly discovered that the gas has more ways than a greased pig of escaping the magnetic grip. These instabilities in its behavior allow it to escape to the walls of the reactor vessel where it quickly loses temperature and any fusion reaction is quenched.

By the early 1960s, some of these instabilities seemed so intractable, from both a theoretical and experimental point of view, that many workers were openly discouraged. America and Britain gave only lukewarm support to the research. But the Soviet Union maintained both faith in and funding of its projects and thanks to the Russian research, nearly everyone now takes a much brighter view of fusion's prospects.

Researchers in several countries have confirmed and extended Russian work. These and other experiments have brought fusion research to the point where there is a growing acceptance among experts that the eventual achievement of fusion power is a virtual certainty.

"WHEN QUESTION"

Thus success in harnessing fusion begins to look like a question of "whether" and more like a question of "when." And "when" depends as much on money as on the skills and insights of the researchers.

M. B. Gottlieb who heads the Princeton Plasma Physics Laboratory, told the congressional Joint Committee on Atomic Energy that fusion workers could fiddle indecisively for decades if restricted to present funding levels.

Roy W. Gould, head of the U.S. Atomic Energy Commission's Division of Controlled Thermonuclear Research, has given Congress cost estimates for three alternative levels of effort.

Just to keep on as at present would take about $300 million from 1973 to 1977. Roughly doubling this outlay would give a significantly more active program that might well demonstrate scientific feasibility by 1980. A "go for broke" crash program would involve spending $900 million to $1 billion between 1973 and 1977. It just might show scientific feasibility by that earlier date, Gould said.

NO ONE KNOWS

Right now, no one knows what Congress will approve. The AEC thinks it will probably get $38 million for fiscal 1973. That's about a 24 per cent rise from the $31 million for fiscal 1972, the kind of boost Dr. Gottlieb says would merely take some of the strain out of present efforts. However, observers here also think Congress has sympathy for Dr. Gould's intermediate program suggestion. It may well vote $600 million to $700 million to try to get fusion going in the laboratory by 1980.

This compares with roughly $450 million America has spent to date on fusion research. That's perhaps half of the Russian outlay. To give some feel for the world effort, the Russians last year accounted for something like 37.5 per cent of that effort. Western Germany accounted for 16.6 per cent, America for 15.6 per cent, Britain for 7.0 per cent, Japan for 6.1 per cent and a miscellany of other countries for the balance.

Dr. Edward E. David, presidential science advisor, noted, there's far more a spirit of world sharing in this field than of competition.

With laboratory fusion seemingly close at hand, many environmentally concerned people urge authorities to concentrate on its development, playing down further development of nuclear-fission power plants, especially those based on breeder reactors. They realize that fusion would be easy on the environment. It involves less radioactivity. It offers relatively little danger of catastrophic accident. It should involve less heat pollution.

However experts see several misconceptions in the fusion-only approach. First, there are many different kinds of fusion. This is a process in which nuclei of light weight elements fuse to form heavier nuclei, releasing energy in the process. With 30 kinds of such reactions to choose from, physicists concentrate on the simplest and easiest to control.

When deuterium fuses with deuterium is the full fusion dream likely to be realized. Then will the fuel be virtually unlimited. Only with this and a few other reactions will radio-active dangers be minimized and heat pollution reduced to the fullest extent.

In such reactions, much of the energy goes off as electrically charged particles. It may be possible to tap this electrical energy directly, bypassing any heat cycle, and realizing efficiencies of 80 per cent or 90 per cent compared with 35 per cent for present power sources.

Today, such reactions largely wait in the wings while work focuses on the more tractable tritium-burning cycles. Thus decades of expense and effort could well bring commercial fusion power by A.D. 2000. Yet this would only be a stage in the attainment of the full fusion goal.

More importantly in setting energy-development priorities now, no expert foresees substantial installation of fusion power before A.D. 2000. Meanwhile, over this century's remaining three decades, mankind's energy needs will leap ahead.

WON'T WORK

Trying to hold those needs in check while waiting for fusion just won't work, as economist Barbara Ward and biologist Rene Dubos point out in their book "Only One Earth," a background report commissioned for the United Nations Conference on the Human Environment.

"If the world population which is already on the way to be better fed and housed . . .", they write, "new sources of energy must be found and the only technology visible on a sufficient scale at this moment is atomic (fission) energy. Even if citizens in already developed societies decide to check the rise of their own energy demands . . . the sheer basic needs of all the world's people could not be met by rationing the energy of the already rich . . .

"To keep 7 to 10 billion people alive and reasonably well served on this planet, atomic (fission) energy looks like being the most likely answer. The alternative—of too little energy—would cause infinitely larger rates of malformation and death."

This is why energy planners continue to emphasize fission plants, especially breeders, for this century even though environmentally soft fusion now seems the brightest gleam on their long-distance horizon.

Mr. MILLER of California. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I had no intention, when I sat down here, of getting into this argument, but it has gone so far I believe I should clarify something. I hope the gentleman from New York (Mr. Dow) will kindly give me his attention, because he made certain statements and has mentioned Nobel laureates.

I believe I have had about as much experience in this House as most people who deal with the scientific community, and I have never seen one facet of it yet that did not have those who differed with the majority. We do not get unanimous support out of any facet of the scientific community in its recommendations.

So if we want to approach this from that point of view, we have to take the findings of the great majority of the respected scientists, and I believe the gentleman from Washington (Mr. McCormack) has set forth this very point.

We talk about the necessity for this. We cannot wait for 20 years or 10 years from now to replace the present sources of power and energy in this country. Why, 25 years ago if we had told people that oil and gas and coal were going to disappear by the beginning of the century they would have laughed at us.

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

Mr. MILLER of California. I am happy to yield to the gentleman from California.

Mr. HOSMER. I believe somebody should express appreciation to the gentleman for what he is saying. No one in this body better knows the scientific community or has a closer association with it or has a more capable assessment of what it does, how it does it, and what the backgrounds and what the motives of the members of that community are, than the gentleman from California.

The gentleman is properly pointing out that the so-called list of a very small minority of the so-called scientific people who oppose the breeder reactor is composed of a very large mix of disciplines. Out of the 30 they have been able to muster in opposition to the fast breeder reactor only a small fraction are men in disciplines that give them any expertise whatsoever to render judgment upon the breeder reactor. That, too, should be considered in evaluating this opposition.

There are a lot of Ph. D.'s "popping off" in the public press as scientists, but very few of them really are identifying whether or not they are in fact experts on the subject in which they are "popping off."

When we see most of these lists to which these names denouncing the breeders have been attached we find out that they are mostly biologists or M.D.'s or others who may know something about their own specialty, but who are totally outside the field of their expertise when rendering these olympian judgments against the breeder reactor.

I thank the gentleman.

Mr. WOLFF. Mr. Chairman, the Public Works-Atomic Energy Commission appropriations measure which we are considering today contains a funding provision which I believe should be brought to the attention of this body as an ill-advised proposal. Such an indictment is not lightly made, but I strongly believe that if we act today to appropriate funds for development of the Liquid Metal Fast Breeder Reactor, we will be committing our Nation to an unwise, unsafe, uneconomical, and certainly irrevocable course of action for decades to come.

Let us examine the assumptions upon which the administration, and subsequently the Joint Atomic Energy Committee and the Appropriations Committee based their judgment. First, it is declared that we are faced with a serious and immediate energy crisis, as a result of near depletion of our traditional fossil fuel energy sources. While I accept this premise in principle, I question the ability of the LMFBR to adequately respond to this so-called crisis. Overlooking the alternatives we might employ simply within the realm of conventional fossil fuel, including a revision of our policies of energy development, energy use and distribution, and our import and energy development agreements with other nations, the projected capabilities of the LMFBR plainly do not satisfactorily answer the stated needs for magnitude or immediacy to any decree to justify so massive, a commitment to its development.

If we consider the fact that estimates place our reserves of uranium as lasting only through the year 2020, it appears that we are putting all our eggs in one very shaky basket in our approach to meeting this Nation's energy needs.

Supporters of the LMFBR maintain that this is merely an interim power source, which will fill in the gap until a more permanent, stable energy source can be developed. Yet the facts present a convincing rebuttal of this argument as

well. Our existing technologies are not adequate to cope with the dangers of a nuclear accident from a conventional conversion reactor; if we commit ourselves to development of a plutonium-fed reactor, we will be jeopardizing the population to possible exposure to one of the most highly toxic and permanent elements known to man. For example, an infinitesimal speck of plutonium on the lungs can cause cancer. Plutonium has a half-life of 24,000 years in comparison to a 15-year half-life attributed to most present waste materials. Additionally the LMFBR depends upon constant transportation and handling of this deadly fuel, which presents an uncontrollable possibility for accident or theft.

Consider for a moment what conditions we have created with wastes from conventional reactors, wastes whose radioactive properties are supposedly much less dangerous than those that will be manufactured by the LMFBR. Several years ago, the Atomic Energy Commission sought to dispose of a quantity of highly radioactive waste by enclosing the material in steel casing and then completely enclosing the steel canister in concrete. This package was subsequently lowered into a hole 3,000 feet deep into the base of a mountain. Three years later, after the canister had been buried, and the hole filled, the snow on the top of the mountain started to melt from the radioactive heat. It is dangerous speculation indeed to wonder what would be the result should that package ever be unearthed by earthquake or other means.

Another frightening but no less significant an event occurred in 1966 at the Enricho Fermi reactor located near Detroit when the reactor core suddenly melted, halting operation of the plant and threatening the surrounding area with the possibility of nuclear contamination. For 2 months the core was not opened for fear that the concrete protective shield would disintegrate and precipitate just the sort of disaster our technology is unable to contain.

In light of the existing potential for disaster, I question the advisability of turning our attention so exclusively to development of yet another interim solution, with even greater hazards than we already have, when we could instead continue for a time to rely upon the capabilities of conventional converter reactors while devoting the bulk of our resources, both research effort and money, to the development of safe, functional alternatives, many of which are well into the development stage already, such as nuclear fusion, solar energy, magnetohydrodynamics and geothermal energy sources.

Mr. Chairman, today, an amendment has been offered to delete all funds for a liquid metal fast breeder reactor demonstration plant until an independent assessment of this technology, taking into consideration other energy options, is completed. I would like to call to my colleagues attention an article which further illustrates the need for caution and the folly of committing ourselves to full-scale development of the breeder reactor prototype without more objective consideration of alternatives. And finally, I urge my colleagues to consider carefully the decision they make today that will affect the safety and well-being of our population and will ultimately affect the future of our Nation as a responsible leader in energy development in the world. I therefore urge my colleagues to join with me in opposing funding for development of the LMFBR at this time, and until such time as an appropriate independent assessment of other energy options can be completed.

Mr. LLOYD. Mr. Chairman, the budget request of the Atomic Energy Commission includes funding for a demonstration plant of an LMFBR, which the Joint Committee on Atomic Energy fully supports. Congressman Dow offers an amendment to delete the demonstration plant funds, which were to be used in conjunction with private industry in developing the plant.

In evaluating the advisability of building the LMFBR demonstration plant, I have been concerned with four issues:

First, energy needs; second, available alternatives; third, environmental effects; fourth, safety of the technology.

U.S. energy needs are growing at a phenomenal rate, projected to quadruple by the year 1990 A.D. Even if the need does not grow at this rate, present brown-outs indicate a pressing need in the future. Unless we develop energy sources for the long run, we will not be able to supply the demand, especially in light of the limited nature of the present fuel sources.

Present sources of power are primarily fossil fueled. Limited fuel sources make this alternative risky in matters of national security—foreign source dependence—as well as not guaranteeing fulfillment of energy needs. The environmental effects of these plants are also devastating, and with a proliferation of new plants would become prohibitive.

The only other viable alternative is nuclear power. Other possible sources have not reached anywhere near a stage of technological feasibility. Light water reactors, the present type of powerplant, rely on diminishing sources of uranium 238 for fuel. We cannot depend on the supply of deposits being able to supply our needs, according to the AEC, especially in light of the inefficiency of the process.

The LMFBR utilizes uranium 40 times more efficiently than today's nuclear plants, extending fuel sources for centuries. As with every new technology, however, we must be concerned with its safety and the environmental effects.

The Joint Committee on Atomic Energy is convinced that all necessary precautions are being taken to assure that development of the LMFBR demonstration plant. The plutonium produced by the breeder will be handled with extreme caution to protect both the environment and people. Such precautions are necessary if we want to supply future needs of energy without adverse effects on our children, not only in the nuclear area, but on all fronts.

An attractive alternative being proposed by some groups is a fusion-type reactor, which would reduce the production of radioactive wastes and utilize fuel even more efficiently. However, the technology is not sufficiently advanced to be workable until at least the year 2000 A.D. for commercial purposes, even with massive funding. If we were to rely on this development, we face an energy crisis for at least 10 to 15 years more than with the breeder. If the technology did not develop as expected, with technical feasibility in the last 1970's or early 1980's, the crisis would last even longer.

The breeder reactor will begin to provide power in the 1980's, and will continue to solve our needs until an alternative, such as nuclear fusion, is available. The LMFBR should be regarded as an interim solution, just as fossil fuels is now, and funding should be continued and increased for promising alternatives such as the fusion reactor—CTR—controlled thermonuclear reaction. The necessity for safeguards to protect against accidents must continually be stressed to insure a safe, reliable, and economical source of energy for our future.

Safety precautions include testing of components and safety devices at other plants, and the FFTF, fast flux test facility, will be used to improve the economic factors of the reactors and provide fuel for the LMFBR.

Mr. HOLIFIELD. Mr. Chairman, an allegation has been made by the gentleman from New York that because breeder reactors produce and utilize plutonium as a form of nuclear fuel, we should delay the breeder demonstration reactor project. The basis for this is said to be that plutonium is highly toxic.

It is certainly true that plutonium is a toxic material; however it has been handled in considerable quantity in this country for 25 years. The toxicity of plutonium was recognized at a very early time in the atomic energy program and stringent criteria for the handling and disposition of this material have been devised and are rigidly enforced.

The point which I wish to make is that in many industries, not just the nuclear industry, on a day-to-day basis we deal with highly toxic materials in industrial quantities which could be lethal to humans if not properly safeguarded.

Light water cooled and moderated civilian power reactors which have been in operation in this country for the past 12 to 15 years have been producing plutonium as a normal consequence of their operation. The greater percentage of the uranium fuel in a light water reactor is in the form of uranium-238, which through interaction with neutrons produced in the reactor converts into plutonium. During processing of the expended fuel from such a reactor, the fissionable plutonium and the unused uranium, which is also of value, are recoverable for subsequent use as nuclear fuel.

During the 12-year period of routine handling of plutonium in the civilian reactor program, there have been no accidents which resulted in release of this toxic material outside the confines of the nuclear facility.

In summary, we should no more slow or give up the development of the liquid metal fast breeder reactor because it utilizes plutonium than should we give

up the manufacture of chlorine—for water-treatment purposes related to the preservation of the public health, or give up the manufacture of commercial explosives important to construction and mining activities because improper handling could result in damage to members of the public.

We must be extremely careful in the handling of any toxic material and the record shows that the Atomic Energy Commission, through its licensing program has in the past, and I am sure will in the future, insist upon procedural safeguards, engineering safeguards, and other techniques designed to assure the protection of the public health and safety against exposure to any form of radioactive material.

It also has been argued that breeder reactors are too dangerous. Such statements ignore the purpose of our basic research and development effort in the breeder field in developing a safe reactor system. Much has been done in this area. Additional work is required. A significant portion of this appropriations request is for obtaining the remainder of the answers to design, construction, and operation of reliable and safe reactors. Tests have been conducted in Idaho on the safety of breeder reactor fuels. The Fast Flux Test Facility being built in Richland will be utilized to obtain additional safety data on both fuel and fast breeder reactor components. A major facility, the SEFOR reactor in Arkansas, has just completed several years of operation to obtain data on a very fundamental concept of reactor safety referred to as the Doppler effect. The data which were obtained, I might add, are most reassuring as to the ability to safely control liquid metal fast breeder reactors.

Of course, much of the safety information which was developed for the present commercial reactors including years of safe operation is also applicable to the fast breeder. In summary, the nuclear reactor program is unprecedented in the emphasis which has been given to safety from the very start. I might add that all the leading nuclear power developers of the world have considered safety aspects of the various potential systems and have also selected the liquid metal fast breeder reactor as their priority effort.

Consideration of these factors makes it completely out of order that we slow our efforts in the development of the liquid-metal fast breeder reactor as the priority program in the search for new energy sources for our long-range need. Accordingly, I recommend strongly that the amendment to delete funds for the liquid metal fast breeder demonstration reactor be rejected.

The great majority of the knowledgeable scientists and engineers who have helped to develop the domestic uses of atomic energy are confident that we have developed safe processes. Only a few scientists have raised the cry of fear and danger.

I am surprised that the proponents of this amendment continue to advance their unfounded charges based on a total lack of credible information at best, and a surplus of the wrong kind of information at the worst.

There is no alternative for adequate future supplies of electricity other than from nuclear fuel.

The Congress, the President and the electric generating industries of the United States have endorsed the fast breeder reactor concept.

Let us get on with the job.

Mr. VANIK. Mr. Chairman, the committee has reported an appropriation of $50 million for the construction of the first breeder reactor. They argue that it is necessary if nuclear power is to make substantial contributions to the electricity supply in the 1990's and beyond. Energy is such an important resource that this argument is hard to challenge.

Opponents of the breeder reactor tell us that such reactors—in fact, all fission type plants—are dangerous, fantastically dangerous, on many, many counts. A statement arguing against the breeder on these counts was signed by 30 eminent scientists; I would like to enter several paragraphs of this statement here.

The reactor's cooling system will utilize liquid sodium, which is highly reactive and burns on contact with air or water. Breeder reactors are inherently more difficult to control than today's commercial fission reactors, they operate closer to the melting point of their structural materials, and they generate and use much larger quantities of plutonium. Plutonium has a half-life of 24,000 years and is one of the most toxic substances known to man. Unlike the uranium on which today's fission reactors rely, plutonium can be fashioned relatively easily into a crude nuclear weapon. In an energy economy based on breeder reactors (some hundreds of them by the year 2000 according to AEC projections), enormous quantities of plutonium will have to be handled and transported. The potential for accidental release or theft by unauthorized persons will be unprecedented.

Troublesome problems exist even with today's reactors: the possible diversion for clandestine purposes of the smaller (but still substantial) quantities of plutonium now in circulation; the possibility of a reactor accident, including one caused by either earthquake or sabotage, that could release huge amounts of radioactivity; routine emissions and potential accidents at the reprocessing plants where uranium and plutonium are separated from radioactive wastes in the spent reactor fuel; and the difficulties of isolating the long-lived radioactive wastes from the environment for thousands of years. It is imprudent to deploy the even more hazardous breeder reactor before sound technical solutions for these problems have been developed and proven.

Briefly, then, there are critically important environmental, public health and safety questions involved in the handling, use and proliferation of enormous quantities of the almost indefinitely long-lived radioactive materials to be used in the new reactors now planned by the AEC.

In the face of this dilemma—the necessity for adequate energy resources as opposed to the grave dangers of the fast breeder project—what should we do?

First, we must opt to go more slowly in the construction of the large 300–500 magawatt LMFBR demonstration plant. Construction of such a large plant without intervening smaller scale demonstration plants seems to risk both public funds and public safety. The construction of the test facility to evaluate the structural capabilities of the components to be used in the LMFBR is not even due to be complete until June 1974, so it is unwise to hurry ahead with the construction of so potentially dangerous a plant.

Just as important as the lack of knowledge regarding the components of the LMFBR, and perhaps much more important in the long run, is the lack of knowledge both in Congress and in the general public of the general environmental impact of this reactor. Full funding of the demonstration unit should be deterred until the AEC's environmental impact analysis has been published in final form, together with other independent agency views—especially that of the Environmental Protection Agency. We must require an independent assessment of the LMFBR technology especially as the National Environmental Protection Act requires the AEC to consider alternative energy technologies before proceeding with its program for the commercial development of LMFBR's. The AEC has circulated NEPA statements on individual reactors, but we and the public must have before us considerations on the impact of the LMFBR program as a whole and as it compares with alternative energy possibilities.

Under these circumstances, no funds should be appropriated for a second LMFBR demonstration plant until results of the first experiment have been published and evaluated by various agencies.

Now it may well be asked, if we delay the development of the highly touted LMFBR program, what shall we do about our impending energy crisis? This is a crucial question and there are many answers. The fact is that we, as a Nation, have not given enough emphasis to the development of alternative, cleaner and safer forms of energy.

First. First of all, we must really expedite the coal gasification program. This program can yield both pipeline quality—high BTU—gas, and low BTU gas for gas turbines at the mines to generate electricity. If necessary, such experimentation should be transferred to the AEC labs for the quickest possible development. Perhaps the AEC jurisdiction should be changed to include a wider range of power sources. What we need today is an Energy Development Commission.

Second. We must really expedite ways to more efficiently burn coal while trapping pollutants.

Third. We must realize that there is no one solution to the 'energy crisis', and that different localities will be able to use different energy resouces. For instance, for some localities we must demonstrate new geothermal processes. Geothermal energy has been proven out since the beginning of the century in Italy, and is used as an important source of power in Australia and New Zealand. The Pacific Gas & Electric Co. has a successful plant in northern California.

Fourth. Other localities, such as New York City, can help solve their waste disposal and their energy problems at the same time; we must really find out to

what extent urban solid wastes can be used as or for fuels.

Fifth. Still other communities ought to be encouraged to demonstrate solar energy for such uses as heating and air conditioning.

Sixth. There are a number of new and exciting energy potentials under discussion. We must make increased commitments to research into these new fields which hold out the potential for virtually limitness sources of nonpolluting energy. For example, new ideas have been advanced for ways to use the differentials in the temperatures of the oceans to generate electricity. The oceans of the world absorb—and hold—most of the solar energy reaching the surface of the earth. It appears theoretically possible to convert the energy of the heat stored on the surface of the oceans to electrical energy.

Seventh. Just as we must expedite such new sources of energy, we must also push for getting more out of present energy and plants. Probably most important here is magnetohydrodynamics—MHD. The AEC does not even include in its 1973 budget, evaluation of MHD, combined power cycles, or direct conversion of heat energy to electrical energy. MHD especially is important, because it presents the possibility of increasing the efficiency of our ordinary fuel-burning plants from the present 33 percent maximum to 50 percent efficiency. The Soviet Union is far ahead of the United States in this regard. In light of the urgency of our power needs, and in the spirit of recent international developments, a high priority should be put on the exchange of information between the United States and Russia on MHD developments.

Eighth. Other priority programs should be the improvement of energy transmissions, improvements in insulation of housing, et cetera.

Probably the most important program which we will consider is the development of controlled thermonuclear fusion plants. I am well aware of the great hopes held for fusion. I am equally aware that a workable controlled fusion process has yet to be demonstrated. If we can get fusion to work, mankind literally will have all the energy we can ever use—clean energy at that. If we can't get it, we must know as soon as possible. Fusion is far superior to fission if it works as envisioned, and our policy must be such that our priority is on this more promising and safer technology. We must provide funds now, not just for testing the feasibility of this program in the immediate generation of experimentation, but also to provide for the technology towards the building of the eventual reactors. This sort of technology accounts for only 5 percent of the current budget of the Division of Controlled Thermonuclear Research. This sector of the AEC's budget must be given a much greater priority. We must be sure that the engineering side of fusion is put into development immediately. We must make sure that scientists with new ideas are adequately funded, and we must again stress and press for vigorous collaboration—not just parallel efforts—between the United States and the U.S.S.R. which is, again, far ahead of the United States in this essential field.

Because of the appropriation for this dangerous reactor and because of the almost $\$\frac{1}{2}$ billion appropriation for the Bureau of Reclamation projects—which bring new farmland into production and subsequent retirement in the soil bank, I feel constrained to oppose this legislation.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. Dow).

The amendment was rejected.

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

Mr. Chairman, I do not intend to take the full 5 minutes, but I take this opportunity to present some questions to the chairman.

First of all I should like to ask, given the status of the legislation which authorized the expenditures and given the expenditures and their limitations, is there any possibility that there is money in this bill to proceed with studies for the establishment of a nuclear energy plant for desalinization and electrification at the mouth of the Colorado River in the territory under the jurisdiction of Mexico?

Mr. EVINS of Tennessee. Mr. Chairman, I would say to my friend, the gentleman from California (Mr. HANNA) that there is no money for a specific plant. There are funds in the bill for AEC to continue research and development on the desalting program, including the area in which the gentleman is interested, but not specifically for the construction of a plant. We also provided $2,060,000, an increase of $1,005,000 in the budget, for the Colorado River water quality improvement program of the Bureau of Reclamation.

Mr. HANNA. Mr. Chairman, I should like to urge that the chairman of both the authorization committee and the appropriation committee utilize all the powers that are presently in the law, or to request very early powers which will make it possible to be able to address this problem that was brought to the attention of the House by President Echeverria when he was here just recently. I think that it is long past the time, when with the great technology we now have, we should address ourselves to this situation which is causing friction, and rightfully so, between ourselves and a very valuable neighbor to the south, Mexico.

I would think it would take very little money to get started on a study that would give that neighbor some hope that we are not unaware of the problem which we have created over the last 40 years by building dams on the Colorado River. The chemical and mineral content of the water that ultimately reaches the Santa Clara Valley has incresed to a point where it was once below 300 parts per million to where right now it is near 800 parts per million.

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

Mr. HANNA. I yield to the gentleman from Arizona (Mr. RHODES). The gentleman is from the lower Colorado River area of the country, and he is well aware of the problem which I am here addressing.

Mr. RHODES. Mr. Chairman, I thank the gentleman for yielding, and I can assure the gentleman that we are, all of us in this area, very well aware of the situation. As a matter of fact, there have been negotiations between the United Mexican States and the United States of America for some time now to try to find a good means of solving the problem. The President of Mexico was, I think, exactly within his rights in dramatizing the problem which does exist.

The best way to handle the problem is to produce more water, and certainly one of the atomic plants, hopefully a liquid metal fast breeder reactor, should be constructed in that area that can be used to produce fresh water from the Gulf of California.

Of course, as the gentleman knows, this will require agreement with the Republic of Mexico, which is now being worked upon, but which has not yet been perfected.

So I congratulate the gentleman for the interest he has shown in this matter, and to assure the gentleman that this is a problem which is receiving attention from the people in our Government, not only in the executive branch alone, but also in the legislative branch.

Mr. HANNA. Mr. Chairman, it gives me a great deal of relief to hear the gentleman from Arizona (Mr. RHODES) to so express himself on that point.

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

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

Mr. HOSMER. Mr. Chairman, I would like to caution that the United States in its relationship with Mexico is based upon a treaty, and that treaty established certain rights with respect to the quantity of water as far as Mexico is entitled from the flow of the Colorado River, but that there is nothing in that treaty respecting the quality. The quality is not an obligation by treaty or by any other legal means of the United States with respect to the Colorado River water.

Now, certainly with regard to the Republic of Mexico, with respect to the water supply quality there, this should be done and should be considered in the context of an agreement between the countries, and by no means—by no means whatever—any obligation, legal, moral or otherwise, upon the Government of the United States, and its taxpaying citizens.

Mr. HANNA. I think that I can agree with part of what the gentleman has said, but I just cannot believe that this country feels that there is no moral obligation when we are taking all of the benefits through the building of dams to improve substantially our use of the river water and then pass it on to a neighbor in a deteriorated quality. I cannot believe that we, as Americans, believe there is no moral obligation to the consideration of this problem at all.

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

Mr. HANNA. I yield to the gentleman.

Mr. RHODES. In furtherance of what

the gentleman from California says, when the treaty with the Republic of Mexico was concluded, it provided much more water to go into Mexico than anybody ever thought that they would use, because of the realization that the salt in the Colorado River would increase, and get in the river further up, as these projects were built. So it is not a treaty which is unjust.

However, we think it would be, certainly as a matter of international comity, the best way to treat a good friend, as the United Mexican States are, by indicating that we want to take the salt out of that water and give them just as good quality water as we possibly can. This we will do.

Mr. FINDLEY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I want to thank the subcommittee for the consideration that has been extended by this bill in the interest of the district I represent and to the subcommittee on previous occasions for similar very favorable consideration. I appreciate it very much.

Mr. Chairman, this is the ninth appropriation bill considered so far by this body for fiscal 1973. While it is under the budget request for Public Works and the Atomic Energy Commission, it nevertheless contains a considerable amount of red ink.

This is so because the aggregate budget requests for fiscal 1973 for the Federal Government exceed revenue forecasts by $25 billion. The budget requests involve that much red ink.

The budget request for this appropriation was $5,489,058,000. The committee recommendation was slightly less and was $5,437,727,000. This was a cut of 0.9 percent or $51,331,000.

To bring the appropriation bill in line with anticipated revenue for fiscal 1973 would have required a 14-percent cut below the budget request, or a cut of $768,468,120. Making adjustment for the 0.9-percent cut actually made by the subcommittee, means that the red ink still in the bill amounts to 13.1 percent or $717,137,120.

Assuming that the House eventually approves this bill without amendment, as I assume it will, the House will have approved spending for the fiscal year 1973 in the amount of $75,010,164,814.

The budget request for the same purposes totalled $74,448,223,104.

In effect, we are piece by piece building a Federal deficit for fiscal year 1973 considerably in excess of $25 billion.

Every appropriation bill approved by the House this year has contained a substantial amount of red ink even though most of them have been below the budget request.

The amounts I have referred to are summarized in a table which I insert at this point under permission already granted.

The matter referred to is as follows:

REPORT ON "RED INK" FINANCING FOR FISCAL 1973

Appropriation bill	Budget request	Balanced budget level (14 percent cut)	Amount approved by House	"Red ink" approved by House
Legislative	$433,627,004	$372,919,224	$427,604,764	$54,685,540
State, Justice, Commerce, Judiciary, related agencies	4,687,988,600	4,031,670,196	4,587,104,350	555,434,154
HUD, Space Science, Veterans, independent agencies	20,173,185,000	17,348,939,100	19,718,490,000	2,369,550,900
Transportation and related agencies	8,426,792,000	7,247,041,120	8,316,950,000	1,069,908,880
District of Columbia	343,306,000	295,243,160	332,306,000	37,062,840
Interior and related agencies	2,520,340,000	2,167,492,000	2,529,558,200	362,065,800
Labor, HEW, and related agencies	$27,327,323,500	$23,501,498,210	$28,603,179,500	$5,101,681,290
Treasury, Postal Service, and general Government	5,066,603,000	4,357,278,580	5,057,145,000	699,866,420
Total				10,250,255,824
Public works and Atomic Energy Commission	5,489,058,000	4,720,589,880	[1] 5,437,727,000	[2] 717,137,120
Total	74,448,223,104		75,010,164,814	10,967,392,944

[1] Recommended by committee.

[2] If committee recommendation is approved.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 102. No part of any appropriation herein shall be used to confer a fellowship on any person who advocates or who is a member of an organization or party that advocates the overthrow of the Government of the United States by force or violence or with respect to whom the Commission finds, upon investigation and report by the Civil Service Commission on the character, associations, and loyalty of whom, that reasonable grounds exist for belief that such person is disloyal to the Government of the United States: *Provided*, That any person who advocates or who is a member of an organization or party that advocates the overthrow of the Government of the United States by force or violence and accepts employment or a fellowship the salary, wages, stipend, grant, or expenses for which are paid from any appropriation contained herein shall be guilty of a felony, and, upon conviction, shall be fined not more than $1,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penalty shall be in addition to, and not in substitution for, any other provisions of existing law.

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

Mr. Chairman, at the time I prepared supplemental views on this legislation, I was able to determine that upward of two dozen of the 482 projects in this bill were being funded despite the fact that no final environmental impact statements on them had been filed with the Council on Environmental Quality.

Since that time I have discovered that there are at least 233 Corps of Engineers projects in this bill for which final impact statements are not available, including at least 176 projects for which not even draft impact statements are available. They include the following:

NO FINAL ENVIRONMENTAL IMPACT STATEMENTS—DRAFTS FILED

Alum Creek Lake—Ohio.
Beaver Drainage District—Oregon.
Big Sioux River—Iowa & South Dakota.
Birch Lake, Birch Creek—Oklahoma.
Cache River Basin—Arkansas.
Corte Madera Creek—California.
Cayuga Island—New York.
Clayton Lake—Oklahoma.
Clear Creek—Texas.
Copan Lake—Oklahoma.
El Dorado Lake—Kansas.
Falmouth Lake—Kentucky.
Kalamazoo River—Michigan.
Kehoe Lake—Kentucky.
Lakeview Dam & Reservoir—Texas.
Lawrence—Kansas.
Levee Unit #L-246, Missouri River—Iowa.
Lincoln Lake—Illinois.
Lower Columbia River Bank—Oregon & Washington.
New Melones Lake—California.
Nookagee Dam—Massachusetts.
Paint Creek—Ohio.
Ririe Dam & Lake—Idaho.
Rowlesburg Lake—West Virginia.
Russian River Basin—California.
Saginaw River—Michigan.
Santa Paula Creek Channel & Debris Basin—California.
Shidler Lake—Oklahoma.
Smithville Lake—Missouri.
South Branch, Rahway River—New Jersey.
Sprewrell Bluff Lake—Georgia.
Tallahala Creek Lake—Mississippi.
Trexler Lake—Pennsylvania.
Trotters Shoals Dam & Lake—Georgia & South Carolina.
Wahkiakum County—Washington.
Woodcock Creek Lake—Pennsylvania.
San Diego River & Mission Bay—California.
Atchafalaya River, Bayous Chene, Boeuf & Black—Louisiana.
Oak Orchard Harbor—New York.
Hannibal Locks & Dam, Ohio and West Virginia—Ohio.
Lorain Harbor—Ohio.
Vermillion Harbor—Ohio.
Willow Island Locks & Dam, Ohio & West Virginia—Ohio.
Skiatook Lake—Oklahoma.
Columbia River & lower Willamette River—Oregon & Washington.
Corpus Christi Ship Channel—Texas.
Mouth of Colorado River—Texas.
Inland Waterway (Delaware River to Chesapeake Bay)—Delaware & Maryland.
Morehead City Harbor—North Carolina.
New York Harbor collection and removal of drift—New York.
New York Harbor (anchorages).
Port Hueneme Harbor—California.
Libby Dam-Lake Koocanusa—Montana.
Brevard County—Florida.
Hamlin Beach Harbor—New York.
Sacramento River bank protection—California.
Cordell Hull Dam and Reservoir—Tennessee.

NO DRAFTS OR FINAL ENVIRONMENTAL IMPACT STATEMENTS SUBMITTED (CORPS)

Montgomery—Alabama planning.
Indian Bend Wash—Arizona planning.
Phoenix and vicinity, Arizona construction and planning.
Bell Foley Lake—Arkansas planning.
Dierks Lake—Arkansas construction.
Alameda Creek, Del Valle Reservoir—California construction.
Butler Valley Dam-Blue Lake—California planning.

Chester, North Fork of Feather River—California planning.
Cucamonga Creek—California planning.
Dry Creek (Warm Springs) Lake and Channel—California $10 million, construction.
Fairfield vicinity streams—California planning.
Lakeport Lake—California planning.
Mormon Slough—California construction.
Pajaro River—California planning.
Sacramento River and major and minor tributaries—California.
Sacramento River Chico Landing to Red Bluff—California $100,000 construction.
San Diego River, Mission Valley—California planning.
Sonoma Creek—California planning.
Walnut Creek—California $2.4 million, construction.
Boulder—Colorado planning.
Chatfield Lake—Colorado $11 million, construction.
Trinidad Lake—Colorado $7.4 million, construction.
Derby—Connecticut $1.5 million, construction.
Delaware Coast protection—Delaware planning.
Four Rivers basins—Florida $7.6 million, construction.
East Moline—Illinois planning.
Freeport—Illinois $200,000, construction.
Fulton—Illinois planning.
Helm Lake—Illinois planning.
Lake Shelbyville—Illinois $3.1 million, construction.
Louisville Lake—Illinois planning.
McGee Creek Drainage and Levee District—Illinois planning.
Moline—Illinois planning.
Rend Lake—Illinois $3.8 million, construction.
Rock Island—Illinois $2.5 million, construction.
Rockford—Illinois $200,000, construction.
Saline River—Illinois $2.7 million, construction.
Big Pine Lake—Indiana land acquisition.
Big Walnut Lake—Indiana.
Brookville Lake—Indiana $7.5 million, construction.
Evansville—Indiana $600,000, construction.
Greenfield Bayou levee—Indiana $500,000, construction.
Island levee—Indiana and Illinois $300,000, construction.
Levee Unit No. 5—Indiana $569,000, construction.
Mason J. Niblack levee—Indiana $200,000, construction.
Newburgh bank revetment—Indiana $11 million construction.
Bettendorf—Iowa planning.
Clinton—Iowa planning.
Davenport—Iowa planning.
Dubuque—Iowa $1.2 million construction.
Guttenberg—Iowa $600,000 construction.
Marshalltown—Iowa $2.3 million construction.
Missouri River levee system—Iowa, Kansas, Missouri and Nebraska $1.6 million construction.
Saylorville Lake—Iowa $10 million construction.
Cedar Point Lake—Kansas planning.
Grove Lake—Kansas planning.
Hays, Big Creek—Kansas $200,000 construction.
Melvern Lake—Kansas $6.9 million construction.
Onaga Lake—Kansas planning.
Perry Lake area—Kansas planning.
Winfield—Kansas planning.
Wolf-Coffee Lake—Kansas planning.
Carr Fork Lake—Kentucky $4.7 million construction.
Cave Run Lake—Kentucky $8.8 million construction.
Green River Lake—Kentucky $250,000 planning.
Pikeville—Kentucky $1 million construction.
Red River Lake—Ketucky $500,000 construction.
Bayou Bodcau and tributaries—Louisiana $1 million construction.
Grand Isle and vicinity—Louisiana planning.
Lake Pontchartrain and vicinity—Louisiana $20 million construction.
Michould Canal—Louisiana $1 million construction.
Monroe Floodwall—Louisiana $505,000 construction.
Tawas Bay Harbor—Michigan planning.
Lexington Harbor—Michigan $100,000 construction.
Beaver Bay Harbor, including Silver Bay—Minnesota planning.
Lutsen Harbor—Minnesota planning.
Mankato and North Mankato—Minnesota $1.6 million construction.
Winona—Minnesota planning.
Brookfield Lake—Missouri planning.
Mercer Lake—Missouri $2.5 million construction.
St. Louis—Missouri $1.2 million construction.
Martis Creek Lake—Nevada $450,000 construction.
Cochiti Lake—New Mexico $14.9 million construction.
Allegheny—New York planning.
Cattaraugus Harbor—New York planning.
East Rockaway Inlet to Rockaway Inlet and Jamaica Bay—New York planning.
North Ellenville—New York $2.2 million construction.
Wellsville—New York $840,000 construction.
Yonkers—New York planning.
Brunswick County Beaches—North Carolina planning.
Howards Mill Lake—North Carolina planning.
Randleman Lake—North Carolina.
Reddies River Lake—North Carolina.
Wilmington Harbor 32-foot—North Carolina.
Burlington Dam—North Dakota.
Missouri River, Garrison Dam to Lake Oahe—North Dakota.
Chillicothe—Ohio.
Huron Harbor—Ohio.
Newark—Ohio.
Utica Lake—Ohio.
Youngstown, Crab Creek—Ohio.
Hugo Lake—Oklahoma.
Lukfata Lake—Oklahoma.
Optima Lake—Oklahoma.
Waurika Lake—Oklahoma.
Tilamook Bay and Bar—Oregon.
Williamette River Basin bank protection—Oregon.
Willow Creek Lake—Oregon.
Yaquina Bay and Harbor—Oregon.
Chartiers Creek—Pennsylvania.
Raystown Lake—Pennsylvania.
Shenango River Lake, Pennsylvania & Ohio—Pennsylvania.
Tyrone—Pennsylvania.
Union City Lake—Pennsylvania.
Cooper River-Charleston Harbor—South Carolina.
Aquilla Lake—Texas.
Aubrey Lake—Texas.
Big Pine Lake—Texas.
Buffalo Bayou and tributaries—Texas.
Cooper Lake and channels—Texas.
Elm Fork floodway—Texas.
Freeport and vicinity—Texas.
Greenville—Texas.
Lake Brownwood modification—Texas.
Lake Kemp—Texas.
Millican Lake, Navasota River—Texas.
Mineola Lake—Texas.
Port Arthur—Texas.
San Gabriel River—Texas.
Texas City and vicinity—Texas.
Trinity River and tributaries—Texas.
Trinity River project—Texas.
Little Dell Lake—Utah.
Weber River and tributaries—Utah.
Gathright Lake—Virginia.
Salem Church Lake—Virginia.
Little Goose lock and dam—Lake Bryan—Washington.
Lower Granite lock and dam.
Vancouver Lake—Washington.
Beech Fork Lake—West Virginia.
Coal River Basin—West Virginia.
East Lynn Lake—West Virginia.
Leading Creek Lake—West Virginia.
R. D. Bailey Lake—West Virginia.
West Fork Lake—West Virginia.
Green Bay Harbor—Wisconsin.
Sheridan—Wyoming.
Alabama River Channel improvement—Alabama.
Clairborne lock and dam—Alabama.
Jones Bluff lock and dam—Alabama.
Millers Ferry lock and dam, William "Bill" Dannelly Reservoir—Alabama.
Kake Harbor—Alaska.
King Cove Harbor—Alaska.
Snettisham power project—Alaska.
De Gray Lake—Arkansas.
McClellan-Kerr Arkansas River Navigation System—Arkansas and Oklahoma.
Ozark lock and dam—Arkansas.
Humboldt Harbor and Bay—California.
Marysville Lake—California.
Dade County—Florida.
Duval County—Florida.
Virginia Key and Key Biscayne—Florida.
Carters Lake—Georgia.
Savannah Harbor, 40 feet widening and deepening—Georgia.
Savannah Harbor sediment basin—Georgia.
West Point Lake—Alabama and Georgia.
Maunalua Bay Small Boat Harbor—Hawaii.
Wainae Small Boat Harbor—Hawaii.
Dworshak Dam and Reservoir—Idaho.
Illinois Waterway, Calumet-Sag modification—Illinois and Indiana.
Illinois Waterway Duplicate Locks.
Kaskaskia River navigation—Illinois.
Cannelton locks and dam, Indiana and Kentucky.
Newburgh locks and dam—Indiana and Kentucky.
Uniontown locks and dam—Indiana and Kentucky.
Laurel River Lake—Kentucky.

Some Members may say, "so what?"

One simple answer is that the law is the law.

Another answer lies in the reasoning of the Congress in passing the National Environmental Policy Act in the first place. Congress required environmental impact statements, I think, so that an agency, in its decision-making process, can give appropriate, careful and full consideration to the environmental impacts of its proposed actions.

Some agencies do not agree that completed environmental impact statements should accompany proposals through all existing levels of review.

I agree with the General Accounting Office, however, in its recently expressed belief that:

> If this requirement is met before initial review and approval of a proposal, an agency is more apt to consider environmental information objectivity and fully.

As I indicated in my supplemental remarks, there are no final impact statement, for example, for the following four projects funded in the bill:

First. The Sprewell Bluff Dam in Georgia;

Second. The Lincoln Lake Dam in Illinois;

Third. The Trotters Shoals Dam in South Carolina and Georgia; and

Fourth. The Central Arizona Project in Arizona.

With regard to the Sprewell Bluff project, I think it it is important to point out that to the best of my knowledge, gained from the hearings on this bill, this project is being funded not only without a final impact statement, but also in spite of the fact that the Corps of Engineers will be holding a major public hearing on it, probably this summer, to determine the views of Georgia residents on the project.

There are also substantive issues involved with that project.

It is my understanding, for example, that the Georgia Natural Areas Council has listed the Flint River, which would be damned by the project, as the most scenic stream in the Georgia Piedmont. The Georgia Recreation Commission is apparently opposed to the project, as well as the Georgia Game and Fish Commission.

Substantive issues can be raised about other projects as well.

The Bureau of Sport Fisheries and Wildlife has condemned the Lincoln Lake project in an April 1971 report in which it pointed out that "one of the finest, if not the finest natural streams in Illinois, will be destroyed as a result of the project implementation."

The central Arizona project is a controversial project which has raised a variety of questions in some minds. For example, will further withdrawals of Colorado River water aggravate salinity problems in the water flowing into Mexico or will it lead eventually to the demand for diversion of the waters in the Columbia River Basin?

Mr. Chairman, I do not mean to suggest that these projects, or the others listed here are necessarily worse than some others funded in this bill. In all probability a great many of these projects are worthwhile and ought to be funded by Congress. But I have not had the tools nor the time to decide whether that is correct or not. And I have taken this time principally to make that point.

Fortunately many of the projects with no environmental impact statement now are getting planning—but not construction money.

We are told there will be construction in the future until final impact statements are filed. I am pleased to hear that.

We all realize how big an impact these kinds of projects can have on the environment—and for that reason I think it is obvious why we need environmental impact statement on them early—not just 30 days before construction begins.

Therefore, given the questions raised about the necessity or the environmental consequences of some of these projects, and the lack of environmental impact statements on a significant number of them, I intend to vote against final passage of this bill.

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

Mr. OBEY. I yield to the gentleman from West Virginia.

Mr. HECHLER of West Virginia. Mr. Chairman, I applaud the gentleman from Wisconsin for his statement. I wonder if the information which he has available indicates whether or not the Rowlesburg Lake in West Virginia is one of the projects that has not filed a final environmental impact statement.

Mr. OBEY. It is my understanding that the Rowlesburg Lake project is not accompanied by a final environmental impact statement. I would point out it is very difficult to tell because you have to get the agency reports, run through all of them, and compare them with what is in the bill.

In my judgment the agencies ought to be required, and I am certain in the future the subcommittee is going to try to require them, to tell us which ones have reports and which ones do not.

Mr. HECHLER of West Virginia. Mr. Chairman, if the gentleman will yield further, there are many questions on this and other projects which could be settled if these environmental impact statements were filed. There have been a large number of environmental criticisms of the Rowlesburg project, which will cost a grand total of over $150 million before completed—$143 million of which is in Federal funding. Under the heading of construction, the committee report states that $200,000 is included for land acquisition for the Rowlesburg Lake in the next fiscal year. I regret that this amount has been included for a project which will constitute the most expensive dam east of the Mississippi River.

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

Mr. Chairman, I do this in order to make a statement on environmental impact policy for the RECORD and for all Members.

In specific answer to the gentleman from West Virginia, I will state the Rowlesburg Lake project is not funded for construction. No work will be initiated until a final environmental impact statement has been filed.

Mr. Chairman, I have a specific answer for each of the four projects the gentleman from Wisconsin mentioned, namely:

(a) Sprewell Bluff Dam, Georgia:

(1) The Committee specifically reduced the budget request by $1.1 million because of delays in finalizing the environmental impact statement;

(2) Draft EIS has been available for review since July, 1971—final pending.

(b) Lincoln Lake, Illinois:

(1) The Committee reduced the budget request by $500,000 because of the delays being encountered in connection with resolution of pending issues;

(2) Draft has been available for review since May, 1971—final pending.

(c) Trotters Shoals Lake, Georgia and S.C.

(1) The funds allowed in the bill are strictly for land acquisition to avoid cost escalation in the area and hardship to the landowners.

(2) Draft has been available for review since July, 1971.

(d) Central Arizona Project:

(1) The draft environmental impact statement has been available for review since Sept. 27, 1971, and the final statement is scheduled for July, 1972.

Certainly we would be ridiculous to stop projects that have been long under construction, especially in view of the recent devastation of floods which have occurred in this Nation.

Finally, the environmental impact statements are being prepared as fast as possible on all projects under study and review, and all old projects under construction. I hope this policy statement will satisfy Members and all those concerned.

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

Mr. Chairman, I would like to commend the gentleman from Tennessee on the statement he has just put into the RECORD concerning national environmental policy and the filing of impact statements.

I would like to commend the gentleman, also, and the whole Committee on Appropriations, for its wisdom and foresight in dealing with the question of the Tocks Island Dam.

As the Members may know, construction funds were not appropriated this year for the Tocks Island Dam, one of the reason being this very question of the environmental impact statements. This brings me to the gentleman from Wisconsin and his comments in the well a few moments ago concerning the failure to file the environmental statements in the case of a great many projects. I would like to associate myself with his remarks and point out that the Tocks Island Dam situation was a prime example of the type of trouble we can get into if these environmental statements are not filed.

A year ago no comprehensive statement had been filed on that project and the Congress did appropriate some construction money. Between the appropriation last year and the committee hearings this year the full environmental impact statement did show the severe ecological problems associated with the Tocks Island Dam project.

So here, Mr. Chairman, is a prime example of the need for filing these environmental statements. The gentleman from Wisconsin is quite correct in his remarks and I commend him for his research and concern in this important matter.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

GENERAL INVESTIGATIONS

For expenses necessary for the collection and study of basic information pertaining to river and harbor, flood control, shore protection, and related projects, restudy of authorized projects, and when authorized by law, surveys and studies of projects prior to authorization for construction, $54,200,000, to remain available until expended: *Provided*, That $1,000,000 of this appropriation shall be transferred to the Bureau of Sport Fisheries and Wildlife for studies, investigations, and reports thereon as required by the Fish and Wildlife Coordination Act of 1958 (72 Stat. 53–565) to provide that wildlife conservation shall receive equal consideration and be coordinated with other features of water-resource development programs of the Department of the Army.

AMENDMENT OFFERED BY MR. YOUNG OF FLORIDA

Mr. YOUNG of Florida. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. YOUNG of Florida: Page 5, line 16, strike out "$54,200,000" and insert in lieu thereof "$54,050,000".

Mr. YOUNG of Florida. Mr. Chairman, this amendment deletes $150,000

from H.R. 15586 that would finance yet another study of the defunct Cross-Florida Barge Canal, a project already studied to death and one opposed by conservationists in Florida and throughout America. The first study on this project was conducted in 1826 followed by eight more before 1930, and numerous others since.

Now, Mr. Chairman, it sounds good to have an environmental impact study, but I submit that such a study would only be needed if this project was going to go ahead; however, the digging of the Cross-Florida Barge Canal has been permanently halted by Presidential order to prevent further damage to the state's environment.

So the proposed study is a very obvious ploy to resurrect a discredited project. The Congress is being asked to put a stamp of approval on a canal that would do irreparable harm to Florida's natural resources and seriously threaten the underground aquifer that supplies drinking water to the central part of my State.

This canal is not something new. The Cross-Florida Barge Canal has been on again, off again for 150 years and for decades, the canal supporters have had their way. In fact, so far, $53 million of taxpayers' money has been wasted on the big ditch. During this time, opponents of the canal were unable to have their voices heard. We were refused the opportunity to participate in the decisions.

Finally, our voices were heard. On January 19, 1971, President Nixon permanently halted the canal, and last year this Congress appropriated $4.15 million to clean up the damage and halt construction on the canal. The Army corps of engineers reported to me that their work on the canal was being continued "solely because it is necessary to leave the affected areas in a safe condition or mitigate adverse environmental effects. Continuation of these contacts does not represent resumption of the canal project which was permanently halted by President Nixon."

Another study would merely waste even more of the taxpayers' money on a project that should not be revived. But the Florida delegation has always stood together on our stated public works requests. This study was not approved by the Florida cabinet as part of the State's official request for public works funds for fiscal year 1973. Nor has our Governor requested money for another study.

The Cross-Florida Barge Canal is not supported by the people of Florida and Florida's representatives here in Congress are divided on this issue.

In stopping the canal, President Nixon said:

> A national treasure is involved in the case of the Barge Canal—The Oklawaha River, a uniquely beautiful, semi-tropical stream, one of the very few of its kind in the United States, which would be destroyed by construction of the Canal.

A study recently was completed on the Oklawaha River Basin which makes up a large portion of the canal area. This study involved more than 100 environmentalists from Federal and State agencies and several universities, and it led to a recommendation on May 18 from the Council on Environmental Quality and Corps of Engineers calling for action to preserve the Oklawaha River.

While time prevents me from outlining all the environmental objections to the Cross-Florida Barge Canal, I want to point out that another study would be reviewed by the Council on Environmental Quality which is already on record in opposition.

A study last year by 126 Florida scientists concluded that:

> The recently abolished Cross-Florida Barge Canal project will stand as a classic example of the reckless degradation of the natural environment.

The Florida Game and Fresh Water Fish Commission found that the Rodman Reservoir, part of the canal system, "created ecological problems almost beyond comprehension."

There are many reasons why people are opposed to this project. Some have asked why my great concern in this matter since it is not in my district. We must realize, however, that the effects of this project are not limited simply to the area of construction. Russell Train, Chairman of the Council on Environmental Quality, concluded that:

> Potential pollution from the project may be transferred to the Florida Aquifer, setting off a destructive chain reaction affecting the water supply for many users—including those in my district.

The U.S. Geological Survey agreed and pointed to:

> Potential aquifer contamination and pollution of canal waters which could affect estuarine waters and their ecologies.

The availability of fresh water, I might add, is a serious consideration and from time to time, water rationing is required in parts of Florida including Pinellas County in my district of Florida.

So I say again, the only reason this study would be needed is if digging of the canal is going to be resurrected. Those who want to do that should oppose my amendment—but those who want to keep the project dead, those want to protect the natural environment, and those who want to save the taxpayer's money, should support my amendment.

I urge a vote for this amendment to delete funds for still another study of the Cross-Florida Barge Canal. Too much of the taxpayers' money already has been wasted on this discredited project—and there are literally thousands of good projects where this money could be spent to protect natural resources and benefit the people of our districts.

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

Mr. Chairman, four members of the Florida House delegation have a direct and personal interest in this project. It is an interest based on the economic effect of the project on the districts and the people whom we represent. The concern expressed by my good friend. BILL YOUNG, about water supply is, of course, a legitimate interest.

Water supply is becoming increasingly a matter of importance to city dwellers and industrial users throughout the Nation. We, in Florida, more than most States, have been blessed with an abundant supply of fresh water, but even that abundant supply is not inexhaustible. More careful planning for future requirements will be required.

The essential point is that there can be little fear about danger to the water supply from a barge canal across Florida. This issue was thoroughly explored many years ago. There was concern, legitimate concern, about a sea level canal which might have interferred with the passage of water through subterranean channels to south Florida. No such concern, other than by isolated engineers, was ever expressed about adverse effects to water supply from a 12-foot barge canal. But let us get the facts.

That is what we propose to accomplish by spending funds for an ecological and economic study. First of all, there is no unbiased, factual study which was prepared subsequent to work stoppage by the President in January 1971. There have been reports from agencies and groups which support the President's position. There have been no—repeat no—studies which brought out both sides of the question. This has resulted in a distorted picture. We think there is a need to be able to look at the good side as well as the bad side of the canal.

If for no other reason let us not overlook the fact that nearly $50 million of the taxpayers' money has been spent on this project after it was fully justified from studies made by the U.S. Corps of Engineers. The State of Florida has spent something like $10 million principally to acquire right-of-way. That is a lot of money to have go down the drain with nothing to show for it. By this study we can get the facts.

The principal point which appears to disturb the ecologists is the loss of the scenic Oklawaha River, and this is a very considerable loss. However, there were many of us who proposed well in advance of the President's action that the Oklawaha be preserved by rerouting the canal. This would not have been a difficult problem but it would have meant some additional cost.

The ecologists have been heard on this subject. The President's advisers have been heard. The taxpayers who invested in the project have not been heard. The Congressmen who sponsored the project have not been consulted in the slightest to this date. The potential users have not had an opportunity to be heard. What is wrong with looking at both sides of any issue?

It must be said by any impartial observer that the ecological damage that might come from the Cross-Florida Barge Canal is far less than that which will result from a pipeline for the oil companies across Alaska. If the Cross-Florida Barge Canal is bad, then the Alaska pipeline is doubly bad. The administration has not see fit to apply the same guidelines to both projects.

The President, by executive order, stopped work on the Cross-Florida Barge Canal and thereby repealed the statutes by which Congress had authorized and funded the canal. It was an action taken without any consideration for the proponents of the canal. I think the Congress has a right to know all the facts.

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

Mr. Chairman, this canal has been under consideration for a long time. It is a valuable canal. It is valuable not only from the standpoint of economics but also from the standpoint of national defense. In time of war the movement of oil from the western producing areas to the eastern consuming areas might be quite important to our national defense. Over a billion dollars worth of oil shipping was lost in 1 year alone on the coast of Florida in World War II. The submarine threat is much greater today than it was then.

The only points that have been raised here are that there might be some shortage of water and there might be some pollution of water. That is all I heard said. Perhaps some other things were actually said when the gentleman from Florida made his speech, and I should be glad to address any point he would like to ask me about.

The authorities have stated in the hearings repeatedly that the water table up and down will have no significant change at all. Quite obviously one does not really have to be an engineer to figure out that no depletion of water is likely because we are not talking about a sea level canal, we are talking about a canal which has a reservoir on the top of the ridge of Florida. Obviously there could not be any depletion of water in the water table because of a new lake erected on a ridge in Florida.

I refer now to the testimony in the hearings before the Subcommittee on Appropriations, 91st Congress, second session. General Free testified on page 672 there would be no significant effect whatsoever on the water table even in the immediate vicinity of the canal. Certainly it would not affect anything in the situation of the gentleman from South Florida; but it would not significantly affect the water table even in the immediate vicinity, so far as the lowering of the water table is concerned, in any respect.

With regard to the pollution of water, that is exactly what we want to have this hearing upon. We have never had the opportunity to be heard.

The President announced in January of 1971, he was halting the canal. He did not say it was a permanent halt. He did say he was halting it. He said he did this because of the recommendation of the Council on Environmental Quality.

So the Members of Congress and other people and I went to this council and, after much difficulty, we had a hearing; a hearing in the sense that we were heard in protest after the fact. But at that hearing it was said by the head of the Council on Environmental Quality that they had never, never made any study whatsoever as to the ecology of the Cross-Florida Barge Canal and that they had no intention of making such a study.

The gentleman from Florida, that is from St. Petersburg, put in the CONGRESSIONAL RECORD reasons, which are quite cogent, as to why they wanted the canal stopped. I did not put it in because I thought it might involve Presidential privilege, but the gentlemen did, and it is stated there, if you read it—and I am sure the gentlemen could give you the page number—it deals somewhat with ecology, but mostly with politics. But regardless of whether politics or ecology the Council on Environmental Quality told us repeatedly in that meeting—and it was an open meeting, and many people were present—that they had never made a study of the ecological effect of this canal.

I told them that I thought they should. So they did make one, and they did not invite me or any Member of the Congress, or any ecologists who favored the canal—and many ecologists do favor the canal—they did not invite anyone from our side. They just went on their own little way in arriving at the paper that they presented. And it is refuted in its entirety by materials in the CONGRESSIONAL RECORD, volume 117, part 12, page 15431.

What is the legal situation? I have briefed the law on this matter. I used to be a lawyer. There is not a single case in the entire judicial history of the U.S. judicial system which says that the President can repeal a law such as this where there has been an authorizing and appropriating of money for a canal on other project. Many cases hold just the opposite.

The courts have been asked by the Department of Justice at the requests of the President to try to upset these cases, and they have not been able to do so. They have tried repeatedly, and the courts have said no, right up to today, that the President has absolutely no constitutional right to repeal such a law.

What did the law on environmental protection say when we passed that act? That act provided that there would be studies made that would be presented to the Congress for the Congress to act upon. Then, if Congress wanted to repeal a law it would have that authority, of course. And that is what the law says with regard to the environmental situation in connection with the Council on Environmental Quality. It does not say that the Council on Environmental Quality would report to the President who would then repeal the law, or end a project. It says that the President will take the report and give it to the Congress with recommendations and that the Congress should act upon it as it would with any other law or repeal of law.

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

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

Mr. BENNETT. In conclusion, the Cross-Florida Barge Canal was authorized by law. The President has no right to repeal that law, and the courts have held this to be so, in this year. The law we passed with regard to environmental quality said that the Council should report to the President who in turn would report to the Congress, and that the Congress would then take whatever action Congress decided was advisable.

The gentleman from Florida (Mr. SIKES), and others have recommended that the Oklawaha River be bypassed, and this can be done for less than $5 million.

This is a most important project for our country, for the future and for ecology as well as economics. The country as a whole has a right to be heard. The good values of this project should be made known. The Congress should be heard in this matter, and the citizens of this country should be heard, and all this should be done before the President attempts to repeal a law in this manner.

Mr. PEYSER. Mr. Chairman, I move to strike out the last word.

Mr. YOUNG of Florida. Mr. Chairman, will the gentleman yield?

Mr. PEYSER. I yield to the gentleman.

Mr. YOUNG of Florida. Mr. Chairman, I thank the gentleman for yielding.

My distinguished colleague, the gentleman from Florida, made comment and referred to a memorandum from Russell Train that had been used and bandied about considerably.

I think just picking out sections of that memorandum and using it for one's own benefit is all right politically, but I think it is only proper that we hear some of the other contents of that same memorandum.

With reference to the Cross-Florida Barge Canal and from the standpoint of the ecological question and the protection of natural resources. This canal project is very marginal economically according to officials and Russell Train says:

> The project itself is marginal from an economic point of view and hence very undesirable in the face of the potential and actual environmental problems it presents.

In another section of that same memorandum, this is where the political accusations come from, Mr. Train said to the President:

> I have been told that if the project were voted on as a referendum by the people of Florida, it would be defeated. Essentially, only a small minority of people in the Tampa and Jacksonville areas have a real interest in it.

I think he was absolutely correct. The people of Florida are opposed to digging this canal.

Let me talk for just a minute about another phase of the economic problem.

In one basin in this canal, the Inglis Basin which is on the western approach to the canal, it is estimated it is going to cost $1,630,000 a year just to clear the hydrilla from the Inglis Basin. The hydrilla problem is much like the water hyacinth that grows and grows out of control.

It will also cost some $10,000 to $12,000 per mile per year just to keep the aquatic growth clear in the canal.

Comments were made on the possible contamination of the Florida aquifer that supplies water to central Florida. This aquifer is much like a sponge made of limestone and in many areas comes very, very close to the earth's surface and scratching a ditch into this aquifer could very well allow contamination to seep into the water-holding aquifier. This concern is voiced not only by me but also by the Director of the U.S. Geological Survey and also the Chairman of the Council on Environmental Quality.

I suggest that ample evidence has been submitted to question the ecological ef-

fect of this canal, and when President Nixon stopped this canal, he rightfully earned the gratitude of the people of Florida. I know they are hoping we will approve this amendment and delete the money which would resurrect this canal.

Mr. EVINS of Tennessee. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I have read the brief memorandum from the Council on the Environmental Quality.

It said, in addition to the environmental issue, three things. It said: First, "Mr. President, if you will stop this project, it will save you some money this year."

Second: "Mr. President, it will save a lot of money in the long run."

Third: "Mr. President, we think it is politically wise to stop the project."

This was a judgmental factor on the part of CEQ and the administration to stop the project.

The President has no authority to repeal the law—to repeal an act of Congress.

This matter has been in Federal Judge Johnsen's district court in Florida and he stated that there had not been a full and complete environmental statement filed on the project.

It seems that some of the environmentalists favor a study for stopping the project, but they are against a study of an environmental impact statement if it would bring further light and further information about the project.

So I think we should get the facts. This matter is under the general investigation funds section. This is merely a study and is in compliance with Judge Johnsen's request of the Federal district court.

Mr. Chairman, I ask that the amendment be defeated.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida (Mr. YOUNG).

The question was taken; and on a division (demanded by Mr. YOUNG of Florida) there were—ayes 15, noes 31.

Mr. YOUNG of Florida. Mr. Chairman, I demand tellers.

Tellers were refused.

So the amendment was rejected.

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

The CHAIRMAN. The Chair will count.

Mr. YOUNG of Florida. Mr. Chairman, I withdraw the point of order.

The CHAIRMAN. The gentleman withdraws the point of order.

AMENDMENT OFFERED BY MR. THOMSON OF WISCONSIN

Mr. THOMSON of Wisconsin. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. THOMSON of Wisconsin: On page 5, line 24, following the word "Army", strike the period and insert "*: Provided further*, That no funds shall be expended for continuation of the twelve foot Mississippi River channel study north of Guttenberg, Iowa, except for the purposes of investigating environmental impact, and activation of auxiliary locks for small boats and pleasure craft."

Mr. THOMSON of Wisconsin. Mr. Chairman, this amendment relates to another study, which is a study to consider a 12-foot channel on the Mississippi River. The study has been underway for several years. A preliminary report has been issued by the Corps of Engineers. The report received so much criticism after it was circulated in February of this year that it was withdrawn and has not yet been filed. The people on the upper Mississippi River, those who are north of gate and lock 10, at Guttenberg, Iowa, are extremely disturbed about the damage that will be caused by a 12-foot navigation channel on the upper reaches of the Mississippi River.

One good reason why we need no further study on the engineering and economic factors of the proposal is that it proposes a 12-foot channel in 22 miles of the lower St. Croix River. The St. Croix River is such a beautiful stream. It is part of the boundary between Minnesota and Wisconsin. Its lower 52 miles is presently being considered for inclusion in the wild and scenic river system and all of the upper St. Croix was included in the original wild and scenic river system. We cannot have a 12-foot barge channel in a wild and scenic river. We need no further study on the economics and engineering which will affect a priceless, beautiful river such as the St. Croix. We ask in this amendment that any further investigation and study be limited strictly to the environmental impact on the Mississippi River north of lock and gate 10 at Guttenberg, Iowa, and that the study include the use of auxiliary locks in the dams that are already built.

In the 40 years that this river has had a 9-foot channel, use of the river by pleasure craft and for recreational uses has increased thousands of times. But it seems every time a boater comes to a gate and lock on the Mississippi River there is always a barge and a towline that is waiting to get through the lock, and pleasure craft in large numbers are refused entrance into the lock until the commercial use of that lock is concluded. Pleasure craft are often delayed there for 2 and 3 hours before they can get through each lock.

The Corps of Engineers in their wisdom, when they built the lock and dams, included some space for auxiliary locks which has never been used. If we want to increase the barge traffic and take advantage of the tremendous increase in the recreational use of that river, we ought to examine whether those auxiliary locks should be put into use at the present time. The study by the corps should include the use of the auxiliary locks as a prime concern.

On the upper Mississippi River there are over 120,000 acres of Federal wildlife refuge. We have there ducks and egrets and fish and wildlife on the water. They are there in such great abundance. And, their habitat there is in serious danger of being destroyed should we have a 12-foot channel in that river.

A 12-foot channel may mean dredging and pouring out of siltation and sludge along the banks of the river, or in the alternative, raising the level of the pools themselves, which will completely destroy the wildlife refuge.

Mr. Chairman, we insist that this study be limited to those ecological and environmental factors that are so important to us in the reaches of the upper Mississippi and to the full use of those locks and dams by small boats and pleasure craft. We think the esthetic values of the upper Mississippi are worthy of equal consideration with the economic advantages of putting bigger tows on the river, and we think that the environmental impact and esthetic values should be studied first. I, for one, will oppose any attempt to put a 12-foot channel into the Mississippi River until an environmental impact study is filed, evaluated, and approved as ecologically safe. Such an eventuality, despite these additional funds for study, is unlikely. Deepening the upper Mississippi to 12 feet would be an environmental loss with no offsetting economic advantage.

Mr. EVINS of Tennessee. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the distinguished gentleman from Wisconsin, Governor Thomson, spoke to me about the matter today. We discussed it. I would say to the gentleman this is not for dredging, this is not for construction. The funds in this bill are just for continuing the study. This is just for getting the facts. The decision will be made later by Congress as to whether a project is authorized for construction.

This is a $2.5 million study for which we have already allocated $1.2 million. The amount funded in the bill is only $126,000 to continue the study of the economic feasibility as well as the ecological and esthetic factors which the gentleman requests. We need to complete a balanced study of all the issues involved in the proposed project.

I would say we are substantially in agreement with the objectives the gentleman requests. So in view of the amount of funds expended, the facts that will be obtained, and the interest from the representatives of the several States who appeared before our committee, I ask that the amendment be defeated.

Mr. QUIE. Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to the amendment.

Mr. Chairman, I support the amendment offered by the gentleman from Wisconsin that we limit the study to the environment and to the possibility of auxiliary locks for small boats and pleasure craft. In fact, I think we have gone far enough in the study to find out now that the deepening of the channel is not economically feasible. Evidently that is one of the problems concerned in why they have not submitted the report yet.

There are some other considerations we might take into account now, which are even more important now than when the study began, and those are the recreation uses of the river.

As the population increases and the influence of the people increases, there is greater demand for recreation uses on the river. The idea that this is primarily a waterway for transportation, I think, is something that has long gone by.

There is pretty serious difficulty with

the 9-foot channel. When they made the study, they looked at the river to see how they would make a 12-foot channel. There are only two ways to do it. One would be to raise the water level, and the other is by dredging. If we raise the water level, we get other problems of destroying the breeding grounds of the waterfowl and fish. Also whenever we have a rain such as we had recently, or in the spring runoff, if we raise the level of the river, it will be more difficult for the tributaries to empty out into the river, and they will back up and cause more flood damage to the communities upstream.

Not only would this be in the highways, but it would be in the railroads in the form of bank erosion. You have to look at the streams and see what a raise in the level of the rivers does to bank erosion that did not occur before. All indications are they are dredging as they deepen the channel rather than raising the water level. Here you have an even more catastrophic problem that would occur.

If you dredge, one of the problems is they have to drop the dredge as close to the edge as possible for convenience. What happens now is the river there is going to be higher than the surrounding land because of the dredging. In other areas it increases erosion back in again, and therefore they are stirring it up and the turbulence is greater and it is harder for the fish to live because you cannot get the photosynthesis there due to the reduced amount of light. All of this is causing a problem.

Another part is they are now down to the bedrock of the channel, and if there is more dredging, this would create a problem, but also they are going to have to dynamite in order to get a deeper channel. The main purpose here is so that the barges can get a larger load by having a little larger draft. I think that the economic benefit, which would be an economic benefit to the barge line, is not anywhere near the kind of benefit they would need in order to create this damage that would occur to the river.

The way it could be used by the thousands and thousands of people who now use the river would make it necessary for them to leave this untouched.

Therefore, I support the amendment offered by the gentleman from Wisconsin which would limit the study for this year to an environmental study and a possibility of installing auxiliary locks.

I think we ought to look seriously next year at whether we want to continue the study on the 12-foot channel at all.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin (Mr. THOMSON).

The question was taken; and the Chairman being in doubt, the Committee divided, and there were—ayes 17, noes 29.

So the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

CONSTRUCTION, GENERAL

For the prosecution of river and harbor, flood control, shore protection, and related projects authorized by law; and detailed studies, and plans and specifications, of projects (including those for development with participation or under consideration for participation by States, local governments, or private groups) authorized or made eligible for selection by law (but such studies shall not constitute a commitment of the Government to construction): $1,181,098,000, to remain available until expended: *Provided*, That no part of this appropriation shall be used for projects not authorized by law or which authorized by law limiting the amount to be appropriated therefor, except as may be within the limits of the amount now or hereafter authorized to be appropriated: *Provided further*, That in connection with the rehabilitation of the Snake Creek Embankment of the Garrison Dam and Reservoir Project, North Dakota, the Corps of Engineers is authorized to participate with the State of North Dakota to the extent of one-half the cost of widening the present embankment to provide a four-lane right-of-way for U.S. Highway 83 in lieu of the present two-lane highway: *Provided further*, That $840,000 of this appropriation shall be transferred to the Bureau of Sport Fisheries and Wildlife for studies, investigations, and reports thereon as required by the Fish and Wildlife Coordination Act of 1958 (72 Stat. 563–565) to provide that wildlife conservation shall receive equal consideration and be coordinated with other features of water-resource development programs of the Department of the Army: *Provided, further*, That $1,000,000 of this appropriation shall be transferred to the Appalachian Regional Commission for the Pikeville, Kentucky, model city program.

AMENDMENT OFFERED BY MR. NEDZI

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

The Clerk read as follows:

Amendment offered by Mr. NEDZI: Page 6, line 9, strike out "$1,181,098,000" and insert in lieu thereof "$1,181,198,000".

Mr. NEDZI. Mr. Chairman, I rise in behalf of two of my colleagues from Michigan, Mr. BROOMFIELD and Mr. O'HARA, to request a very small amount of money be added to the pending appropriation bill.

As we all know, the forces of nature in the last couple of days have underscored the importance of prudent flood control measures. The chairman of the subcommittee itself has alluded to this fact. That is the purpose for which we seek these funds.

Our amendment asks for the very reasonable sum of $100,000 for preconstruction planning for the Clinton River-Red Run drainage control project in Oakland and Macomb Counties, Mich. This is a project of tremendous importance to the people we represent in this area known as the Clinton River drainage basin and covers 760 square miles in southeastern Michigan just north of the city of Detroit. Within this area, which is the fastest growing in Michigan, live 1½ million people who are affected to one degree or another by the Clinton River and its tributaries. Fourteen times since 1938 this river has overflooded its banks—in 1962, in 1965, and twice in 1968 there was severe flooding. The danger in the area grows as the area becomes more and more urbanized.

In 1970, my colleagues, after many years of study by the Corps of Engineers, the Congress authorized the expenditure of $40 million as the first installment toward the construction of an adequate flood control system on the Clinton River and Red Run drain. The $40 million in Federal funds would be augmented by $60 million in expenditures by local governments, and the local governments here have indicated a willingness—indeed an eagerness—to participate because they recognize the terrible danger which continues to exist.

Let me precisely emphasize the points I believe are persuasive. In the first place, there are 1½ million people involved. This is a number which exceeds the populations of a third of our States. Second, in 1970 the authorization of $40 million recognized the need, and still not a single Federal dollar has been appropriated. There has been a long and continuing history of unchecked flooding in the area with the prospect of more frequent troubles as the area's urbanization increases.

Fourth, the annual flood loss, as estimated by the Corps of Engineers, is some $20,421,000. This is annually, and hundreds of people have been and are driven from their homes.

Fifth, there has been a finding by the Corps of Engineers that a serious flood and major drainage problem exists in the area, and the corps forecasts future damaging floods.

Finally, this project, unlike the Florida canal or other projects that have been approved, has a very favorable cost-to-benefit ratio of 4 to 1.

Our amendment is modest to the point of being almost invisible when you view the total annual flood loss in this area, let alone the total amount of this appropriations bill. The need has been clearly established after prolonged study, and in 1970 a substantial commitment was made by the Congress. We ask that this overdue and small implementation—only $100,000—at last and at least be taken.

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

SUBSTITUTE AMENDMENT OFFERED BY MR. PEYSER FOR THE AMENDMENT OFFERED BY MR. NEDZI

Mr. PEYSER. Mr. Chairman, I offer a substitute amendment for the amendment offered by the gentleman from Michigan (Mr. NEDZI).

The Clerk read as follows:

Amendment offered by Mr. PEYSER as a substitute for the amendment offered by Mr. NEDZI: On page 6, line 9, strike out "$1,181,098,000" and insert in lieu thereof "$1,193,698,000."

Mr. PEYSER. Mr. Chairman, I was going to offer this as an amendment originally, but I am now offering it as a substitute to the gentleman's amendment.

I was encouraged when this session first started when the chairman rose to speak about the flooding conditions in our country today because I felt that perhaps he was going to make a motion to restore some of the $12.6 million that had been cut from the administration's requests dealing with flood prevention construction under this bill. But he did not move to restore that money.

I should like to talk for a moment on the terrible flooding we have been facing in Westchester County, N.Y. I realize it

is not as serious as in many others in the States around me—New Jersey, Pennsylvania, New England States—but it is nevertheless very severe. My district includes the city of Yonkers, which has approximately 210,000 people and has the Saw Mill River running through it.

The Saw Mill River project has been before the Public Works Committee for nearly 14 years, and during that period there have been a number of studies which have been continually authorized, to find ways to stop its continued flooding. As a matter of fact today's bill includes yet another study of this problem. During the storm last week more than 300 homes and 100 businesses were badly damaged. I personally went into these homes and businesses with 5 or 6 feet of water in them.

It distresses me, that we have had this type of a problem for so many years and no action has been taken to prevent the flooding.

The total estimate for this program is less than $8 million to cure the entire problem, including Ardslery, Elmsford, and Chappaqua.

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

Mr. PEYSER. I yield to the gentleman from Arizona.

Mr. RHODES. For the purpose of clarification, I understand the gentleman is interested in adding funds for the Yonkers, N.Y. project; is that correct?

Mr. PEYSER. I am seeking to add funds to prevent future flooding of the Saw Mill River. I am trying to put back into this bill the $12.6 million originally budgeted by the committee in this portion of the bill with the idea that $8 million of the $12.6 million will go to prevent future Saw Mill flooding.

Mr. RHODES. Is the gentleman saying that the reductions which were made, as shown in the report of the committee on pages 44 and 45, are not warranted reductions?

Mr. PEYSER. I am saying that I would like to see the $12.6 million which the committee cut from the administration's request be restored with enough of that money going to solve this Saw Mill River problem.

I include the following list of projects necessary to stop future flooding of the Saw Mill River:

Yonkers. The flood control project for Yonkers, New York is located along the Saw Mill River in the City of Yonkers, Westchester County, New York on the northern boundary of New York City. The proposed flood control plan is primarily a channel improvement along a 9,500-foot long, highly industrialized reach of the Saw Mill River extending from a point upstream of Yonkers Memorial Park to a point upstream of Old Napperhan Avenue. This project is designed to provide flood protection by lowering flood flows through the use of a more efficient river channel. The plan consists of 700 feet of clearing and snagging and 400 feet of channel excavation in the lower reach. Continuing upstream, the plan includes approximately 3,800 feet of concrete flume, approximately 4,600 feet of channel excavation and approximately 5,400 linear feet of concrete walls. The plan also provides for the raising or reconstruction of nine bridges, five footbridges and three covered passageways, and constructing a railroad closure structure and passageways, and interior drainage facilities which include three ponding areas and drainage structures as required.

Cost of Federal share to complete Yonkers project, $3,570,000.

Chappaqua. The site of the proposed improvement is located at the confluence of Saw Mill River and Tertia Brook in the Town of New Castle with the lower reaches of the improvement extending into the Village of Pleasantville. The plan involves straightening the existing channel and excavating it to a trapezoidal shape over a 6,000 foot reach. This plan also involves the replacement of a road bridge and an access bridge and modifications to two railroad bridges. An alternative plan was also investigated at the request of the Town of New Castle which would divert Tertia Brook directly to the Saw Mill River and allow the Town to have additional lands for its town civic center and commuter parking area.

Cost of Federal share to complete Chappaqua project, $893,100.

Elmsford. The considered plan would be located between Warehouse Lane and the Penn Central Railroad and would consist of approximately 2300 linear feet of channel improvement, 2800 linear feet of earth levee and concrete wall on the left bank, 1400 linear feet of earth levee and concrete wall on the right bank, stop-log structure, bridge construction, and interior drainage facilities.

Cost of Federal share to complete Elmsford project, $1,500,000.

Ardsley. The plan of improvement for Ardsley, New York would consist of relocation and widening and deepening the existing channel. In addition, protective works consisting of floodwalls and levees with necessary drainage facilities to existing system would be provided.

Cost of Federal share to complete Ardsley project, $1,092,000.

Total cost to prevent Saw Mill flooding, $7,055,100.

Mr. EVINS of Tennessee. Mr. Chairman, I rise in opposition to the Peyser substitute amendment and also the Nedzi amendment.

Let me say to the gentleman from New York, he could not further the Yonkers project by providing additional funds for the Corps of Engineers. We checked with them this morning on the Yonkers project and were informed that the funds in the bill represented the full corps capability.

We have recommended a $12.6 million net reduction in the construction, general appropriation. The gentleman would restore the full amount of this reduction. This will not improve or enhance the project in which the gentleman is interested. In fiscal year 1971 we added $55,000 over the budget to expedite this project. This amount was placed in the budgetary reserve and not released until the current fiscal year. This has resulted in a delay in planning the project.

We are very sympathetic to the Yonkers project.

Since we have allowed the corps full capability in this bill which will complete planning, I would believe the substitute amendment should be defeated.

Mr. Chairman, with respect to the Red Run Drain, Lower Clinton River project in Michigan, which the gentleman from Michigan (Mr. NEDZI) addressed himself to, we are very sympathetic. I agree it does have a good benefit-to-cost ratio. But the gentleman refers only to a very small amount of money being involved.

Although the amendment is only for $100,000, it would constitute a commitment to begin planning on a $142 million project. The committee adopted a policy of including only a limited number of very small, low-cost planning starts in the bill. We added 18 projects, but the highest one involved a total cost of only $38 million. I repeat; this project referred to by the gentleman from Michigan is a $142 million project.

I would also state that there are 181 authorized projects in the current planning backlog which are not funded.

There has not been an adequate opportunity for a hearing on the project. For these reasons I oppose this amendment.

Mr. O'HARA. Mr. Chairman, I move to strike the requisite number of words, and I rise in support of the Nedzi amendment.

Mr. Chairman, it is true that we did not again this year appear before the Subcommittee on Public Works. We have tried that route, Mr. Chairman, and it does not seem to do much good. Our pleas fall on deaf ears.

I can understand the desire of the gentleman from Tennessee (Mr. EVINS) and the members of the committee to save some money. We all like to do that. But I believe that the way in which it is being saved here is one that does not make much sense. The chairman of the subcommittee, the gentleman from Tennessee (Mr. EVINS), admits that this bill contains numerous projects having a lower cost-benefit ratio than this one. In other words, if you want a project in the bill, think up a dinky one. It does not matter if it has a poorer cost-benefit ratio, just so it is small enough, we can get it funded.

But we do not have a small problem here. The gentleman from Michigan (Mr. NEDZI) pointed out that 1.5 million people live in this area, and are affected by the flooding. The damages, when we have a flood—and we have had 14 of them since 1938—are tremendous. Of course it is going to cost something to fix it up. But if we are going to spend money, let us spend it on projects where we do get a decent cost-benefit ratio like on this one, and not just keep turning our backs on it year after year. I know they would rather take care of some little, bitty ones and cheaper ones, even though they do not have anywhere near as good a cost-benefit ratio, but I think that is a foolish way of spending the limited funds that are available.

The amendment offered by the gentleman from Michigan (Mr. NEDZI) is a good amendment, and it provides for merely $100,000 for a planning start. So let us adopt the amendment.

Mr. RHODES. Mr. Chairman, I move to strike the requisite number of words, and I rise to oppose both amendments.

Mr. Chairman, I hope the Committee will vote not to approve these amendments. To begin with, they would accomplish nothing worthwhile except that it would provide a slush fund for the Corps of Engineers with no direction whatsoever, if the Peyser substitute amendment were to be adopted.

As far as the Red Run Drain, Lower

Clinton River project is concerned, I agree with the gentleman from Michigan who was just in the well and also with the author of the amendment that this is a good project.

It has a 3.6 to 1 benefit-to-cost ratio. It ought to be built sometime and I am in hopes it will be. I also hope we will not commit the folly of putting a project in like this on the floor of the House in the consideration of this bill—a project which costs $142 million.

This is a lot of money. When it is started, it should be put in the regular way. I am sure it will be built before too long.

There is a current backlog of 181 authorized projects which have not been funded for initiation of planning.

So if this were the only project that has not been funded for the initiation of planning, then I would say to my good friend, the gentleman from Michigan, that he has a point. But this is not the only project. There are 181 other projects in the backlog. It would be my hope that we could approach this matter in an orderly way and not do it on the floor like this.

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

Mr. RHODES. I yield to the gentleman.

Mr. NEDZI. Does the gentleman have any information as to what the cost-benefit ratio of the 181 projects are?

How many actually have a cost-benefit ratio superior to the project that we are suggesting?

Mr. RHODES. I have no figure such as that, but I would venture to say, and I would probably agree with the gentleman, that most of them would have a lower cost-benefit ratio than this.

But again it seems to me that the orderly way to start a project is to do it by appearing before the committee and having the committee vote out the project.

If the gentleman would do this next year, I, for one, will certainly promise him a sympathetic ear and I hope that it will be voted out first.

Mr. NEDZI. I certainly thank the gentleman and I can assure you that we will be back, back, and back again.

Mr. RHODES. I thank the gentleman.

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

Mr. RHODES. I yield to the gentleman.

Mr. ROBISON of New York. Mr. Chairman, I too join with the gentleman in opposing both the substitute amendment and the amendment itself.

I want to make sure for the record that my friend and esteemed colleague, the gentleman from New York, understands that this does not mean that I do not have an awareness of the need for and, in fact, the urgency for the Yonkers, N.Y., project.

The only thing is, as I am sure he understands, the money in the bill will complete the preconstruction planning for this project. If we were to add additional money that the gentleman proposes, there is no guarantee and, in fact, it would be very unlikely that those moneys would be put to use in Yonkers.

The gentleman has done exactly what he should have done and he has done what I would have done in this situation. That is to call our attention to the need for this project.

I can assure the gentleman that the subcommittee will give this careful consideration next year as a construction start.

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

Mr. RHODES. I yield to the gentleman.

Mr. DAVIS of Wisconsin. Mr. Chairman, I just want to add to what the gentleman from Arizona has already said with reference to the substitute amendment. What the gentleman from New York has suggested is that we simply put back in the net reduction figure which the committee has recommended in the construction general paragraph of this bill.

Now this net figure was arrived at by changes in a large number of projects throughout the country as outlined in the report.

I am afraid that if this amendment were to be adopted, it would be interpreted as undoing everything that the subcommittee has done with respect to a large number of individual projects. By inserting the original budget figure in this regard, it would probably indeed be interpreted by the Corps of Engineers as saying—well, what the House wants to do is to reinstate item by item the figures just as they were submitted in the budget. They would, therefore, decline to make use of some of the increases for some of the special projects included in this bill and would take no notice of the decreases that were made.

The CHAIRMAN. The question is on the substitute amendment offered by the gentleman from New York (Mr. PEYSER) for the amendment offered by the gentleman from Michigan (Mr. NEDZI).

The substitute amendment was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan (Mr. NEDZI).

The amendment was rejected.

Mr. DENHOLM. Mr. Chairman, I move to strike out the last word.

Mr. Chairman and distinguished members of the subcommittee, I associate myself with the remarks of the distinguished chairman in his opening statement this afternoon. I commend the distinguished gentleman from Tennessee and his associate members of the committee for the excellent work that they have done in reporting this matter today.

Peculiar storm conditions have occured this year. In the month of June much devastation and tragedy has befallen our country. Several States and many areas have been victimized by tragedy since this bill was marked up and since the members of the committee deliberated thereon. South Dakota is no exception. The people of South Dakota have sustained a devastating loss, shock, and tragedy.

The reservoir water crest is at an all-time high on the Missouri and at the lower end of the four main stem dams on the Missouri the impact of increased discharge of flood waters is released with a tremendous amount of damage to the side walls and the banks of the Missouri River between Yankton, S. Dak. and Sioux City, Iowa.

The floodgates have been opened, and there is an outpouring of water that is undercutting huge parts of the terrain and parts of the bank that have declivities up to 40 to 50 feet in height. Acres and acres are falling into the river at an excessive rate and the damage to the riverbanks is now endangering a $10 million hospital and a powerplant at Yankton, S. Dak.

I realize, Mr. Chairman and members of the committee, that there is no authorization in support of appropriations at this point in time. I intended to submit an amendment to provide for additional funds in the appropriations now before this body but I have been informed that a point of order will be made and sustained against that amendment absent of authorization in support thereof. Therefore, Mr. Chairman and members of the committee—I refer to the language only for the purpose of foundation to a question—an amendment beginning at page 6, line 9, to delete the general construction appropriation of $1,181,-098,000 and substitute therefor the sum of $1,184,098,000. Further, on page 7, line 7, add language after the last sentence as follows, to-wit:

Provided further, that $3,000,000.00, subject to authorization of this appropriation shall be utilized by the Chief of Engineers, Corps of Engineers, below the Gavins Point Dam at Yankton, South Dakota, for emergency bank stabilization on the Missouri River.

Mr. Chairman, I realize that you are fully informed on the details of this matter and that you are sympathetic to our cause. What would the attitude of the committee be on considering without delay a supplemental appropriation if we can achieve authorization for appropriations in the near future on this matter?

Mr. EVINS of Tennessee. The gentleman is correct. We are sympathetic to the problem of bank erosion on the Missouri River, but, as I stated in my original statement, the project has not been authorized and would be subject to a point of order. We could not approve the funding of a project of this type without authorization. The gentleman is working on the authorization. If it is authorized, we would be sympathetic to its being handled in a supplemental appropriation bill or in conference. We are sympathetic if and when the project is authorized.

Mr. DENHOLM. I thank the Chairman and I will appreciate the immediate consideration of the members of the committee when appropriate authorization has been granted. Thank you very much.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

CONSTRUCTION AND REHABILITATION

For construction and rehabilitation of authorized reclamation projects or parts thereof (including power transmission facilities) and for other related activities, as authorized by law, to remain available until expended, $267,625,000, of which $115,000,000 shall be derived from the reclamation fund: *Provided*, That no part of this appropriation shall be

used to initiate the construction of transmission facilities within those areas covered by power wheeling service contracts which include provision for service to Federal establishments and preferred customers, except those transmission facilities for which construction funds have been heretofore appropriated, those facilities which are necessary to carry out the terms of such contracts or those facilities for which the Secretary of the Interior finds the wheeling agency is unable or unwilling to provide for the integration of Federal projects or for service to a Federal establishment or preferred customer: *Provided further*, That the final point of discharge for the interceptor drain for the San Luis Unit shall not be determined until development by the Secretary of the Interior and the State of California of a plan, which shall conform with the water quality standards of the State of California as approved by the Administrator of the Environmental Protection Agency, to minimize any detrimental effect of the San Luis drainage waters.

AMENDMENT OFFERED BY MR. MELCHER

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

The Clerk read as follows:

Amendment offered by Mr. MELCHER: On page 11, line 8, strike out "$267,625,000" and insert in lieu thereof "$280,357,000".

Mr. MELCHER. Mr. Chairman, I shall keep the committee only briefly, because I want to draw the attention of the committee and the House to a Bureau of Reclamation dam that needs repair in Montana and needs it now.

My amendment adds $12,732,000 to rebuild the spillway of Tiber Dam in Montana—which now is inoperative because of a structural collapse—and raising the embankment to make the dam and reservoir safe and functional. Tiber Dam is on the Marias River, which flows into the Missouri.

I feel that in view of the recent history of dam collapses, such as the Buffalo Creek tragedy in West Virginia and the Rapid City, S. Dak., disaster, the Bureau of Reclamation should move up its schedule to finish this uncompleted work on the Lower Marias Unit in north central Montana. The authorizing bill is still in conference, but funds for Tiber Dam repair have been approved by both bodies.

Water levels in the Tiber Reservoir behind the dam are being kept low because the main spillway is in poor condition.

The Bureau of Reclamation is maintaining a low water level in the reservoir by using only one operable tunnel-type spillway. Mr. Chairman, it is my understanding that any great amount of water from a heavy rainfall or runoff could not be handled safely over the complete spillway as designed when the dam was constructed. The work is included in the Bureau's program some time during the next 5 years, but it should be done now. If the Tiber Dam was to fail because of incomplete, unoperative spillways, another tragic flooding could result.

Mr. Chairman, it is clear that our obligation to assure the safety of Tiber Dam includes making the appropriation to rebuild the spillway now, and hopefully the repairs can be completed before any serious damage could result to the dam or to the people below the dam.

Mr. Chairman, I urge the committee to accept the amendment.

Mr. EVINS of Tennessee. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the distinguished gentleman from Montana (Mr. MELCHER) appeared before our committee on a project for funding, and we funded the project in accordance with his testimony. In reference to the Tiber Dam covered by his amendment, I understand the work has just recently been authorized and our committee has had no opportunity to hold hearings on that item.

I would say the Bureau of Reclamation has an emergency fund for rehabilitation and betterment of projects to the extent an emergency develops which cannot await consideration in the regular appropriation bill. So the Bureau can utilize existing funds in the emergency fund to the extent necessary until an estimate has been submitted, and cost determined, and the matter has been considered in regular order.

Mr. Chairman, I ask that the amendment be defeated.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Montana (Mr. MELCHER).

The amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk proceeded to read the bill.

Mr. EVINS of Tennessee. Mr. Chairman, I ask unanimous consent that the remainder of the bill be considered as read in full and open to amendment at any point.

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

Mr. MICHEL. Mr. Chairman, reserving the right to object, would that foreclose the making of a point of order against a point that has not been reached in the bill?

A point of order can still be made?

The CHAIRMAN. Yes.

PARLIAMENTARY INQUIRY

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

Mr. Chairman, is it not necessary that the point of order be made now?

Having dispensed with the reading of the bill, the point of order has to be made now?

The CHAIRMAN. If the unanimous-consent request of the gentleman from Tennessee is approved, the gentleman from Iowa is correct, the point of order should be made at that time.

POINT OF ORDER

Mr. MICHEL. Mr. Chairman, may I put the Chair on notice that I intend to make a point of order against the language appearing on page 20 of the bill.

The CHAIRMAN. The Chair will protect the gentleman's right.

Is there any objection to the request of the gentleman from Tennessee?

There was no objection.

The portion of the bill to which the point of order relates is as follows:

OPERATION AND MAINTENANCE

For necessary expenses of operation and maintenance of power transmission facilities and of marketing electric power and energy pursuant to the provisions of section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the southwestern power area, including purchase of not to exceed three passenger motor vehicles for replacement only, $5,098,000: *Provided*, That, in addition, such sums as may be necessary shall be available from the Continuing Fund, Southwestern Power Administration (16 U.S.C. 825 S–1) to defray emergency expenses to insure continuity of electric service and continuous operation of Government facilities in the area.

The CHAIRMAN. For what purpose does the gentleman from Illinois rise?

Mr. MICHEL. Mr. Chairman, I make a point of order against the language appearing on page 20, beginning with line 8, as follows:

Provided, That, in addition, such sums as may be necessary shall be available from the Continuing Fund, Southwestern Power Administration (16 U.S.C. 825 S–1) to defray emergency expenses to insure continuity of electric service and continuous operation of Government facilities in the area.

Mr. Chairman, if I might be heard on the point of order, in the Interior Department appropriation bill in 1943, Public Law 216, there was established a $100,000 continuing fund to insure continuity of power operations for use in emergency.

Then in the Interior Department Appropriation Act of 1950, Public Law 350, this so-called continuing fund was increased to $300,000 and extended its use to include the purchase of power and rental of transmission lines. Between 1950 and 1952 the Department of the Interior and the Southwest Power Administration interpreted the continuing fund as a revolving fund which replenished itself automatically from the Southwest Power Administration power revenues. Therefore, there was no upper limit on the amount that could be withdrawn from the continuing fund each year except from the Southwest Power Administration gross power receipts in that year.

Congress recognized that the Southwest Power Administration's use of the continuing fund for the purchase of power and the payment of transmission charges gave the Southwest Power Administration unlimited funds through the back door of the Treasury without going through the congressional appropriation procedure. Therefore in 1951 the Congress added to the continuing fund statute the following provision:

Provided, That expenditures from this fund to cover such costs in connection with the purchase of electric power and energy, and rentals for the use of facilities are to be made only in such amounts as may be approved annually in appropriation Acts.

Congress itself thus closed the back door to the Treasury to the Southwest Power Administration and recaptured its control of Federal expenditures.

Since 1952 the Southwest Power Administration budgeted and received appropriations for its estimated power purchases and transmission costs which appropriations together with supplemental appropriations as have been required from time to time have permitted SPA to fullfill contract commitments in emergencies.

If I might simply cite that statute back in July 1952, Public Law 470, the proviso here said:

Continuing fund, Southwest Power Administration not to exceed $1,000,000 shall be available during the current fiscal year from the continuing fund for all costs in connection with the purchase of electric power and energy and rentals for the use of transmission facilities.

Ever since that time we have been using varying appropriation language setting a particular figure.

If I might read from the code, page 4013, title XVIII, under "Conservation," paragraph 825S–1, the one to which we make reference here and the language to which I object, we read:

All receipts from the transmission and sale of electric power and energy under the provisions of Sec. 825S of this title, generated or purchased in the Southwest Power Area shall be covered into the Treasury of the United States as miscellaneous receipts, except that the Treasury shall set up and maintain from such receipts a continuing fund of $300,000, including the sum of $100,000 in the continuing fund established under the Administrator of the Southwest Power Administration. . . .

And so on and so forth.

Then it goes on and concludes with a proviso:

Provided, That expenditures from this fund to cover such costs in connection with the purchase of electric power and energy and rentals for the use of facilities are to be made only in such amounts as may be approved annually in appropriation Acts.

The language on page 20 and beginning on line 8 adds the further proviso to the continuing fund as follows:

Provided, That, in addition, such sums as may be necessary shall be available from the continuing fund, Southwest Power Administration, (U.S. Code 825S–1,) to defray emergency expenses to insure continuity of electric service and continuous operation of Government facilities in the area.

In addition to being a double negative or having that effect of a double negative, the adoption of this proposed wording would actually be a change in the basic law concerning the use of the continuing fund. It is not merely a change in appropriations, as suggested.

Mr. Chairman, this change is legislation in an appropriation bill, and I request that my point of order be sustained.

The CHAIRMAN. Does the gentleman from Tennessee desire to be heard?

Mr. EVINS of Tennessee. Yes, Mr. Chairman.

Mr. Chairman, the Department of the Interior requested that we use the continuing fund for the Southwest Power Administration to utilize such funds to defray emergency expenses. We might not be in session when an emergency might occur. They have $300,000 in that fund. As I said in general debate, we have limited it to this amount, so it is a limited amount that they can utilize, up to $300,000, to defray emergency expenses. We think in view of the establishment of the emergency fund and in view of the language written into it and the funds available, they should be able to utilize the emergency fund.

Mr. MICHEL. Mr. Chairman, I submit that this is a change because in prior years we have been setting an appropriated amount. When you have a revolving fund, you have no limit. Whether it is $300,000 or whatever it might be, you can borrow out of it, and this provision provides for automatic replenishment. The minute you automatically replenish it, you take out $200,000 today and tomorrow you take $300,000. Again there is an automatic provision here for replenishment. It sets no limit, and I submit that going back 20 years we provided for annual appropriations, and this sets no limit, and this is legislation on an appropriation bill.

The CHAIRMAN. The Chair understands that the gentleman from Illinois makes a point of order against the language appearing on page 20, line 8, beginning with "*Provided*" and the balance of the paragraph; is that correct?

Mr. MICHEL. Yes, Mr. Chairman.

The CHAIRMAN (Mr. ASPINALL). The Chair is ready to rule. The Chair is of the opinion that the language does permit the transfer of an indefinite sum of money from the continuing or revolving fund and, in fact, changes existing law and, therefore, is legislation on an appropriation bill.

The Chair sustains the point of order.

Mr. WHITTEN. Mr. Chairman, today we continue the consideration of our bill providing funds for the development of rivers and harbors, to protect life and property from floods, to aid navigation, and to continue to maintain our standard of living; and, yes, Mr. Chairman, to aid in the restoration and protection of our environment. In this bill we provide funds for the Appalachian programs which have meant so much to the development of much of my district; projects which in other areas are largely handled by Economic Development Administration.

It is a pleasure to serve on the 55-member Committee on Appropriations where I rank next to Mr. MAHON, the chairman. Particularly do I feel fortunate in serving on the Subcommittee on Public Works.

I wish to compliment my chairman, JOE EVINS, of Tennessee, and the ranking member, JOHN RHODES, of Arizona—they, with our fine staff headed by Gene Wilhelm, do an excellent job as do other members of our subcommittee.

MISSISSIPPI PROJECTS

Mr. Chairman, my colleagues have covered most of the details of the bill; however, there are numerous projects in my own area, where I have a great obligation and deep interest. These projects include $105 million for the lower Mississippi River and tributaries. We must remember that approximately three-fourths of all the water that falls in the United States flows down this great river valley, gathering in quantity and momentum as it goes.

Other projects in our section are the Ascalmore-Tippo and Opossum Bayous, $375,000; the upper auxiliary channel or alternate channel, $475,000; the full amount that can be used for preliminary planning and construction; Yazoo backwater, $3,615,000; Tombigbee River and tributaries, flood control, $1,500,000; Tennessee-Tombigbee Waterway, $12,000,000; Yellow Creek Port project-TVA, $3,504,000.

RESERVOIR DEVELOPMENT

Mr. Chairman, we have provided for the four reservoirs: Arkabutla, Enid, Grenada, and Sardis for regular development toward the master plan of recreational development the sum of $1,603,000.

In addition, the committee has provided an additional amount of $300,000 under construction, general, and $150,000 from the fund, Mississippi River and tributaries, for these reservoirs. This is a real step toward recreational development up to national levels.

OUR REPORT

In our report we provide the following directive:

In reference to the Yazoo Basin reservoirs, the corps is urged to expedite the updating of the master plan to bring up to national standards the provision of recreation facilities, including the upgrading of access roads.

Yazoo Basin: Within the funds provided the Committee directs that initial planning be undertaken on a pilot program to meet the soil erosion and bank caving problems of the streams in the Yazoo Basin, including the foothill area, in cooperation with the Soil Conservation Service, as authorized by Public Law 46, 84th Congress, as amended by Public Law 91–566, 91st Congress.

These funds are in addition to those under other laws where there is a limit on each project. This work will complement and in fact initiate a project that will total $9 million under the recommendation of the Corps of Engineers now before the legislative committee:

The allocation for the Yazoo Basin includes $845,000 for continued planning on the Upper Auxiliary Channel or other alternate means of main drainage facilities to meet the flood control needs of the Upper (Delta) Yazoo Basin, the Ascalmore-Tippo, and the Opossum Bayou drainage projects. The Committee reiterates its directive that planning shall proceed from South to North so as not to aggravate prevailing conditions.

These funds should get us going on these projects.

HIGHWAYS

Mr. Chairman, our committee on page 66 of the report, provides $25 million additional funds to the development highway program of the Appalachian region to finance limited allocations from the advance contract authority to expedite high priority projects and to assist those States which are fully utilizing their current allocations.

Mr. Chairman, it is thought that within this $25 million the Appalachian Commission will proceed with planning of a corridor highway in the Appalachian section of my State and others to enable those States not presently financed in the corridor program to be treated as are other States of the region. We must deal fairly with them.

Particularly do I call to your attention that when my State and several others came into the program, they became full-fledged members of the Appalachian region, that at least one, New York State, has been voted a corridor highway by the cochairman of the other States in the region.

I shall confer with my friend and colleague from Mississippi, Senator JOHN STENNIS, chairman of the Appropriations Subcommittee in the Senate. If addi-

tional language will help, we can put it in the conference report.

Mr. Chairman, I call attention to the fact that under the law the Governor of each State must select and initiate the particular corridor, subject to agreement with the Governors of adjoining States and approval of the other cochairman of the Commission.

My whole State would benefit whatever highway was selected, for it would leave more State and Federal funds for other highways.

Mr. Chairman, this is a good bill and should be passed.

A LESSON WE NEED TO LEARN

It will be well, I think, particularly in view of present conditions to repeat a happening of many years ago. At the time, I happened to handle the appropriation for the National Production Authority. As I walked over to the office after a meeting, the head of that agency said to me, "Jamie, if I were the Russians and wanted to wreck the economy of the United States, do you know what I would do?"

I said, "No."

He said, "I would bring about 5 years of peace."

Think of it. If he wanted to wreck the economy of the United States, he would declare 5 years of peace. With all of us praying for peace even as we are today, such a thought was terrible.

I said, "Joe, what do you mean?"

He said, "I mean this. If we were to have all the young men in service coming back out of jobs; if we were to cancel all the war contracts and have the folks in those plants out of work; if we were to stop the movement of the excess production of the American farmer, we would wreck the economy of this country."

If you think about it, such a situation was fearsome to contemplate.

For I realized at that time, and this was quite a number of years ago, we had enjoyed many years of the greatest prosperity we had ever known in this country—more cars, more radios, television sets, more of the things we love, more of the luxuries of life, than any nation in history. Yet, I thought, surely it does not take a war or preparation for war to have these things.

I thought the matter through—then it dawned on me that it was not war or preparation for war which created or made possible this material prosperity, but the extra effort we made as a people because of the war, which brought such prosperity.

In war we spend the money to buy shells and airplanes, gasoline to burn in the airplanes we destroy—we spend the money in things that are destroyed. We dig up our minerals, destroy our timber, and end a poorer country because we have used up so much of our resources.

If we were just wise enough to put that same effort to use to improve our own country; if we were wise enough to harness our streams and reforest our lands, stop erosion, build schools, and improve our country, we would have a much richer country. We would have a finer country. We would then be doing what we are doing for nearly every other country in the world.

If we leave our children a rich country, rich in the natural resources, rich in the things that provide our high standards of living, then we truly will have left them a fine heritage.

Mr. BROTZMAN. Mr. Chairman, I am pleased to support the efforts of the House Appropriations Committee in bringing H.R. 15586, the Public Works and Atomic Energy Commission Appropriations for fiscal year 1973, to the floor of the House at this time.

I am particularly pleased because this bill provides nearly $14 million for public works projects in the Second Congressional District of Colorado. This figure is sufficient to keep all three of my district's flood control projects on schedule, and thus, is a major additional step in securing positive flood control for the entire Denver metropolitan area.

Of the $14 million total, Chatfield Dam and Reservoir, at the confluence of the South Platte River and Plum Creek, will receive $11 million. This amount will enable the Corps of Engineers to maintain their timetable which calls for closure of the dam in the summer of 1973. It brings the obligations to date on the project to $61,399,000.

Eventually the dam and reservoir is expected to cost a total of $86.4 million. The $25 million remaining to be funded is anticipated to be spent on work which can be accomplished after the dam is closed.

Another $2,500,000 is made available primarily for the acquisition of land near Morrison, Colo., for the construction of the Mount Carbon Dam and Reservoir site on Bear Creek. This project, still in its initial stages, is estimated by the Corps of Engineers to reach a total cost of $53 million. This bill brings the appropriations to date to $4,324,000.

The bill also anticipates the completion of preconstruction planning in the Boulder Creek flood control project by providing $80,000 toward this goal.

Finally, included in this bill is the funding for the Front Range feasibility study by the Bureau of Reclamation. H.R. 15586 adds $100,000 for fiscal year 1973. This brings to $420,134 the appropriations to date on a study of ways to better utilize the water resources of northern Colorado. The project is scheduled for completion by fiscal 1975, at a total cost of $736,000. It is hoped that this project will show ways to add more than 100,000 acre-feet of water to the annual supplies of such communities as Boulder, Longmont, Broomfield, Louisville, Fort Collins, Greeley, Loveland, and Estes Park.

Again, Mr. Chairman, I would like to commend the members of the Appropriations Committee for their efforts, and I urge my colleagues in the House to vote for the passage of this bill.

Mr. JONES of Alabama. Mr. Chairman, I want to commend the gentleman from Tennessee (Mr. EVINS) and the members of his subcommittee for their careful deliberations which have produced H.R. 15586, making the appropriations for public works and related building activities for the people of this country.

Because of the great needs within the 50 States, the subcommittee's task of allocating limited resources has been difficult. They have brought to the House a tight proposal of the most essential requirements. Every program in the legislation could be increased to the total profit of the Nation.

This is the capital investment we are making in the building of the United States. Every cent invested is repaid many times over in benefits which are enjoyed by all the citizens.

The bill appropriates the essential funds for development of rivers and harbors, for protection of life and property through flood control, for improvement of navigation, to advance economic development, to aid in the restoration and protection of the environment, and to provide electric power. Basically this enhances the ability of the people to improve their standard of living.

The legislation's increased attention to the requirements for electric power and development of the Appalachia region are particularly commendable.

These investments, and the others provided for in the appropriations, create the foundations on which our Nation's future prosperity will be realized. The programs and projects serve the true public interest, and this legislation merits our full endorsement.

Mr. THOMPSON of New Jersey. Mr. Chairman, I am certain I speak the mind of the House when I say that we all share a sense of shock and dismay at the human suffering and property loss wrought these past few days by Hurricane Agnes. More than 100 persons are dead; dozens of our cities and towns are in ruins; and thousands of acres of countryside have been laid waste in Virginia, Maryland, Pennsylvania, and New York. It is, of course, imperative that all appropriate Federal and State agencies rush assistance to the stricken areas so that those in need may be fed and housed and that essential services be restored as promptly as possible.

To those of us who represent constituencies in the Delaware Valley, it would appear that fate has taken an ironic turn in having the House work its will today on the public works appropriation bill. For while thousands of our fellow citizens are cleansing their homes and places of business from the mud and debris left by Agnes, we are asked to approve funds for a flood control project spawned by a similar disaster 17 years ago. I speak of the $14.8 million recommended by the committee for the Tocks Island Dam and Reservoir, a project which emerged from the death and destruction of Hurricane Diane in August 1955. In the event that time has dimmed the extent of that disaster in some minds, let us review that litany of horror: One hundred dead in the Delaware River and her tributaries; more than $100 million property loss. In that area of the River Valley from Easton, Pa., to the Camden County line, 9,223 acres were flooded; 2,063 residences destroyed or badly damaged; 330 commercial properties ruined; and 29 indus-

trial properties devastated. In my home county of Mercer the damage was $4.7 million. In Warren County the toll was $5.7 million; in Bucks County it was $9.7 million. But as grim as these figures are, we of the Delaware Valley ought to be on our knees today giving thanks. In 1955 Hurricane Diane deposited 6 to 7 inches of rain in the basin. Last week, Agnes drowned the Susquehana Basin in 10 to 12 inches. In short, but for the vagaries of nature, those who inhabit the area drained by the Delaware would have suffered a catastrophe that would have made the flood of 1955 seem an act of mercy.

It does not please me to dwell upon disaster, but Agnes leaves us no choice. We all live with the certain knowledge that the Eastern States are prone to invasion by hurricanes and storms of tropical origin. The forces that bred Agnes are fully capable of breeding Bertha, Chloe, Denise, and an unknowable series of equally deadly storms. I feel very strongly that the $14.8 million recommended for fiscal year 1973 for the Tocks Island project should be approved. But more needs to be said. The committee has directed that none of these moneys be spent for construction of the Tocks Island Dam pending satisfactory resolution of certain environmental questions raised by the President's Council on Environmental Quality. Instead, the Corps of Engineers is directed to employ the entire appropriation plus some $1.6 million in carryover funds for an accelerated program of land acquisition to complete purchase of the reservoir site.

What needs to be said—and the fact cannot be overemphasized—is that the Tocks Island Dam is first and foremost a flood control structure. It is specifically designed to protect the main stem of the Delaware River from flood waters. Ownership of the Tocks Reservoir site is essential to the project. But ownership of the site will not provide flood protection. A start on construction of the Tocks Island Dam has been delayed for some 17 months pending completion of the processes required by the Environmental Protection Act of 1969. The final environmental impact studies required by the law have been pending before the President's Council on Environmental Quality since October 1, 1971. I have today written President Nixon urging that CEQ expedite its consideration of those impact studies. In my judgment it would be unconscionable to countenance any further delay on this project absent clear and compelling reasons.

Mr. PATTEN. Mr. Chairman, I rise in support of the committee bill appropriating the full $14.8 million requested by President Nixon for the Tocks Island multipurpose development on the Delaware River between New Jersey and Pennsylvania.

This project is of urgent importance to the great State of New Jersey, and to the sustained water supply, water recreation, and electric power needs of its 15th District which I have the honor to represent.

As explained by a former Member of this body, speaking in 1965, the present Governor of New Jersey, the Honorable William Cahill:

The importance of the prospective Tocks Island Dam and Reservoir cannot be overestimated. The dam will provide the only reservoir project in the Delaware River Basin large enough to simultaneously meet the rapidly expanding water requirements of the Metropolitan Philadelphia region and the other metropolitan regions in north and central New Jersey.

Following the construction of the dam, if and when the Delaware River should again reach flood stage, the prospective Tocks Island Reservoir will afford substantial flood protection to the communities along the river as far south as Burlington, N.J. In addition, this enormous reservoir will permit the development of hydroelectric power (*Cong. Rec.* of July 12, 1965, at 16366).

Mr. Chairman, there is no further need for me to explain or demonstrate the need for the Tocks Island project; the Delaware River has done that far more effectively than I or Governor Cahill could do. Tocks Island project is the outgrowth the disastrous Delaware River floods of the 1950's; its water supply function is the answer to a repetition of the disastrous Delaware River Basin droughts of the 1960's.

In this latter connection, let me remind the Members of this body of the testimony of former Interior Department Secretary Stewart Udall, as to the importance of Tocks Island project to the growing human water supply requirements of the area in and around the Delaware River Basin. In his testimony during the Senate Interior Committee investigation of that drought disaster—Senate Interior and Insular Affairs Committee Hearings on Northeast Water Crisis, September 1965—Secretary Udall emphasized:

(1) that the Delaware River Basin suffered more than all other regions affected by the drought: "Tocks Island Dam . . . is an opportunity for this very region that is suffering most now to permanently solve its problems" (p. 33), and

(2) that "if we had the Tocks Island Dam in today, just this one dam on the mainstem . . ., you would have no problem because you would have the storage. Northern New Jersey would have no problem because you would have an adequate, assured, long-term supply." (p. 44.)

To summarize, Mr. Chairman, in 1962 the necessity of the Tocks Island project's water supply and related purposes was fully established by its authorization studies, in which the State of New Jersey fully participated and concurred. From 1962 to 1967, Tocks Island's indispensability to New Jersey's supply security was made self-evident by the disastrous Delaware Basin drought. In 1969 New Jersey's need for Tocks Island was again affirmed by the studies of the New Jersey Department of Conservation and Economic Development, as set forth in its publication numbered Water Resources Circular 21. And most recently, in 1972, we are informed that all Corps of Engineers additional studies, mandated the Northeast Water Supply Act of 1965, of ways of meeting this region's growing water supply requirements strongly affirm the need for the Tocks Island project for New Jersey. This is explained in detail in the following letter of June 12, 1972, by Major General Groves to our colleague, the Honorable FRANK THOMPSON:

JUNE 12, 1972.

Hon. FRANK THOMPSON, JR.,
House of Representatives,
Washington, D.C.

DEAR MR. THOMPSON: I am replying to your recent letter in which you requested information on the relationship between the Tocks Island project and the Northeastern United States Water Supply (NEWS) Study.

The NEWS has been carried through the technical feasibility phase for Northern New Jersey, Southeastern New York and Southwestern Connecticut Metropolitan area and a draft has been prepared of a preliminary study of regional water supply for the Philadelphia-Trenton-Wilmington Metropolitan area. Based on our work to date, certain preliminary findings have been made.

For the Northern New Jersey-Southern New York-Southwestern Connecticut Area the availability of 300 million gallons of water per day (mgd) from the Tocks Island Project is an essential element in 6 of the 7 alternative programs we have considered. The seventh alternative also relies upon the Delaware, through floodskimming. We do not believe that floodskimming is likely to be approved by the Delaware River Basin Commission or the Supreme Court, since it does not provide an assured downstream flow. Such an assured flow could come duly from Tocks Island or from another large Delaware reservoir.

Among the projects analyzed in the feasibility phase of the NEWS Study, there are possible combinations that do not require the use of Tocks Island to satisfy the NJ–NY-Conn. Metropolitan Area. Each of these combinations would require drawing on the Hudson for additional water beyond the amounts already contemplated in programs that include Tocks Island. This added increment of 300 mgd from the Hudson would require more upstate New York reservoirs than the non-Adirondack reservoirs which are now contemplated. Such an alternative might include a site similar to Cooley No. 1 on the Hudson just north of Indian Lake. Yet, the New York legislature passed and the Governor signed a bill (S. 2703 and A. 4944) prohibiting the construction of a reservoir in that area. There are strong political and environmental objections to such a reservoir. It would seem that a large reservoir in that area would have larger environmental costs and fewer benefits than the Tocks Island Project.

In the Philadelphia-Trenton-Wilmington Area, our work to date indicates that no reasonable substitute exists for Tocks Island. Although we have not yet analyzed every conceivable alternative, we have analyzed the most likely ones and have found that all of them have severe economical, political or environmental problems. Groundwater available for transfer from South-Central New Jersey, for instance, is limited and would deprive that area of its only major developable water resources. Such transfer is likely to have severe environmental impacts on the Pine Barrens and coastal bays of the area. Any reduction in the transfer of Delaware water to New York, calculated to make more water available for the Philadelphia metropolitan area, would meet with strong opposition elsewhere and would necessitate developments likely to have severe negative environmental impacts. Using Susquehanna water would require costly reservoirs and costly transmission and would create new environmental problems on the Susquehanna and, more important, in the Chesapeake Bay.

Recirculation of waste water appears not to be ready for employment in a large metropolitan area at this time because of as yet unanswered public health questions. While

there will undoubtedly be some recirculation in the more distant future, it is likely to be a costly and controversial procedure.

Desalting requires not only very large capital investments and high operating costs, but it is linked to the problems of nuclear power plant siting, hot brins disposal and long distance piping.

In summary, there appears to be no viable alternative to Tocks Island if we are to meet the foreseeable water supply needs of this region, the needs toward which the Congress has directed our attention.

Sincerely yours,

R. H. GROVES,
Major General, U.S. Army, Division Engineer.

Mr. Chairman, I commend President Nixon, the members of the full committee, and the membership of this body for the appropriation necessary to move forward the Tocks Island multipurpose project—shown by a long line of independent studies by our most competent Federal and State experts to be so indispensable to meet the foreseeable water supply and related needs of this region.

Mr. FRENZEL. Mr. Chairman, during the debate of June 7, 1972, concerning the authorization for this AEC appropriation, I inquired of the gentleman from California (Mr. HOSMER) whether it was unwise to continue with the construction of the LMFBR demonstration plant before the testing of its components had been conducted at the fast flux facility—FFTF—in Richland, Wash., which will not be completed until June or July of 1974. Mr. Hosmer replied:

The (FFTF) largely has to do with the neutronic testing of the fuel elements of the breeder reactor. The economics of the reactor are primarily involved rather than any of the safety elements of the reactor, and as a consequence, we can go ahead with the demonstration program without having to have this facility in operation. The facility will make its largest contribution in the area of improvement of the economic and neutronics of the system.

But, according to the AEC Analysis published for January–December 1970, page 156:

The Fast Flux Facility is the key project for most of the presently planned technical work in the LMFBR program.

According to the environmental statement of the FFTF issued in May of 1972 by the AEC, on page 1:

It will provide for testing purposes a fast neutron flux irradiation environment similar to that of an LMFBR.

This report, on pages 6 and 7, further states that—

The use of existing fast flux reactors in this country for fast reactor fuels and materials irradiation testing and other programmatic needs was evaluated, and it was determined by the AEC that existing facilities would inadequately meet the objectives of the LMFBR program. The experimental Breeder Reactor No. II (EBR–II), a priority project in the LMFBR program, while providing fast flux irradiation test space for the FFTF and the first demonstration plant cores, must be measurably augmented by other facilities such as the FFTF, to provide for fast flux testing requirements of future LMFBRs. The EBR–II does not have fully prototypic LMFBR environmental conditions, instrumented closed-loop space for controlled environment testing and a sufficiently high fast flux. Use of the Fermi Reactor, the Southwest Experimental Fast Oxide Reactor (SEFOR) and other reactors for irradiation testing has been considered, but inherent features in these reactors are even more restrictive than EBR–II in meeting LMFBR irradiation program needs beyond the FFTF and the first demonstration plant cores. In particular, the existing thermal neutron spectrum, water-cooled test reactors cannot provide the required environment for fast flux irradiation testing. Extensive reviews by AEC and the nuclear industry have resulted in the conclusion that only the construction of the FFTF, specifically designed for testing purposes, can meet the fuels and materials fast flux irradiation needs of the LMFBR program.

In the AEC authorization hearings of fiscal year 1970, as published in part II of April 24, 1969, on page 1159, Dr. Milton Shaw of the AEC mentioned that the FFTF's functions were to test and determine certain factors in the fuel processing, fuel rods and structural components.

In the Record of Hearings before the JCAE on the AEC authorization for fiscal year 1967, on pages 739, 740, and 741, Mr. Shaw, testifying for the AEC, said that—

We prefer to wait until we have more detail information in all the technical areas of the liquid metal program before committing ourselves to the first demonstration plans. We are not in a technical position to evaluate the risks in proceeding with such a large plant commitment. We will be in time.

In light of this information, I again ask whether good sense does not dictate a slowdown of further development of the LMFBR demonstration project until the "urgently needed" testing which we funded in 1967 has been completed.

Mr. RANDALL. Mr. Chairman, I rise in support of H.R. 15586, the appropriation bill for public works for water and power development for fiscal year 1973.

I take this time not simply to urge passage of the bill but to consider what result the passage of this bill today may have upon some litigation pending against one of the line items. I had hoped that it might be possible to engage in a colloquy with the floor manager of this measure, the gentleman from Tennessee (Mr. EVINS) about an item for general construction known as the Harry S. Truman Dam and Reservoir, formerly known as the Kaysinger project, in the amount of $19,500,000 as the approved budget estimate for fiscal year 1973.

Unfortunately, because of a series of urgent commitments off the floor, I was denied that privilege but this is to certify that I have discussed with the gentleman from Tennessee the contents of the remarks I am making herewith and that these remarks as they refer to him have his approval.

Earlier this year, in the U.S. District Court of the Western District of Missouri, the Environmental Defense Fund of East Setauket, N.Y., sued the Secretary of the Army, Robert F. Froelke and Gen. Frederick B. Clarke, Chief of Engineers, Corps of Engineers, in a civil suit for injunction and declaratory judgment seeking to halt construction of the Truman Dam and Reservoir in west central Missouri.

While I was not present in court during any of the days of that trial, from press reports and heresay conversations with some of those who were present, I learn several days were devoted to hearing plaintiff's witnesses about the extent of damage to paddle fish in the area, and other environmental impacts. It was my understanding that when the trial was halted, the court took the position that notwithstanding the existence of some measure of damage, that if and when an environmental impact statement has been prepared and filed by the Corps of Engineers, then at that point under the doctrine of separation of powers in our Government, the ultimate decision to proceed will rest with the Congress.

For one who is not privy to the exact comments of the court, I am sure he did not intend that the Congress would single out this one project and make some kind of direct or express announcement that, disregarding the lawsuit and disregarding the possible environmental impact, the project should proceed. Of course it was never intended that Congress should legislate in such a manner.

Rather, by our action today in approving this appropriation bill, there is presented the strong implication that Congress intends to proceed with this project. The only missing link in the syllogism is whether or not when it acted, Congress had knowledge of the pending litigation intended to halt construction.

The purpose of my comments at this time is an effort to take the place of the legislative history that I had hoped to establish by a colloquy with the floor manager of this bill but which I have said heretofore has been discussed with him and bears his approval.

The facts are that when the organization known as Mo-Ark, consisting of a group of interested businessmen, came to Washington to testify in favor of the Public Works bill, they appeared before the Public Works Subcommittee of the House Appropriations Committee, meeting in the Small Business Committee rooms in the Rayburn Building. On that particular afternoon, witness after witness mentioned the lawsuit filed by the Environmental Defense Fund against the Secretary of the Army and the Chief of the Corps of Engineers, and urged again and again that the mere filing of this lawsuit after over $60,000,000 had already been spent and another $35,000,000 obligated should not influence the Appropriations Committee to withhold funds for fiscal year 1973.

I was in the committee rooms at that time, and I can assure one and all that the chairman of the subcommittee, the gentleman from Tennessee (Mr. EVINS) commented that simply because this lawsuit had been filed it would not influence the deliberations of his subcommittee but that further appropriations would be made with only two factors considered: First, the size of the budget estimates; and second, the capability of the Corps of Engineers to proceed with the work.

While I must once again rely on heresay information, it is my understanding that the court granted to the Corps of Engineers until March of 1973 to file its environmental impact statement so the Congress could have the benefit of this statement prior to deliberation on appropriations for fiscal year 1974.

Based upon press reports and heresay, the decision has not yet been reached as to whether or not the project should be halted until the completion of the environmental impact statement in March of 1973. If my information is correct the court ruled that once the impact statement has been filed, then the ultimate decision upon whether the project is a good one or a bad one, and whether or not construction should continue is up to Congress.

Mr. Chairman, the passage of H.R. 15586 which contained a line item appropriation of $19,500,000 for the Truman project, formerly known as the Kaysinger project, should be a strong indication of the intention of one body of the Congress. In other words, the House of Representatives today spoke out loudly and clearly—the Truman Dam and Reservoir is a good project and should go forward without delay. Hopefully, the other body of the Congress, on the north side of the Capitol, will promptly concur in our action today to make crystal clear the intention of the Congress as to the Truman project.

Mr. EVINS of Tennessee. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with the recommendation that the bill do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. ASPINALL, 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. 15586) making appropriations for public works for water and power development, including the Corps of Engineers—Civil, the Bureau of Reclamation, the Bonneville Power Administration and other power agencies of the Department of the Interior, the Appalachian regional development programs, the Federal Power Commission, the Tennessee Valley Authority, the Atomic Energy Commission, and related independent agencies and commissions for the fiscal year ending June 30, 1973, and for other purposes, had directed him to report the bill back to the House with the recommendation that the bill do pass.

Mr. EVINS of Tennessee. Mr. Speaker, I move the previous question on the bill to final passage.

The previous question was ordered.

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

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

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

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

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

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 346, nays 17, not voting 69, as follows:

[Roll No. 229]

YEAS—346

Abbitt	Flynt	Mallary
Adams	Foley	Mann
Addabbo	Ford, William D.	Martin
Anderson, Ill.	Forsythe	Mathias, Calif.
Andrews, Ala.	Fountain	Mathis, Ga.
Andrews, N. Dak.	Fraser	Matsunaga
Annunzio	Frelinghuysen	Mayne
Archer	Frenzel	Mazzoli
Ashley	Fuqua	Melcher
Aspinall	Galifianakis	Michel
Badillo	Garmatz	Mikva
Baring	Gaydos	Miller, Ohio
Barrett	Gettys	Mills, Md.
Begich	Giaimo	Minish
Belcher	Gibbons	Minshall
Bennett	Goldwater	Mitchell
Bergland	Gonzalez	Mizell
Betts	Goodling	Monagan
Bevill	Grasso	Montgomery
Biaggi	Gray	Moorhead
Biester	Green, Oreg.	Morgan
Bingham	Green, Pa.	Moss
Blackburn	Gross	Murphy, Ill.
Blatnik	Grover	Murphy, N.Y.
Boland	Gubser	Myers
Bow	Gude	Natcher
Brademas	Haley	Nedzi
Brasco	Halpern	Nelsen
Bray	Hamilton	Nichols
Brinkley	Hammer-schmidt	Nix
Brooks	Hanley	O'Hara
Brotzman	Hanna	O'Konski
Brown, Mich.	Hansen, Idaho	O'Neill
Brown, Ohio	Hansen, Wash.	Passman
Broyhill, N.C.	Harrington	Patman
Broyhill, Va.	Harsha	Patten
Buchanan	Harvey	Pelly
Burke, Mass.	Hathaway	Pettis
Burleson, Tex.	Hays	Peyser
Burlison, Mo.	Hébert	Pickle
Burton	Heckler, Mass.	Pike
Byrne, Pa.	Heinz	Pirnie
Byrnes, Wis.	Helstoski	Poage
Byron	Henderson	Podell
Cabell	Hicks, Mass.	Poff
Camp	Hicks, Wash.	Preyer, N.C.
Carey, N.Y.	Hillis	Price, Ill.
Carlson	Hogan	Price, Tex.
Carter	Horton	Pucinski
Casey, Tex.	Hosmer	Purcell
Cederberg	Howard	Quie
Celler	Hull	Quillen
Chamberlain	Hungate	Randall
Chappell	Hunt	Rangel
Clancy	Hutchinson	Rees
Clausen, Don H.	Ichord	Reid
Clawson, Del	Jacobs	Rhodes
Cleveland	Jarman	Riegle
Collier	Johnson, Calif.	Roberts
Collins, Ill.	Johnson, Pa.	Robinson, Va.
Colmer	Jonas	Robison, N.Y.
Conover	Jones, Ala.	Rodino
Conte	Jones, N.C.	Roe
Corman	Jones, Tenn.	Rogers
Crane	Karth	Roncalio
Culver	Kazen	Rooney, N.Y.
Curlin	Keating	Rooney, Pa.
Daniel, Va.	Keith	Rostenkowski
Daniels, N.J.	Kemp	Roush
Danielson	Kluczynski	Rousselot
Davis, Wis.	Kyl	Roy
de la Garza	Kyros	Roybal
Delaney	Landgrebe	Ruppe
Dellenback	Landrum	Ruth
Denholm	Latta	St Germain
Derwinski	Leggett	Sandman
Devine	Lennon	Sarbanes
Dingell	Lent	Satterfield
Dorn	Link	Saylor
Dow	Lloyd	Scherle
Downing	Long, Md.	Schmitz
Drinan	Lujan	Schneebeli
Dulski	McClory	Scott
Duncan	McCloskey	Sebelius
du Pont	McClure	Seiberling
Dwyer	McCollister	Shipley
Eckhardt	McCormack	Shoup
Edmondson	McCulloch	Shriver
Edwards, Ala.	McDade	Sikes
Edwards, Calif.	McEwen	Sisk
Eilberg	McFall	Skubitz
Eshleman	McKay	Slack
Evans, Colo.	McKevitt	Smith, Calif.
Evins, Tenn.	Macdonald, Mass.	Smith, Iowa
Fascell	Madden	Smith, N.Y.
Findley	Mahon	Snyder
Fisher	Mailliard	Spence
Flowers		Springer
		Staggers
Stanton, J. William	Thone	Wilson, Bob
Stanton, James V.	Tiernan	Wilson, Charles H.
Steed	Udall	Winn
Steele	Ullman	Wolff
Steiger, Ariz.	Van Deerlin	Wright
Stephens	Vander Jagt	Wyatt
Stratton	Veysey	Wydler
Stubblefield	Vigorito	Wylie
Sullivan	Waggonner	Wyman
Symington	Waldie	Yates
Talcott	Wampler	Yatron
Taylor	Ware	Young, Fla.
Teague, Calif.	Whalley	Young, Tex.
Terry	White	Zablocki
Thompson, Ga.	Whitehurst	Zion
Thompson, N.J.	Whitten	Zwach
Thomson, Wis.	Widnall	
	Wiggins	
	Williams	

NAYS—17

Aspin	Hechler, W. Va.	Rosenthal
Clay	Kastenmeier	Ryan
Collins, Tex.	Koch	Steiger, Wis.
Conable	Obey	Vanik
Conyers	Powell	Whalen
Dellums	Reuss	

NOT VOTING—69

Abernethy	Davis, S.C.	Kuykendall
Abourezk	Dennis	Long, La.
Abzug	Dent	McDonald, Mich.
Alexander	Dickinson	McKinney
Anderson, Calif.	Diggs	McMillan
Anderson, Tenn.	Donohue	Meeds
Arends	Dowdy	Metcalfe
Ashbrook	Erlenborn	Miller, Calif.
Baker	Esch	Mills, Ark.
Bell	Fish	Mink
Blanton	Flood	Mollohan
Boggs	Ford, Gerald R.	Mosher
Bolling	Frey	Pepper
Broomfield	Fulton	Pryor, Ark.
Burke, Fla.	Gallagher	Railsback
Caffery	Griffin	Rarick
Carney	Griffiths	Runnels
Chisholm	Hagan	Scheuer
Clark	Hall	Schwengel
Cotter	Hastings	Stokes
Coughlin	Hawkins	Stuckey
Davis, Ga.	Holifield	Teague, Tex.
	Kee	
	King	

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Teague of Texas for, with Mrs. Abzug against.

Until further notice:

Mr. Mills of Arkansas with Mr. Hall.
Mr. Boggs with Mr. Gerald R. Ford.
Mr. Dent with Mr. Arends.
Mr. Cotter with Mr. Broomfield.
Mr. Holifield with Mr. Coughlin.
Mr. Meeds with Mr. Railsback.
Mr. Fulton with Mr. Kuykendall.
Mr. Donohue with Mr. King.
Mr. Pepper with Mr. Hastings.
Mr. Blanton with Mr. Mosher.
Mr. Stuckey with Mr. Ashbrook.
Mr. Stokes with Mr. Esch.
Mr. Anderson of California with Mr. Bell.
Mr. Abourezk with Mr. Metcalfe.
Mr. Hawkins with Mrs. Griffiths.
Mr. Carney with Mr. Schwengel.
Mr. Diggs with Mr. Dowdy.
Mrs. Chisholm with Mr. Gallagher.
Mr. Abernethy with Mr. Dennis.
Mr. Anderson of Tennessee with Mr. Baker.
Mr. Davis of South Carolina with Mr. Burke of Florida.
Mr. Davis of Georgia with Mr. Frey.
Mr. Flood with Mr. McKinney.
Mr. Alexander with Mr. Dickinson.
Mr. Rarick with Mr. Pryor of Arkansas.
Mrs. Mink with Mr. Erlenborn.
Mr. Scheuer with Mr. Fish.
Mr. Miller of California with Mr. McDonald of Michigan.
Mr. Kee with Mr. McMillan.
Mr. Caffery with Mr. Griffin.
Mr. Runnels with Mr. Mollohan
Mr. Mathis of Georgia with Mr. Hagan.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

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

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

There was no objection.

REQUEST FOR PERMISSION TO EXTEND REMARKS

Mr. MCFALL. Mr. Speaker, I ask unanimous consent that the gentleman from Wyoming (Mr. RONCALIO) may be permitted to have his remarks appear in the RECORD immediately following those of the gentleman from Washington (Mr. MCCORMACK) on H.R. 15586, just completed.

The SPEAKER. The only way the gentleman can do that is do it himself in the Extensions of Remarks, or he can get it in the body of the RECORD under a special order.

PERSONAL EXPLANATION

Mr. PICKLE. Mr. Speaker, today on rollcalls Nos. 227 and 228 I was not recorded. The reason for my absence was that I was in Bethesda Hospital filling an appointment that had been made for that time.

I ask that the RECORD reflect the reason for my absence.

MILITARY PROCUREMENT AUTHORIZATION, 1973

Mr. COLMER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1025 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 1025

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. 15495) to authorize appropriations during the fiscal year 1973 for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, torpedoes, and other weapons, and research, development, test, and evaluation for the Armed Forces, and to authorize construction at certain installations in connection with the Safeguard antiballistic missile system, and to prescribe the authorized personnel strength for each active duty component and of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes, and all points of order against section 601(b) of said bill for failure to comply with the provisions of clause 4, rule XXI are hereby waived. After general debate, which shall be confined to the bill and shall continue not to exceed four hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Armed Services, the bill shall be read for amendment under the five-minute rule by titles instead of by sections. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. COLMER. Mr. Speaker, I yield the customary 30 minutes to the able gentleman from California (Mr. SMITH) and pending the utilization of that time, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 1025 provides an open rule with 4 hours of general debate for consideration of H.R. 15495, the military procurement authorization bill. The bill shall be read for amendment by titles instead of by sections and points of order are waived against section 601(b) for failure to comply with the provisions of clause 14 of rule XXI. Section 601(b) provides a retroactive increase of $200 million in the prescribed statutory ceiling for the support of free world forces in Southeast Asia contained in the Armed Forces Appropriations Act for fiscal year 1972 and constitutes an appropriation in a legislative bill. That is the reason for the waiver.

The purpose of H.R. 15495 is to authorize appropriations for fiscal year 1973 for military procurement, research, development, test and evaluation for the Armed Forces, to authorize construction in connection with the Safeguard antiballistic missile system, and to prescribe authorized personnel strength for the active duty components as well as the Reserve units.

The total authorization for fiscal year 1973 is $21,318,788,250.

The authorization for procurement is $12,940,900,000. For aircraft, $134.5 million are authorized for the Army, $3,101,600,000 for the Navy and Marine Corps, $2,508,600,000 for the Air Force.

For missiles, $888,400,000 are authorized for the Army, $769,600,000 for the Navy, $22.1 million for the Marine Corps, $1,772,300,000 for the Air Force.

For naval vessels, $3,201,300,000 are authorized.

For tracked combat vehicles, $189.1 are authorized for the Army, $62.2 million for the Marine Corps.

$194.2 million are for the Navy for torpedoes and related equipment.

For other weapons, $70.4 million are authorized for the Army, $25.7 million for the Navy, $900,000 for the Marine Corps.

The total authorization for research, development, test, and evaluation is $8,371,888,250. Of this amount, $1,997,332,200 are for the Army, of which a maximum of $174,658,000 is for military sciences budget activity; $2,661,533,250 is for the Navy and Marine Corps, of which a maximum of $131,022,400 is for military sciences budget activity; $3,168,940,150 are for the Air Force, of which a maximum of $124,338,000 are for military sciences budget activity; $494,082,650 are for the Defense agencies.

In addition, $50 million are for the Department of Defense for use as an emergency fund for research, development, test, evaluation, or procurement, or production related thereto.

Except when the President determines that our national security would be in jeopardy, maximum active duty personnel are authorized at 841,190 for the Army, 601,672 for the Navy, 197,965 for the Marine Corps, and 717,210 for the Air Force.

The Reserves shall have a minimum average strength of 402,333 for the Army National Guard, 261,300 for the Army, 129,000 for the Navy, 45,016 for the Marine Corps, 87,614 for the Air National Guard, 51,296 for the Air Force, and 11,800 for the Coast Guard.

Military construction is authorized in the amount of $6 million for family housing $218 units at the Grand Forks Safeguard site in North Dakota.

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

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

Mr. Speaker, House Resolution 1025 provides for 4 hours of debate under an open rule for the consideration of H.R. 15495, the military procurement authorization bill.

Points of order are waived in the rule, Mr. Speaker, against section 601 (b) of the bill for failure to comply with the provisions of clause 4, rule XXI. The reason for this simply is that there is a retroactive increase of some $200 million in this authorization bill in the nature of an appropriation, which is brought about by the occasion of the support of free world forces of Southeast Asia. It would be subject to a point of order.

Accordingly, we decided this should be presented so that we could have this additional $200 million to carry on the activities in Southeast Asia, which recently have been extended to some extent.

The primary purpose of H.R. 15495 is to authorize appropriations during fiscal year 1973 for the procurement of aircraft, missiles, naval vessels, tracked combat vehicles, torpedoes and other weapons. In addition, the bill includes funds for research and development, and the Safeguard anti-ballistic missile system, and prescribes the authorized personnel strength for each of the Armed Forces.

The bill authorizes a total of $21,318,788,250. By way of comparison, the amount requested by the Department of Defense is $22,881,967,000. The amount actually appropriated for these same purposes in 1972 was $20,461,802,000.

This bill provides $12,940,900,000 for procurement of weapons, $8,371,888,250 for research and development, and $6,000,000 for family housing construction related to the Safeguard ABM site at Grand Forks, N. Dak. The bill continues the authority for merging military assistance for South Vietnam, other free world forces in support of South Vietnam, and local forces in Laos, with the funding of the Department of Defense, subject to dollar limitations and other restrictions.

This bill authorizes a maximum active duty strength for each component of the Armed Forces as follows: Army, 841,-

190; Navy, 601,672; Marine Corps, 197,-965; and Air Force, 717,210.

The funds authorized in this bill are only a part of the approximately $83,-400,000,000 in new obligational authority requested by the President for the Department of Defense in fiscal year 1973. Appropriations for personnel, operation and maintenance and a part of procurement are made on the basis of continuing authorizations. Military construction is authorized in separate legislation.

Mr. Speaker, I urge adoption of the rule.

Mr. COLMER. 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. HÉBERT. 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. 15495) to authorize appropriations during the fiscal year 1973 for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, torpedoes, and other weapons, and research, development, test, and evaluation for the Armed Forces, and to authorize construction at certain installations in connection with the Safeguard antiballistic missile system, and to prescribe the authorized personnel strength for each active duty component and of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes.

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

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. 15495, with Mr. ROSTENKOWSKI 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 Louisiana (Mr. HÉBERT) will be recognized for 2 hours, and the gentleman from Indiana (Mr. BRAY) will be recognized for 2 hours.

The Chair recognizes the gentleman from Louisiana.

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

Mr. Chairman, the hour is late and I recognize the fact that we may infringing on the time of many Members. Therefore, I will do my best to expedite the handling of the general debate.

The leadership has scheduled a very heavy schedule during the rest of this week in order that the House may recess on time by the end of the week. I make this statement now so that everyone can be guided by what the circumstances are. I intend to finish the general debate this evening and we will read the bill for amendment and then ask that the Committee rise. There will be no vote taken today. The Committee will rise under the rule, and tomorrow we will begin the 5-minute rule, at which time the bill will be open by title for amendment under the rule, and we will continue from then on until we complete the bill.

Mr. Chairman, I bring to the floor today at the direction of the Committee on Armed Services one of the most important pieces of legislation that will be considered by the Congress.

This bill authorizes the procurement of major weapons systems, of all research and development, and sets the strength ceilings for both the active duty and Reserve components of our Armed Forces for the coming year.

The bill authorizes appropriations totaling $21.3 billion. This includes $12.9 billion for the procurement of aircraft, missiles, ships, combat vehicles, torpedoes, and other weapons; $8.3 billion for research, development, test, and evaluation; and $6 million for family housing at the Safeguard site at Grand Forks, N. Dak.

I will explain the salient features of the bill as briefly as possible. I ask that I be allowed to complete my explanation uninterrupted. Following that I will be prepared to answer questions that Members of the House may have.

Last year, when I brought the authorization bill to the floor for the first time as chairman of the Armed Services Committee, I told you I would make no move to cut off debate and that I was prepared to stay on the floor as long as necessary for the House to work its will on the legislation. I make this same pledge to you today.

COMMITTEE REDUCTIONS

The bill as presented to you today is $1,563,000,000 below the amount requested by the Department of Defense. This is the largest reduction made in such a bill by our committee since the authorization process began 12 years ago.

Of this reduction, $582,000,000 is a net reduction related to changes in the ABM because of the SALT treaties. This reduction was concurred in by the Department of Defense.

Other major reductions were made in the AWACS program of the Air Force, in total R. & D. spending authorization, and in the Navy's DD–963 destroyer program.

The committee added funds to the bill for additional procurement of three aircraft, the C–130, A–7D, and the F–5B, to assure that production lines are kept open on aircraft for which there will be a continuing requirement.

The total authorized in the bill is approximately two-thirds of a billion dollars less than the Armed Services Committee recommended to the House last year.

For procurement of aircraft, the amount is $787.8 million less than last year; for procurement of missiles it is $192.9 million less than last year; and for naval vessels it is $127.6 million less than last year.

The only area that shows a substantial increase over last year is research and development. Here we recommend $408.6 million above last year. However, it reflects a net reduction of $323.9 million below the amount requested by the Department of Defense.

COMMITTEE REVIEW OF THE LEGISLATION

This legislation comes to the House after the most extensive review in the Armed Services Committee in my memory. The committee and its subcommittees held more than 50 hearings, stretching over 5 months. Our printed hearings, available to all Members, cover 2,921 pages in three volumes. In addition, supplementary hearings were held relative to SALT. Government, industry, labor, and the academic community are represented in our list of those who testified or provided information. It was only after this extensive review that the Committee was able to make the substantial cuts that I have outlined.

It would be impossible for the committee to have achieved what it has achieved on this bill without the cooperation and the hard work of many members of the committee, and I express my appreciation to all of them. But I would particularly like to call attention to the three subcommittee chairmen whose exhaustive hearings have added significantly to the legislation before you today. I refer to the distinguished gentleman from Illinois (Mr. PRICE) chairman of our R. & D. Subcommittee; the distinguished gentleman from Texas (Mr. FISHER) whose subcommittee reviewed the manpower requirements; and the distinguished gentleman from Florida (Mr. BENNETT) chairman of our CVN–70 Subcommittee. Parenthetically, let me say our records show an average of better than 90 percent attendance by members.

At the conclusion of my remarks I am going to yield to Mr. PRICE to explain the R. & D. authorizations; Mr. FISHER to explain the active duty and Reserve force levels; and Mr. BENNETT to talk about both the carrier and other shipbuilding requirements. I hope all of the Members of the House will listen carefully to what they have to say. Each is an expert in his field.

REDUCTIONS RELATING TO SALT

As all Members of the House are aware, the President on his recent trip to Moscow, negotiated a treaty on antiballistic missile systems and an interim agreement on limitation of offensive weapons.

As a result of those agreements, each side is limited to one ABM site surrounding an intercontinental ballistic missile location and one site at the Nation's Capital. In line with the treaty, the President has suspended all work at the Malmstrom, Mont., Safeguard ABM site, which was approximately 5 to 10 percent completed, and all work on the Whiteman, Mo., and Warren Air Force Base, Wyo., sites where ABM deployment was to begin in earnest in the coming year. The President designated, as the one ICBM site to continue, the ABM complex at Grand Forks, N. Dak., which is 90 percent completed and scheduled to be operational in the fall of 1974.

As a result of these actions the committee was able to delete all ABM construction money in the original defense request and was able to cut $265,000,000 from procurement authorizations and $34,000,000 from R.D.T. & E. authorizations. In addition, $6.4 million was reduced from the family housing authorizations for Safeguard locations.

The committee considered military construction relating to Safeguard with the present bill rather than with the military construction authorization bill

because the system is inextricably tied to the decision the Congress makes on the SALT treaties.

The total of ABM reductions in this bill are $692.4 million.

In concurring with these reductions, the Secretary of Defense requested additional amounts in research and development funds for four systems which will be of increasing importance in the strategic climate created by SALT.

The additions, approved by the Committee, were:

The sum of $60 million for development work on Site Defense of Minuteman (SDM), which is the backup system to provide close-in defense of Minuteman augmenting the Safeguard system. The system is still years away from deployment.

The sum of $20 million to accelerate the Navy's deployment of a submarine-launched cruise missile.

The sum of $20 million for additional research and development effort on reentry vehicle technology.

The sum of $10 million for improved military communication, command and control capability.

The total of these additions is $110 million. The net reduction, therefore, as a result of SALT, is $582.4 million.

I have been amazed to read in the papers in recent weeks that SALT is not really saving any money and that the Defense Department is asking new and more costly systems as a result of SALT.

It should be very clearly understood that there is a saving of over a half billion dollars in this bill due to the SALT agreement. The bill would be a half billion dollars more without the SALT treaty. Additional savings will be experienced in future years as a result of the cutback in the Safeguard program.

It should also be clearly understood that these reductions related to SALT are predicated on the idea that Congress will approve the treaties. Make no mistake about it: if the treaties are rejected, there will be a supplemental in very short order from the Department of Defense and consideration by the committee of additional spending to continue the work suspended.

It is also my considered opinion that should Congress reject the treaty there would also in rapid order be a supplemental spending program at the Presidium of the Supreme Soviet in Moscow and the shock waves will send the Soviet budget far above what it was before the negotiations.

STRATEGIC SYSTEMS

Now let me briefly review some of the other strategic weapons systems for which funds are provided in the bill.

B–1

As the Members of the House know, I have been a consistent spokesman for the idea of keeping manned systems in our strategic force. If I had my way, the B–1 would be much further along than it is at present and would be operational long before the earliest date we can now expect—1978.

In this year's bill there is $444.5 million to continue engineering development on the B–1. Let me emphasize that all of the spending for B–1 is still in research and development. There is no decision yet made to go ahead with production. The first flight of the B–1 is planned for April 1974. A production decision will not be made until sometime in 1975. This program, you will be happy to hear, is on schedule and is within cost estimates.

THE ADVANCED AIRBORNE COMMAND POST

Retaining an assured command and control capability is one of the crucial elements of our strategic deterrent. We must put at the command of the President in time of grave national crisis the best system we can devise to assure that he can continue to carry out his responsibilities as Commander in Chief.

To this end there is a national emergency airborne command post which presently uses EC–135 aircraft. Those aircraft have gotten to the limits of their space expansion.

The bill provides $217.6 million for buying six 747 aircraft for use as the airborne command post. These aircraft will provide greater space, greater endurance and the ability to land at a good many more airfields.

I would note that in this instance the committee departed from its traditional insistence on competitive procurement. But since it has such a unique mission, relating to the safety and the continued functioning of the President, the committee has approved this procurement.

TRIDENT

The bill contains $926.4 million for the Trident, or, as it was formerly called, the ULMS—the undersea, long-range missile system.

Confusing stories have appeared in the news media following the SALT negotiations that Trident has been accelerated as a result of the SALT agreement. That is not correct. The amount provided is the amount requested in the original budget submission.

As a result of SALT, both sides are limited in the number of nuclear submarines they can deploy. That very limitation increases the importance of developing Trident, since the number of submarines allowed to the United States is less than that allowed to the Soviets. It is particularly important that we keep our submarines as modern as technology allows so that the Soviets do not achieve a qualitative as well as quantitative advantage. By the time it is coming into operation the Trident will be replacing Polaris submarines which will then be over 20 years old.

In terms of usage these Polaris subs will be the equivalent of more than 40 years old because they have "Blue" and "Gold" crews and are in constant use. They are like taxicabs that wear out faster from continuous use. When one driver goes home another takes over and the taxi keeps going.

STRATEGY AFTER SALT

I urge all Members to keep in mind that SALT sets quantitative but not qualitative limits. The number of systems are fixed by treaty and the number favor the Soviets in missile launchers and in submarines.

The Soviet quantitative advantage is institutionalized by the treaties.

The treaties, however, do not address themselves to qualitative improvements. In quality of strategic systems the U.S. has a marked advantage but the Soviets are free under the treaties to improve their systems in an effort to catch up.

To retain overall parity, therefore, we must not let our technological lead slip away.

To scrap follow-on development in key systems now, to halt developments which will assure the continued invulnerability of our deterrent, would be to let an acceptable parity slip into an unacceptable inferiority.

It would be the most dangerous game we could play with our national defense.

SEARCH FOR SAVINGS

I want to bring to the attention of the House two actions we have taken in our continuing effort to control defense costs.

In our hearings, we invited industry and labor leaders to testify as to the causes of cost escalation. Some industry leaders testified. Labor representatives were unable to make it, but submitted statements for the record. The views of both will be found in the hearings.

However, the committee found that we still do not have the data required to clearly identify the impact that various factors have on cost escalation.

The committee, therefore, has directed the Department of Defense to conduct a detailed study of cost escalation so as to develop accurate cost accounting information that the committee can use in reviewing authorizations.

At the same time, we asked the Comptroller General to make an independent study of the reasons for cost escalation in procurement contracts.

We will have the results of both of these studies when we bring the authorization bill to the floor next year.

We have added to the authorization law the requirement for authorization prior to appropriations for any funds used for training or education of military personnel. This is an area with annual expenditures of $6 billion. And the Department of Defense admits that it does not have a complete grasp of what it spends in this area. The committee believes that substantial savings might be achieved in this element of defense spending.

PERSONNEL AUTHORIZATIONS

We have authorized the numbers requested for the active duty strength of the Armed Forces and for Reserve strength. However, we have changed the authorization requirement from an average annual active duty strength to a maximum end strength to allow better management of the active duty force.

The strength of our Armed Forces at the close of fiscal year 1973 will be as follows: Army, 841,190; Navy, 601,672; Marine Corps, 197,965; and Air Force, 717,210.

We have also included in the bill a prohibition against expenditure of defense funds at institutions of higher learning when recruiting personnel of the Armed Forces are barred by policy or where the institution, as a matter of policy, eliminates ROTC. If institutions of higher

learning want to sever their relationship with the Armed Forces, that is their prerogative. But we think the separation should be complete.

We don't want to tempt their morality with Government dollars.

The gentleman from Massachusetts, our distinguished majority whip, said he thought an individual in the Armed Forces ought to be free to choose whatever school he wishes. He is—if he is willing to pay for it. But where the education is paid for by the Government and the individual is being paid by the Government and the education is for the Government's purpose. we think the Congress should determine Government policy. This is not a new policy. All Federal programs have cooperative requirements for the receipt of Federal funds.

OTHER MAJOR COMMITTEE ACTIONS

I could talk for hours and still not fully explain the bill. But I want to give other Members an opportunity to be heard. Our report is available to all Members and I urge you to read it. But let me briefly review some other major actions of the committee.

F–14

The committee spent many hours interrogating Navy witnesses on the F–14 aircraft. We have provided $732.7 million for the F–14—the amount requested. But we have made it clear in our report that not more than $407.8 million shall be available only for the procurement of not less than 48 F–14 aircraft. This means that the contractor must deliver on the basis of the terms in the existing contract without a $2 million increase in unit price as he has requested.

DD–963

The committee spent an even longer time agonizing over the Navy's ship construction program. The Navy had asked for $610 million for the DD–963. The Committee has provided $247 million, a reduction of $363 million. The amount provided will assure availability of authorization for long leadtime commitments. It allows the Navy to keep its options open. But it is not an authorization for the seven additional destroyers requested. A procurement decision on those seven destroyers will require further action by the Congress.

The contractor on this program, Litton Industries, has to date met all contractual milestones. But the committee is concerned because of delays in the LHA program being built by the same contractor. We will have to see evidence of improvement in the performance in these ship construction programs before we will authorize further ships.

MULTIYEAR PROCUREMENT

In line with our concern about procurement programs extending over several years, the committee included language in the bill to prohibit multiyear procurement involving cancellation ceilings in excess of $1 million. The Navy has entered into procurement contracts which have obligated the Government to pay substantial cancellation charges if the procurement is terminated. In effect, it results in an obligation on the Government never approved by the Congress. We think that is an intolerable situation, and we are not going to let it continue.

NAVAL SHIPYARDS

The committee also took action to require that some new construction be given some naval shipyards which, under present policy, are limited to repairs and conversion. These shipyards are national assets which we do not wish to see lost, and they must be given an adequate level of work to operate efficiently.

SOUTHEAST ASIA SUPPORT

As Members know, we carry in this bill each year a ceiling on appropriations to be made available for support of Vietnamese forces and other Free World forces in Vietnam, and local forces in Laos. This ceiling was set last year at $2.5 billion. Section 601(a) of the bill continues this authorization for fiscal year 1973. Section 601(b) of the bill provides a retroactive increase of $200 million in the authorization for fiscal year 1972—an increase to $2.7 billion. This is merely to reflect the increase required as a result of the North Vietnamese offensive.

CONCLUSION

The reduction made by the committee in this bill, $1.5 billion, is the largest reduction ever made in such legislation in my memory.

The actual effect of these reductions will be greater when inflation is taken into court.

I have said before that we can only afford as much national defense as we cannot afford to be without. That is what we have provided in this bill. It assures a strong America. It assures an invulnerable deterrent. It assures no weakening of our national security. But perhaps most important of all, it provides that a decade from now our freedom will be equally secure.

I urge all Members to vote for the bill.

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

(Mr. ARENDS (at the request of Mr. BRAY), was granted permission to extend his remarks at this point in the RECORD).

Mr. ARENDS. Mr. Chairman, the bill that our committee presents to the House today provides $21.3 billion for procurement of weapons and research and development in the year beginning July 1.

The chairman of our committee, in his usual fashion, has explained the bill to the Members very cogently and I will avoid repeating the things he has said.

The chairman has pointed out the total reductions made by the committee—$1.5 billion—represent the largest cut in such a bill ever made by the Committee on Armed Services.

I would emphasize two points:

As a result of SALT there is a saving of $582 million.

Independent of SALT we have made reductions of almost a billion dollars—specifically, $981 million.

The amount provided for procurement of aircraft, missiles, and ships is less than that authorized last year. Only in R.D.T. & E. funds have we shown an increase over fiscal 1972.

The total recommended for R.D.T. & E. is $408.6 million above that recommended last year, but even so we have reduced the amount $323.9 million below what the Department of Defense requested and, frankly, I have some reservations as to whether or not we were too severe in our cuts.

The increase over last year in R.D.T. & E. funds is mainly to compensate for inflation factors and, above that, allows only a modest increase in our technological effort. This is one of those areas where the Soviet effort has been considerably greater than ours for some years. If such a disparity continues, our technological advantage could gradually disappear.

I will have more to say on the importance of this technological threat in a moment.

The $21,318,788,250 of appropriations authorized in this bill includes:

The sum of $12,940,900,000 for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, torpedoes, and other weapons.

The sum of $8,371,888,250 for research, development, test, and evaluation.

The sum of $6,000,000 for family housing construction related to the Safeguard ABM site at Grand Forks, N. Dak.

In addition to making record dollar reductions in the bill, we have made important changes in authorization procedures. We have changed the personnel strength authorization for the Armed Forces from an average annual active duty personnel strength to a maximum end strength. We have found this necessary to properly manage the active duty force.

President Nixon and Secretary Laird, in the course of winding down the Vietnam war, have been able to bring about great reductions in the personnel strength of the Armed Forces. By the end of this month, our total Armed Forces will have been reduced by 1 million men below the strength they were when the Nixon administration took office. However, these reductions unfortunately create some temporary turbulence, and during this period of turbulence an end strength authorization is much easier to manage.

ATTACKING COST GROWTH

We have provided other restrictions on expenditures of funds which the chairman has outlined to you and which I think will allow the Congress to more carefully control the use of funds in future years.

I want to particularly take note of two of these:

First, there are the two studies we are requiring to be made by the Comptroller General and the Department of Defense on cost escalation. We have found that—to our surprise—the Department of Defense did not have sufficient data at the present time to determine which element contributes most to cost escalation. For example, the percentage of cost growth due to wage increases as compared to increases in materiel costs could not be readily determined.

We invited representatives of labor and industry to testify before our committee. Frankly, they did not have the answer either.

But we are determined to find the answer. The conclusions of the studies

are due by March 1 of next year and I am hopeful that they will aid the Congress in controlling cost growth.

Let me say here that our committee is willing to listen to anybody who has ideas on how to improve our national defense or how to save defense dollars without hurting national defense, or how to make improvements in any areas of military management. I was amazed to hear the accusation that the committee was making no effort to receive ideas from non-government sources. The committee specifically invited industry and labor representatives. The labor representatives, unfortunately, did not appear, but that was not the fault of the committee, and they did send prepared statements.

The committee, in addition, heard from all those who requested permission to testify. Witnesses included spokesmen from the Federation of American Scientists, and representatives from such diverse groups as the Friends Committee on National Legislation, the Coalition on National Priorities and Military Policy, the National Guard Association, SANE, the Aerospace Industries Association, the International Association of Machinists and Aerospace Workers, the Aerospace and Agricultural Workers of America, the National Council of Business Executives Move for Vietnam Peace and New National Priorities, and the United Church Board for Homeland Ministries of the United Church of Christ.

Abraham Lincoln once said:

If you know anybody who thinks he is smarter than I am, let me know, I need him in my cabinet.

Let me say to the Members, if you know any one who you think is smarter than we are on national defense matters, send them to us; we will be glad to hear them.

THE TREND OF SPENDING

The chairman of the committee has explained the bill thoroughly and the committee report is available to all the Members. Rather than repeat information which has been made available to you, I would like to spend the remainder of my time to consider with you some of the long-range effects of the action that we take here today.

Members should understand that the trend of spending as far as the procurement of weapons has been downward for several years. In real terms—that is, after inflation is taken into account—procurement outlays have dropped almost every year since 1967. In 1971 they were only about 70 percent of the 1967 level. In real terms they dropped further in the present bill.

Personnel and personnel related costs now take up about 57 percent of the defense spending. This is true even though President Nixon has been able to reduce the strength of the Armed Forces by 1 million men and has reduced defense civilian employment by several hundred thousand. Personnel costs have increased because this Congress, as a matter of policy, determined that we should have an all-volunteer force.

We told you very clearly last year when we brought the draft and pay bill to the floor that if you wanted an all-volunteer force you must be prepared to pay the price.

The personnel area is where the bulk of the defense budget has now gone, and we have squeezed out as much as we can for weapons procurement.

THE SALT AGREEMENTS

It is important that the Members of the House look at the effects of SALT in the proper perspective.

The SALT agreement is not an assurance of peace; it is a beginning step toward peace.

It is not a substitute for strength; it is something that strength has brought about. And it is something that only continued strength will insure.

I was amazed to find in the press allegations that the SALT agreement is not really saving any budgetary dollars and that it is being used to justify new and expensive strategic developments. That is simply not the case.

To begin with, there was a reduction in this bill of over a half billion dollars as a result of SALT. If the agreements had not been signed and we did not have the assurance of slowing down the momentum of the Soviet ICBM development, we would have had to leave that half billion dollars in the bill. If SALT is not ratified, there will be a supplemental—make no mistake about it.

Simple arithmetic will also show that as a result of SALT, there will be substantial savings down the road compared to what we would have had to spend if the Soviet arms development had continued at its previous rate. The cost of a two-site ABM program is roughly $8 billion. The estimated cost of a 12-site program, which we would have had to develop eventually is approximately $18 billion. So, over the years there is a potential saving of close to $10 billion.

Even if we were limited to a four-site deployment, the estimated cost of Safeguard is something over $12 billion. So, the outyear savings are at least on the order of $4 billion.

I am very hopeful there will be further savings as a result of follow-on agreements that the President may negotiate in strategic offensive weapons—if we keep up a sufficient level of strength to provide the necessary incentive for such negotiations.

THE NEED FOR OTHER STRATEGIC SYSTEMS

The offensive strategic systems included in this bill are all follow-on systems to replace those now in existence.

The B–1 is to replace the B–52, the latest of which will be on the order of 20 years old by the time the B–1 is deployed.

The Trident is to replace the Polaris submarines, some of which will be over 20 years before the Trident is deployed.

In the case of the Minuteman, there are no new systems being developed but money is requested for continued force modernization and a relatively modest R. & D. program to improve the capability of reentry vehicles.

All of these systems had been requested prior to SALT—in fact, funds for all of them were in last year's bill. None of the authorization requests were increased as a result of SALT.

The Trident—formerly known as ULMS—undersea long-range missile system—would be needed in any case by the time it is scheduled to come into operation toward the end of this decade. At that point, our oldest Polaris submarines will be 20 years old, and close to the end of their life expectancy.

Keep in mind that you can live with some margin of error with many older systems and pieces of equipment, but you do not want to be in such condition with systems based on nuclear power. So, the Trident would be necessary in any case.

But the environment created by the SALT agreement makes development of the system even more imperative.

THE ALLOWANCES UNDER SALT

Let us look a little bit at what the SALT treaties do. Nobody gets everything he wants in a negotiation, and there are advantages and disadvantages for both sides.

The Soviets were ready for an agreement because they got some things that they wanted: A limitation on the U.S. Safeguard development, formalization of their numerical advantage and the attendant prestige on the world stage that such an agreement implies.

We got some things we wanted: Chiefly, a slowdown in the frightening momentum of Soviet missile development and ballistic missile submarine development, an improved atmosphere in international relations, and the beginning steps toward President Nixon's goal of a generation of peace.

For what we got, we paid a price; namely, a fixed number of missile launchers and ballistic submarines with the numerical advantage on the side of the Soviets.

The Soviets were allowed 62 ballistic missile submarines under the agreement and the United States 44, the United States is allowed a total of 1,764 missile launchers; the Soviets, 2,358.

Neither side is prevented from building new submarines but they cannot go above the numerical ceiling. So deployment of a new submarine means the elimination of an older one.

If older land-based missiles are destroyed, they can be replaced by a sea-based missile—always with the caveat that there be no increase in the maximum number of submarines and the maximum number of submarine missile tubes allowed.

In other words, the treaties address themselves to quantity but not to quality.

The numerical limits are acceptable to us because we have a technological advantage.

But the Soviets are in no way restricted by the treaty from improving their systems. We have got to assume that in a few years they will have MIRV capability. If we allowed our technology to stand still and the Russians improve their technology substantially, by the end of the 5-year period of the treaty we could be in the awful situation where they have a combination of numerical superiority and the equivalent technological capability.

That would put us at a simply unacceptable disadvantage in international affairs.

THE NEED FOR KEEPING OUR DEFENSE STRONG

I say with all the sincerity of my being that I hope the Members of the House will remember well the lessons of the 1920's when disarmament negotiations were followed by rapid destruction of ships without adequate safeguards.

I am not one of those who is capable of developing a sense of euphoria because of Soviet signatures on pieces of paper. You can only secure by treaty what you can defend on the battlefield.

There were those who told us several years ago that the ABM might prevent a SALT agreement. But the very opposite was true. Remember that the first Russian announcement of interest in strategic arms limitation talks followed by only 48 hours the announcement first of our intentions to begin deployment of the ABM. There is strong evidence that our resolution in going ahead with the Safeguard was one of the principal incentives to the SALT negotiations.

If we should now fail to keep up our technological capability and fail to continue developing follow-on systems to assure the invulnerability of our deterrent what incentive would there be for the Russians to take in further negotiations for limitation of offensive weapons? We must deal with the Soviets from a position of strength or we will not be able to deal with them at all.

The President's journey to Moscow was the beginning of a long journey for all of us, the up-hill journey for peace.

Let me remind you what Defense Secretary Laird said:

Euphoria has no place on this journey. Neither is there a place for detour prompted by wishful thinking.

Like any other important journey, this one must be adequately financed.

I hope the Members of the House will support this bill. But more important I hope in supporting it they will be signalling to the world our resolution to maintain our strength and signalling to Moscow that we will never be lulled into being a second-rate power.

Mr. BRAY. Mr. Chairman, I particularly urge all the Members to read Mr. ARENDS' remarks. It is not simply a review of details in the bill but is an important discussion of strategic considerations that we must keep in mind in the post-SALT atmosphere.

I would like to add on my own that I think this bill is the result of the most thorough job that the Committee on Armed Services has ever done on this major annual authorization legislation.

This bill authorizes $21.3 billion for procurement of missiles, planes and ships, research and development, tracked combat vehicles, torpedoes, and other weapons. This authorization governs only part of the approximately $83.4 billion defense appropriation requested by the President; but it is the most important part, the cutting edge. It dictates the level of spending on not only procurement for our present force, but on the kind of systems that we will have in the years ahead. It is, quite literally, the job of the Congress in voting on this fiscal 1973 authorization to determine the type of defense and the level of national security which we will have in 1983.

The SALT agreement sets a limit on numbers of systems available to each side. It sets no limits on technological advancement.

The number of strategic systems available to each side, according to the treaties, give an advantage to the Soviets. According to executive branch estimates, the Soviets have a present level of 1,618 ICBM's operational or under construction and about 740 submarine-launched missiles for a total of 2,358 missile launchers.

The United States has 1,054 land-based missiles and 656 sea-based missiles. The treaty allows us to go to 750 sea-based missiles for a total allowance of 1,764.

Complaints are made that the treaty gives the Soviets a numerical advantage. That is true. But keep in mind that they had that advantage anyway and the advantage would have been greater without the treaty because they were developing land-based missiles at the rate of approximately 200 a year and sea-based missiles at the rate of approximately 130 a year. We have not produced increased numbers of land-based missiles since 1967 and have not increased sea-based missiles beyond the 656 deployed on 41 submarines. Even if we changed our policy and decided to deploy more missiles, it would be years before they could become operational. Hence the numerical advantage of the Soviets, which was there before the treaty, would have grown larger without the treaty.

We can accept the numerical advantage of the Soviets because we have qualitative superiority. But quite obviously it would not be acceptable without our technological advantage.

It is particularly important, therefore, that we maintain our ongoing technological capability and that we continue the modernization of our systems.

It is in that light that I think Members of the House should view this bill today. The big programs that are authorized in this bill which engendered such debate are replacement programs.

The Trident submarine will replace the Polaris submarine; and, as has been indicated, by the time it is ready to be deployed, the submarine it will be replacing will be over 20 years old.

The B–1 system is a replacement for the B–52's, the last of which came off the production line in 1962.

PERSONNEL IMPACT

While this bill does not authorize appropriations for personnel and operation and maintenance, it does have considerable impact in those areas because it sets the ceiling on personnel strength.

The strengths authorized for the active-duty forces for the year beginning July 1 are as follows:

Army—841,190; Navy—601,672; Marine Corps—197,965; and Air Force—717,210.

The authorization is set on an "end strength" basis. Previously it has been on an average annual strength basis. The reason for the change is to provide more flexibility in managing the force which has been made necessary by the substantial personnel reductions of recent years. Armed Forces have been reduced by 1 million men from the strengths we had in 1968.

It has been pointed out that the reduction made by the committee in the bill—$1.5 billion—is the largest such reduction ever made by the Committee on Armed Services. In each of the major procurement categories—aircraft, missiles, and ships—the amount recommended is less than what we recommended to the House last year. You all understand the net buying power is reduced further by the effects of inflation—$582.4 million of the reduction is associated with the SALT agreement. This is one point I think we cannot stress too often—that there is a cut in the bill of over a half billion dollars as a result of SALT and, in addition, we will save billions of dollars in the coming years over what we would have spent on the ABM if the limitation treaty had not been negotiated. A four-site ABM deployment would cost an estimated $4 billion a year more than the two-site deployment allowed by the treaty.

I hope Members of the House will recognize that independent of the SALT negotiations we have cut almost a billion dollars from the bill.

We have also taken steps to assure better congressional control of spending in the future. In this regard we have put a prohibition on multiyear procurements where the cancellation charge exceeds $1 million. We found, in reviewing the Navy's ship-construction program, that the Government had been, in effect, committed to long-range procurement programs with substantial cancellation charges. In effect, this was obligating Government money not authorized by the Congress. That sort of procedure must be prevented.

We are also commissioning studies by the Defense Department and by the General Accounting Office of procurement procedures to aid us in getting a better control of future costs on procurement programs. The results of both studies will be available in March of 1973.

I will not take any more time to explain the details of the legislation. The committee's report is available to all Members of the House. I urge you all to read it.

Let me close by reminding you of what the President said in sending the ABM Treaty and Interim Agreement on offensive arms to the Speaker of the House:

The agreements are an important first step in checking the arms race, but only a first step; they do not close off all avenues of strategic competition. Just as the maintenance of a strong strategic posture was an essential element in the success of these negotiations, it is now equally essential that we carry forward a sound strategic modernization program to maintain our security and to ensure that more permanent and comprehensive arms limitation agreements can be reached.

Mr. HÉBERT. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois (Mr. PRICE), the ranking majority Member on the Armed Services Committee.

Mr. PRICE of Illinois. Mr. Chairman, the fiscal year 1973 defense R.D.T. & E. budget recommended by the Committee on Armed Services totals $8,371,888,250. This is $323.9 million less than was requested by the Department of Defense, even though it includes a transfer of $83

million from the Air Force aircraft procurement account for the airborne warning and control system—AWAC's—and an add-on of a net $76 million related to the SALT agreement. The amount recommended also includes $54 million in civilian pay raises and $141 million which was earlier presented in the fiscal year 1972 supplemental and later incorporated in this bill.

The amount recommended is $578.5 million more than Congress authorized last year and $408.6 million more than the committee recommended last year. The increase is approximately 7.4 percent over the congressional authorization for fiscal year 1972. This increase merely compensates for inflation and the increased cost of doing research and development. It allows very little, if any, increase in our overall defense research and development effort.

Mr. Chairman, the subcommittee reviewing the defense R. & D. budget attempted to make a thorough and detailed review of the programs requested. Some 19 meetings were held with the various military services and defense agencies. In these meetings we received testimony on more than 1,500 budget items. Each program was carefully examined with the objective of trying to maintain an overall R. & D. effort of approximately the same level as last year. As I mentioned earlier in my statement, the amount recommended by the Committee on Armed Services meets that objective.

The one portion of the R. & D. budget which gave the committee the greatest concern was Budget Activity No. 1, otherwise known as military sciences. This is the budget activity which includes basic and some applied research conducted by both in-house military laboratories and by colleges, universities and industry.

For fiscal year 1971, the last complete year for which statistics are available, this included contracts or grants with some 365 educational and other nonprofit institutions among which were 45 foreign institutions or foreign government agencies.

The contracts awarded for R.D.T. & E. in this area total in the thousands. Unlike the projects under the other activities in the research and development budget which requires detailed justification and review, expenditures for R. & D. effort in this area are controlled on the basis of level of effort. With the increased utility of computers, the committee was of the opinion that closer scrutiny, on an individual project basis, could be accomplished with substantial savings effected through the elimination of unnecessary overlap and duplication. For this area of research, the Department of Defense requested an increase of approximately $40 million over last year. The committee recommends a reduction of about $76 million.

Our review of the major hardware or weapons systems oriented programs failed to reveal any glaring excesses requested for the coming fiscal year. However, in an effort to encourage greater efficiency and economy in the conduct of research, development, test, and evaluation, the committee recommended an overall reduction of 5 percent to the amount requested. In the committee report we have stated that this reduction should be allocated on the basis of military priorities. The rationale of the committee on this action is that the military services and defense agencies need to make even greater efforts toward achieving better managed programs in all areas of research and development.

Mr. Chairman, over the years that I have been involved in reviewing the research and development budget requests of the Department of Defense, I have—from time to time—been asked by my colleagues——

What can we show for expenditures in this area? or——

What new systems have we placed in the hands of our forces?

In response to that question, let me list just a few of the weapons systems that have been placed in the hands of our military forces over the past 6 years.

In the strategic systems, we have Poseidon, Minuteman II and III missiles, the FB–111 aircraft, the over-the-horizon radar, communications satellites, navigation and weather satellites, surveillance and early warning satellites—to name a few.

In the tactical aircraft systems, the following have been introduced: The Cobra attack helicopter, the F–111, the A–7, and the A–37 attack aircraft, the OV–10 attack observation aircraft, the C–2 carrier logistic aircraft, the C–141 and C–5A transports, the CH–53 helicopter, the E–2 early warning aircraft, and the P–3C patrol aircraft.

In the ordnance and tactical missile area, we have added the M–16 rifle, the M–60 machine gun, the M–72 light assault weapon, the M–79 grenade launcher, 7.62mm miniguns, the TOW and Shillelagh antitank missiles, the Chaparral, Redeye, Sea-Sparrow and Vulcan antiaircraft weapons, the Standard ARM and Talos ARM missiles, the Mark–46 torpedoes, the laser guided weapons, and the Walleye/Hobo guided weapons about which much has been written during the past several weeks. The effectiveness of these laser and Walleye/Hobo type weapons has been dramatically demonstrated since the Air Force and the Navy resumed/bombing of military targets in North Vietnam some 10 weeks ago. These weapons are R. & D. blue chips that are currently paying tremendous dividends. A wise and prudent investment.

I could list many more examples of weapons systems or hardware that have been developed, produced and placed in the hands of our troops during the past several years; however, I think the list I have given is illustrative of the results of our R. & D. efforts over these past several years.

In the nonhardware area, the military services have developed such items as the vaccine used against Venezuelan equine encephalitis which helped in controlling recent epidemics in Mexico and the Southern United States. Significant progress has been made in the area of serum hepatitis research bringing the Army closer to the preparation of a suitable vaccine to control a disease second only to battle injuries as a major cause of troop ineffectiveness. Through the use of adenosine and inosine additives, the storage life of whole blood has been extend from 21 to 43 days. These are but a few of the many examples of accomplishments in the nonhardware or weapons systems area that could be cited.

Mr. Chairman, the Department of Defense is, I believe, aware of the challenging problems involved in management of our R. & D. programs produced by the conflicting pressures between desires to keep the expenditures down and the need to increase the rate of improvement of our overall defense potential in a fashion commensurate with rapid Soviet progress. This situation requires that the Defense Establishment exert every possible effort to increase the overall productivity of our research and development efforts as a means of minimizing growth in the R. & D. budget.

Among the accomplishments of the Department of Defense over the past year are the following: decentralization and strengthening of the authority and motivation of the military services in managing their own programs while the Office of the Secretary of Defense has redirected its efforts to the problems of general planning, review, and guidance of the overall effort through the use of various coordinating and development concept papers. The basic acquisition process has been simplified by the elimination of half of the 125 directives and instructions governing weapons systems acquisition; major ongoing systems developments are being shifted to a fly-before-buy basis to the maximum practical extent; contracting procedures have been shifted away from total package procurement toward individual types that better reflect the risk involved; and independent parametric cost analysis is now required on each major defense system at the key program decision point.

These steps are in the right direction and should eliminate some of the deficiencies brought to light over the recent past by the various congressional committees and the Comptroller General.

Mr. Chairman, in summary, the amounts recommended by the Committee on Armed Services for defense research, development, test, and evaluation for the coming fiscal year are really austere and do not reflect any substantial increases over last year. In fact, it merely allows us to maintain approximately the same level of effort as that supported in the fiscal year 1972 budget.

In view of the increased effort on the part of our potential adversary, the Soviet Union, there is, in my opinion, a slight risk accompanying this modest level of effort. Witnesses before the committee over the past several years have emphasized the increased level of effort on the part of the Soviets in the research and development area. The latest estimate received by the committee was that the United Statese presently enjoys a 2-year advantage in technology over the Soviets. If this advantage is to be maintained, the amounts recommended by the committee are the minimum needed for the coming fiscal year.

I urge the Members of the House to support the authorization recommended by the Committee on Armed Services in the bill H.R. 15495.

Mr. BRAY. Mr. Chairman, I yield 10 minutes to the gentleman from New York (Mr. PIRNIE).

Mr. PIRNIE. Mr. Chairman, in the 1950's this Nation was secure under the policy of massive nuclear retaliation. It was a credible and realistic strategy for that decade because of our overwhelming strategic nuclear superiority.

In the 1960's massive retaliation gave way to the strategy of assured destruction and flexibile response. Our 4- or 5-to-1 nuclear superiority enabled President Kennedy to take positive action during the Cuban missile crisis.

By the end of the 1960's the Soviets were clearly embarked on a program to obtain superiority in the area of strategic nuclear capability. They deployed the huge SS–9 which threatened the survival of our Minuteman force.

There was no indication that the Soviets planned to be content with nuclear parity. They continued to gain momentum in the production of ICBM's and SLBM's and in the technological race.

We chose to counter the growing threat posed by the Soviets with qualitative improvements in our existing strategic forces and a deliberate, phased deployment of our ABM system—Safeguard.

Now, phase I of the strategic arms limitation negotiations has resulted in an ABM treaty and an interim offensive agreement with the Soviet Union. The interim agreement limits the Soviet numerical lead and limits the building of the large Soviet SS–9 missiles which posed the greatest threat to our land-based deterrent forces.

Soviet qualitative improvements, permitted under terms of the agreement, will provide a serious challenge to the credibility of our deterrent in the years ahead—if we don't keep our forces modernized.

There are those who continue to oppose deployment of Safeguard, using SALT to season their arguments.

Under the terms of the ABM Treaty, we are allowed two ABM sites—one to defend our ICBM's—one to defend our National Command Authority. Some contend that the limitation on interceptors makes it impossible to justify deployment at the Washington, D.C., site.

But the continued deployment of the Safeguard system and qualitative improvements in our ABM technology are essential to support the position of the United States in future SALT negotiations. And the Washington site provides valuable additional time to the National Command Authority in time of emergency. Keep in mind this extra protection might aid the President in keeping an accidental launch of one missile from starting World War III.

In the interest of our future security, I urge favorable consideration of this bill by all House Members.

Mr. Chairman, I should like to make this personal observation. Having had the privilege over these past 12 years of serving on the Committee on Armed Services during times of varying appraisal of our defense and weapons systems, with many hearings on bills such as this, I do not recall any time when we have proceeded with more deliberation and objectivity than has occurred this year. This is due to the leadership of our chairman, who has been eminently fair and who has endeavored to enlist the interests and talents of every single member of the committee, to acquaint all with the developments, and to insure the support of all for the programs with which we are charged. In a major way we have achieved a unity of purpose in the committee which has enabled us to bring to the House this very important measure in a form to command acceptance by this body.

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

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

Mr. STRATTON. Mr. Chairman, I think the gentleman from New York is making a very fine statement, and I want to commend the gentleman for making it, and I also want to take this opportunity to direct the attention of the committee to the fact that the distinguished gentleman from New York (Mr. PIRNIE), who represents the district adjacent to mine, and who came to the House back in 1959, at the same time I did, is retiring from the Congress and from the committee. Although we are on opposite sides of the political aisle, I want to say that the gentleman has been one of the most valuable members of the committee, and we are going to miss his guidance, his counsel, and his help in the years ahead—assuming that some of us will ourselves be back again in the next Congress. But certainly the gentleman has done a magnificent job, and has been a very valuable member of the Committee on the NATO Commitment which is still working in a very important area.

So, Mr. Chairman, I just wanted to take this opportunity to pay tribute to the gentleman and to say that the country will be the poorer for his retiring from the committee, from the Congress, and from the wonderful work that the gentleman has been doing.

Mr. PIRNIE. Mr. Chairman, I thank the gentleman, and I would say that the continuation of such representatives on the committee as my colleague, the gentleman from New York (Mr. STRATTON) will enable me to enjoy my retirement because I know that the spirit of bipartisan dedication to the security of this Nation will continue, and that we will have this careful scrutiny that enables us to recognize our national priorities in a very real sense, indicating that we are aware that unless we are able to survive we cannot do anything for anybody, but as long as we work together in a sound, logical, and analytical study of the needs of our country, we will provide in a timely fashion this strong position so necessary to preserve this country and the peace of the world.

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

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

Mr. BRAY. Mr. Chairman, I want to join my colleague, the gentleman from New York (Mr. STRATTON) in commending the gentleman from New York (Mr. PIRNIE) for the great job he has done in the Committee on Armed Services. I was in the committee when the gentleman from New York (Mr. PIRNIE) came there, and I know of no person who has been more of a tower of strength and a harder worker, and a cooperative and capable worker on that committee through the years than has the gentleman from New York (Mr. PIRNIE).

Mr. PIRNIE. Mr. Chairman, I thank the gentleman, and I would like to reciprocate by saying that it has been a great committee upon which to serve, and that I am very appreciative of the cooperation and friendship which has been so generously extended to me.

Mr. HÉBERT. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, I have taken this 1 minute so that I, too, might join in the accolades which have been directed to the gentleman from New York (Mr. PIRNIE). I have served with the gentleman, and I have chaired committees on which he has served also for so many years that it just seems that he is part of any committee that I happen to chair. He has given unstintingly of his time, and there was never a more dedicated and harder worker than he, but I would be gilding the lily to add any more than has been already said about the dedication of the gentleman and the other tributes that have been paid to him today.

Now, Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. LEGGETT).

Mr. LEGGETT. Mr. Chairman, I want to join the rest of the committee on both sides of the aisle in their statements, and to also add my commendations to the gentleman from New York (Mr. PIRNIE) for his very distinguished service to our committee.

I want to commend the chairman on the bill, and I support the bill.

I would like to include at this point in the RECORD a copy of my additional views, which are included at page 95 of the report, and I would include the remarks as modified without the chart.

The material referred to follows:

ADDITIONAL VIEWS OF HON. ROBERT L. LEGGETT, DEMOCRAT OF CALIFORNIA

I support the bill H.R. 12604, the Armed Services Procurement Authorization for fiscal 1973 in the amount of $21.3 billion, which bill contains reductions of $1.56 billion, for which reductions the Committee and Chairman are to be commended.

In addition to the Committee reductions, I offered amendments in Committee for further reductions totaling $1.489 billion. In addition, I offered a Vietnam alternative, which when added to the reductions, certainly constitutes a *choice not an echo.*

A. WHY DO WE NEED TO REDUCE DEFENSE SPENDING?

The answer is simple. It does not make good sense to spend $762 billion out of $772 billion collected from the total *Federal Individual Income Tax* over the past 10 years exclusively for National Defense.

These figures are in the President's Budget and are undisputed. They demand a reallocation of priorities.

In addition, all of the $34 billion in Corporate Income Taxes collected this year will be required to pay the costs of past wars, including $12 billion plus for *Veterans' Bene-*

fits and $22 billion for *Interest* on the $450 billion *National Debt of past wars.*

The Office of Management and Budget filed their report on June 5 and indicates that due to accelerated withholding of taxes and abatement of Revenue Sharing and Welfare Reform, the deficit for fiscal '72 will now be reduced from $45.8 billion to $33 billion but that next year's deficit fiscal '73 will be $38 billion. (These figures include *Trust Fund* borrowing).

The country, therefore, must get fiscally back into balance and Defense is a place to start.

B. HOW THEN DO WE RESPONSIBLY CUT $1,489 BILLION ADDITIONALLY FROM THE CURRENT AUTHORIZATION BILL?

The answer is simple and takes four steps. The President is to be congratulated on negotiation of the Strategic Arms Limitation Agreement and Treaty. The Congress now must determine future policy.

Do we build up to the limit of the Agreements and restimulate an endless limited-arms but unlimited-expense quality race, or do we take the President and Brezhnev at their word that they agree the arms race should stop?

I personally do not think it is in our national interest to accelerate construction and deployment under a S.A.L.T. umbrella.

I would cut, therefore:

(1) all funds for the new $25 billion (est. cost) *Hard Site ABM System ($140 million).*

(2) *$700 million* out of $977 million programmed (including $926 million subject to authorization in this bill) for the new ULMS, or *Trident* System.

(3) *$350 million* out of $486.2 million in the *Safeguard* procure account leaving R.D.T. & E. alone.

(4) *$299 million* for the *CVAN 70 Nuclear Carrier* that many Naval strategists agree is now obsolete.

= total savings of $1.489 billion, which funds would reduce our National Deficit and National Debt.

The arguments on these items can be briefly stated, as follows:

1. In the President's Budget there is included $80 million for R. & D. for the *Sprint* Hard Site Defense System. There is an additional $20 million in the Military Construction Bill. In spite of the S.A.L.T. agreement, at the request of the Pentagon, the Committee had added another $60 million for the program, totaling $140 million in this bill. Since S.A.L.T. limits the United States to a two-site, 200 missile ABM Program, at Grand Forks and Washington, it makes little sense to accelerate the development on a new 1,000 nuclear missile ABM system called Hard Site. The action has no rationale in spite of the explanations of Pentagon personnel. The Hard Site Defense System originally conceived by the *Air Force* at an estimated cost of $1 to $3 billion, has now grown to a projected $25 billion *Army* monster and envisions nuclear *Sprint* weapons, as opposed to the earlier non-nuclear *Air Force System.* In view of S.A.L.T., this research program should be terminated.

2. The second savings should occur in the *U.L.M.S. Trident System.* In the budget last year the research level on this program was slightly more than $100 million and envisioned the construction of 10-plus 24-tube long-range Poseidon type submarines at one Eastern private shipyard. Many in Washington were amazed this year to see this program accelerate to $977 million mostly for R. & D. In view of the S.A.L.T. limitation agreed to, of 710 sea-based missile tubes and considering that we now have deployed 656 tubes in 41 Polaris-Poseidon boats, it doesn't seem to me to make good sense to spend $977 million to construct 54 additional missile tubes at sea. The argument is made, I think almost facetiously, that the *Trident* is intended to replace the 10 A-3 Polaris that will not be *Poseidon* retrofitted. This suggestion seems needlessly expensive since an outfitted A-3 Polaris is now worth about *¼ billion dollars,* all have been operational less than 10 years, all have *zero defects* as specified by Admiral Hyman Rickover, all have a range in excess of *2,500 miles* and *very high accuracy.*

The argument is made that we need *Trident* to *bargain* with the Soviets in 5 years. It seems that if we need to expand our sea based tubes in 5 years, the Poseidon program already developed would be adequate to provide the balance and incentive to bargain.

So I say, cut the program by $700 million—increase the *current* program over 100% and continue research at the $277 million level.

3. *Safeguard*—Savings *$350 million*: The S.A.L.T agreement has limited the hard-point function of *Safeguard* to a mximum of 100 interceptors, which will attempt to defend approximately 60 Minuteman ICBMs.

It is difficult to justify an ABM system protecting only 6% of the Minuteman force.

It is *impossible* to justify a hard-point ABM system employing only 100 interceptors.

Protection of 60 Minutemen at an ABM system cost of $8.5 billion equals $140 million per Minuteman: more than 23 times the cost of the ICBMs themselves. For less than one twenty-third the cost of *Safeguard,* we could have deployed 60 additional Minuteman III ICBMs complete with hard silos.

As we have discussed in debates on previous military procurement bills, it is highly unlikely that the *Safeguard* ABM system will function effectively under *combat conditions* the first time it is called upon. However, even if the system were 100% effective, this super-expensive protection for 6% of our Minuteman force cannot be justified.

Hard-point protection is obviously not needed against third-country or accidental attack. It can be rationalized only as an attempt to preserve our nuclear deterrent against a heavy sophisticated Soviet first strike.

If such a first strike becomes possible (at this time it is technologically inconceivable) its anti-Minuteman component presumably will consist of about 200 SS-9s bearing six warheads each, augmented by approximately 1,000 smaller ICBMs with single warheads.

Such a force could easily spare 100 of its 2,800 warheads to exhaust the 100 American ABM interceptors, even if we generously assume these interceptors to be 100% effective.

Similarly, a defense of the *national capital* makes no sense if the defense can be exhausted by *101 warheads.*

Presumably the Soviets recognized this when they slowed deployment on their Moscow ABM system. But even if they are foolish enough to waste their money on completing the system, there is no reason why we should follow their example.

Expenditure of public funds for further ABM procurement or construction cannot be justified but at best should proceed at a very decelerated rate.

In time, the Soviets may develop a MIRV, and they may improve their accuracy to the point where they become a threat to Minuteman. But this will take many years, and we will be able to follow their progress. There is no need to rush.

A cut of $350 million would leave a balance of $136.2 million for further completion of construction at Grand Forks in 1973.

4. *CVAN-70—Nuclear Carrier—Delete $299 million* and do not make advance procurement.

Advent of the ICBM and SLBM, combined with the development of highly effective nuclear-powered attack submarines and the new generation of Soviet cruise missiles, have reduced the effectiveness of the aircraft carrier as a strategic nuclear weapon to the point where it is *not cost effective,* and possibly not effective at all. The Defense Department implicitly acknowledges this, when it invariably fails to include its carriers in its lists of *strategic weapons.*

Aircraft carriers continue to have a certain degree of effectiveness for non-nuclear warfare, and they continue to serve as a deterrent to direct Soviet combat intrusion into the Arab-Israeli conflict. However, it is apparent that:

1. The present force of 15 attack carriers is more than sufficient to meet any need that can be reasonably projected. The Navy implicitly acknowledges this, by its practice of keeping only one out of three carriers in operation at any given time, as opposed to the two-crew system employed to keep the more vital missile submarines in operation as much as is mechanically possible.

2. Nuclear propulsion is marginally needed and its cost is not justified. In operations against a minor power, the safety of a large carrier is unlikely to be threatened. In operations against the Soviet Union, with the latter using its best attack submarines and cruise and ballistic missiles, the lifetime of a carrier is measured in minutes, or in hours at the most. Under these conditions, the ability of a nuclear-powered ship to operate for weeks at full speed without refueling is not a significant advantage.

Therefore, the national interest would be served by cancellation of the CVAN-70 procurement program.

Last year the Navy said that if the CVAN-70 was not authorized that costs would escalate from $750 million to $980 million for the ship. This has happened. The Congress decided last year not to build this ship and it makes little sense to proceed this year at a ¼ billion cost escalation.

Many bright professional Naval strategists have written over the past several years that it is cost ineffective to spend $1 billion for a nuclear carrier, $1 billion for airplanes, and $1 billion for a support fleet, when the whole fleet is dependent on the carrier and the carrier is physically vulnerable to a dozen missiles and other lesser weapons in the U.S. and foreign arsenals, many of which have been deployed for over 10 years.

The real question that we must decide is: *"Is this CVAN-70 the last billion dollar carrier that the U.S. will construct, or was the last one the last?*

I am one who supports a big Navy, but not a big *obsolete* Navy—nuclear powered or otherwise.

VIETNAM

In a final area of the Vietnam War, I have offered another solution for this country's desecrating confoundment, short of surrender, but also short of total victory. It has always seemed to me that the American myopic obsession with the war was wrong, not that we were backing the wrong side, but that we were spending ourselves into oblivion Americanizing a conflagration between underdeveloped people. We have clearly spent many hundred times the amounts spent by the Soviets to support their Communist counterparts as the chart from Secretary Laird's unclassified posture statement illustrates:

The U.S. has expended in 7 years annually to support South Vietnam from $5 billion to $25 billion, while the Soviets never expended more than one-half billion in any single year.

The Soviets have provided *two-thirds* of all the North Vietnamese support per Laird. The U.S. has spent over $150 billion, obligated itself for hundreds of billions of Veterans benefits in addition—the Soviets have spent at most $10 billion dollars.

While I have criticized the Thieu Government as being *undemocratic* on the one hand, the facts are self-evident over the past few months particularly that the North Vietnamese are the real heartless aggressors in Southeast Asia who are prepared to annihilate hundreds of thousands of North or South

Vietnamese soldiers or civilians in their efforts to communize the area.

The United States must avoid being *paranoid* in resisting this effort and likewise we must totally *sell the war back to the Vietnamese.*

I believe that there are many people in South Vietnam who want an *independent* South. *They want an end to the killing and they are prepared to die to avoid Northern domination.*

I personally went to Paris and talked at length to the enemy spokesmen informally and they appear *intransigent* with respect to a negotiated peace without *total surrender* of South Vietnam.

On this state of the record I offered the following amendment which would provide the United States with a *unilateral* firm course of action, not forsaking our *POWs and missing,* neither *escalating* or further *bankrupting* our country as has been our past course.

3. *Sense of Congress amendment. New Section No. 503.* It is the sense of Congress that the President negotiate a reasonable termination of US involvement in the undeclared war in South Viet Nam and a return of American Prisoners of War and accounting for those American defense personnel missing in action. It is the further sense of Congress that if possible the President first negotiate for a total cessation of hostilities in this war theater by all parties including return of all Prisoners of War; second, that the President negotiate for a total termination of US involvement including a return of American Prisoners of War without passively or actively undermining the South Vietnamese Government looking toward a complete Vietnamization at the earliest possible date of the land, sea and air forces; third, *that should the President be unable to successfully negotiate either of the foregoing options that it is therefore the sense of Congress that the US having a continued interest in the return of American Prisoners of War and accounting for those missing in action and an interest in a stable balance of power in Southeast Asia, that the United States unilaterally and preferably over a six month period of time reduce its military active and support role in relation to the government of South Viet Nam, Cambodia, Laos and Thailand only sufficient to provide an equal and reciprocal counterpart to roles of support, including logistics and advisory, played by China and the Soviet Union in relation to the Communist movements in North and South Viet Nam, Cambodia, Laos and Thailand.*

In addition, Mr. Chairman, I would include a question and answer which appears in the committee record at page 12098.84, and 12098.85, which also contains the answer of Dr. Foster.

The material referred to follows:

Mr. LEGGETT I would say this about the Trident system, that it appears we have spent on the order of a quarter of a billion dollars for each of the 41 Polaris/Poseidon that we have. We have developed a system that either from 1,500 or 2,500 miles, depending on how they are loaded down, you get [deleted] percent of accuracy within a [deleted].

From my observation, the way we have been recoring these and rebuilding them when they come in for overhaul, they are good for a long, long time, because of Admiral Rickover's zero defect system.

Then I wonder why we are accelerating the $977 million into the Trident system when obviously all we have is the 54 missile Titan surplus differential capability to build into, which would approximate 2.1 Tridents or ULMS.

I think that to obsolete these quarter of a billion dollar A–3, non-Poseidon/Polaris in favor of Trident, even in the 1977 time frame, is wasteful. I would say as far as the cruise missile is concerned, as I recall we abandoned the Mace missile which was a subsonic employed system in Europe, primarily because it was vulnerable. I was briefed the other day on the Phalanx system, which the Navy is developing, which appears to be an excellent, cheap method of defense against a cruise missile. I am wondering why perhaps we couldn't use this as a coastal type defense rather than getting involved with potential charades where we use Sprints, Spartans, and nuclear weapons to defend against this very primitive-type system.

I would say as far as resiting our bombers, as I understand the idea behind that was because of the low trajectory submarine-launched vehicles, which don't really appear to be materializing as early as we had anticipated, and I would add in the same question that Ed Hood published in the Shipbuilders' Council of America the statement the other day in his weekly report indicating where we would be with and without the SALT agreement, and he had there 11,000 strategic nuclear warheads. I am sure he is including tactical in that number—versus 2,700 for the Soviet Union—but he also had us ahead of the Soviets in megatonnage under the SALT agreement, as well as numbers of targetable warheads.

The CHAIRMAN. Mr. Secretary, do you understand the question, or do you want Mr. Leggett to repeat it?

Dr. FOSTER. I certainly understand the question, Mr. Chairman. I would be delighted to have an opportunity to provide the answers.

If I may, I would like to provide the answers after each question so as to provide more clarity.

The CHAIRMAN. In other words, you want to reread the question before you can answer?

Dr. FOSTER. I certainly would like the opportunity to do that very carefully.

(The following information was received for the record:)

Regarding Trident, our need for this system, and its acceleration, was not based on an immediate need for a replacement for the current SSBN's, but was driven by two factors:

1. A need for the option to place additional launchers at sea, which is still valid under the current SALT negotiating environment; and

2. A need for a sea-based deterrent in the late 1970's which is less likely to be affected by improving Soviet ASW capabilities than the current FMB submarines. Trident, with its long-range missiles and advanced submarines, will provide increased operating area and quieting to maintain survivability of the SLBM force against potential Soviet ASW developments.

Several other points are also pertinent. It may be true that some of the items in Admiral Rickover's system could last beyond 20 years, but when dealing with radioactive materials in a nuclear propulsion plant, there is no margin for error; material integrity is paramount. For this reason, and also because of the Navy's previous experience with overall submarine life expectancy, we are apprehensive about maintaining nuclear submarines in service beyond about 20 years. If we are assure that we maintain a first-rate deterrent force, we should be willing to recognize the value of the Navy's experience in estimating the time at which it is prudent to plan for replacement to be available.

Regarding the submarine-launched cruise missile, it will fly at very low altitudes. It will thus be an entirely different defense problem, and will add another factor for Soviet defense planners. An SLCM threat would stress Soviet air defense capabilities and restrain their commitment to an ABM role because the SLCM's could arrive at the targets during the ballistic missile attack period.

I believe it is essential that the United States initiate the development of the submarine-launched cruise missile, both to preserve our position of sufficiency, and to insure that we are in a position of strength to negotiate on this class of strategic weapons during the next round of SALT.

With reference to your question concerning the need for relocation of our alert bomber force, I don't believe we can say that the threat may not be materializing as early as we had anticipated. The Soviets are now testing a new missile for their SLBM force, the SSNX–8. They are also continuing, and permitted under the SALT agreement, to expand their SLBM force. We have very little information concerning this missile; and unless the Soviets choose to demonstrate a capability to fly a highly depressed trajectory, we have no way of knowing whether it can or cannot do this. If this missile possesses such a capability, thereby minimizing the warning time, then our bomber force could be seriously threatened. We believe it prudent to hedge against this possibility and take those steps now which serve to keep our force secure. The bomber relocation program does this.

Mr. Chairman, I would compare that answer with the statement by the columnist, Art Hoppe, speaking over the weekend, appearing in a California newspaper, and I will obtain the proper authorization to put this in the RECORD at the proper time.

The material referred to follows:

THE GREAT ROCK RACE

(By Art Hoppe)

June 25, 1984—As church bells chimed and people throughout the world danced in the streets, the United Nations today realized an age-old dream of mankind by ratifying a Universal Disarmament Pact.

Under terms of the widely hailed treaty, all Nations agreed to destroy immediately every single weapon in their arsenals—from missiles to billy clubs, from jet bombers to bows and arrows.

"At last man now enters a golden age of permanent peace," a jubilant President told the U.S. people in a nationwide telecast. "At last we can divert our $200 billion defense budget to better the lot of every American. For man will war no more. "After all," he said with a smile, "The only thing man can now hurl at his brother is a handy rock."

June 26, 1984—Defense Secretary Melvin Ludd appeared before a joint Congressional committee today to ask for $1.5 billion research funds to develop a "prototype rock."

Ludd pointed out that rocks, being indigenous to every nation's environment, were not banned by the treaty. "We can be sure," he warned ominously, "that the Russians and the Chinese are secretly at work on an advanced rock that could make America a second-rate power."

April 8, 1985—The Army today unveiled its new M–16 anti-personnel rock designed to fragment on impact.

Developed at a cost of $43.6 billion, it will replace the now-obsolete 125-pound M–15 rock, which failed in extensive tests to get off the ground. Some of the obsolete M–15s will be mothballed for emergencies, the Army said, while the remainder will be sold to "our friendly neighbors in Latin America" for 3 cents on the dollar.

The Army purchased one million of the new H–16 rocks for $1.39 each. The rest of the $43.6 billion went for new M–16 mobile rock haulers with white sidewall tires, new individual M–16 rock carriers with chromium handles.

November 3, 1985—Secretary Ludd asked Congress today for $64.5 million to develop an Anti-Rock Rock, (ARR) plus another $82.7 billion to construct an Anti-Rock Early Defense Line (ARED).

He cited CIA reports that the Chinese were working on an Inter-Continental Bal-

listic Rock launched by a giant Chinese firecracker.

He said the proposed ARED, a mile-high net along the Canadian border, would intercept most Chinese ICBRs, while the new ARRs, sent aloft by mile-long rubber bands, would shoot down the rest.

November 7, 1985—A worried President today signed the Universal Draft Law requiring all Americans over age five to work on the Nation's rockpiles.

"Our freedom will never be secure," he said, "until we have the world's largest rockpile stockpile."

July 4, 1986—The people of the world, fed up with working day and night on their national rockpile stockpiles, revolted today.

Chanting the stirring slogan, "We need rocks like holes in our heads," they marched on the U.N. and demanded an entirely new treaty. This one banned not weapons, but all Generals in general and all Defense Secretaries in particular.

And so church bells are chiming and people throughout the world are dancing in the streets tonight—confident that they have at last found the key to a golden age of permanent peace.

Mr. BRAY. Mr. Chairman, I yield to the gentleman from Illinois (Mr. ARENDS), the ranking minority member of the committee.

Mr. ARENDS. Mr. Chairman, I, too, wish to join with those who have paid their tribute to the gentleman from New York (Mr. PIRNIE) who after this session of the Congress will be leaving us.

He has been, I think, one of the most outstanding and valued members of our committee, a steady, constant worker on the jobs that have been assigned to him on that committee, both in the full committee and in the subcommittee.

The gentleman from New York (Mr. PIRNIE) is one of those rare individuals who accepts responsibility, and when he takes on a responsibility he gets the job done.

Not only have I enjoyed serving with him on this committee for many, many years, but likewise I have deeply appreciated his friendship and the close cooperation that I have had with him in the work here on the floor of the House.

All of us will miss him as he leaves us at the end of the year, voluntarily. I only wish that he might have decided rather to stay here where he has been of such invaluable service.

I want to say as you leave, Mr. PIRNIE, as you go away from here, I am proud when you leave that I can say—"There goes a friend."

Mr. HÉBERT. Mr. Chairman, I yield 10 minutes to the gentleman from New York (Mr. PIKE).

Mr. PIKE. I thank the chairman for his usual courtesy in giving me this much time. Sometimes I wonder whether any of it is worth it. The bill involves twenty-one billion and some three hundred million dollars and, yet, you look around the room and essentially we are talking to ourselves. The room is about empty other than the members of the committee, all of whom have heard it before and said it before and know how they stand. There are a hardy few, I will say, a dozen perhaps—but here we are and—oh, maybe I was even tempted to have a quorum call in the hope that somebody would come and listen, but I do not think it matters particularly.

For example, one of the things we are doing in this bill in section 601 is increasing retroactively the amount that we can give to Vietnam to fight the war over there. Why are we doing it retroactively? We have to do it retroactively because it is being done illegally right now.

What difference does it make what limitations we put on how much they can spend over there? Last year it was $2½ billion and they have used up the $2½ billion and the Secretary of Defense came before the committee a few weeks ago and he said—Well, we are right up against the limit right now so we have to increase it.

Well, he was right up against the limit a few weeks ago when he was there so, obviously, they are over the limit today.

So what difference does it make whether we establish any limits at all—because the money is going to be spent.

This really is not the worst bill that I have seen come out of the Committee on Armed Services by a long shot. We did make some real cuts in research and development. It is kind of fun sometimes to look back over the committee reports of prior years and to see what we said about some of these wonderful weapons systems which are with us year after year, back again like bad pennies—or perhaps bad billions.

You look back over the years—2 years ago, for example, there was the Cheyenne helicopter. Two years ago the committee report said—Well, the Army had found the company in default on procurement of the Cheyenne.

So last year what did we say about the Cheyenne helicopter? We said that they were not entitled to $13 million on the Cheyenne. So what are we giving them this year? We are giving them $53 million for the Cheyenne. It just will not ever go away. We have built 12 of the darn things already.

So what have we got in there—money for three preproduction prototypes.

Then back over the years there was the C–5A. Two years ago the committee report said there was $544 million in it for the C–5A, of which the Air Force said we owed Lockheed $344 million. But there was $200 million in there which we might have to use just to keep the line going.

Well, that was 2 years ago, and last year there was another $200 million and some for the C–5A, and this year there is another $200 million and some for the C–5A, and every dime of this, after that $344 million 2 years ago, is a cost overrun.

We have had the ABM just about as long as I have been in Congress. We called it other things in other times, but it was always there, and if we spend the money which is authorized in this bill this year, we will now have spent over $10 billion for the ABM. That is the total that we will have spent for the ABM and its predecessors, the Nike Zeus, the Nike Ajax, and the many different other names that we call the thing—$10 billion. Last year Congress prohibited the only ABM new site that we are talking about building now. That is the site to defend Washington. Congress passed a law saying, "No, you can't build that." Why are we going to build a new site to defend Washington? The Russians chose that site. We did not choose it. It is the only site we can build under the ABM Treaty, under the SALT compact. So we are going to build on a site which the Russians chose for us. It was not our choice.

We had four sites that we wanted to build on before this Washington thing. We cannot build three of them, so we will build the only one we really did not want to build.

I will offer a motion to strike from the bill the language which pertains to the ABM site. All the language does is to repeal the law Congress passed last year saying we could not build a Washington ABM site. At the appropriate time I will offer a motion to strike that.

We are just beginning to get cranked up on the B–1. We have had it for a long time. We used to call it the B–70. You may remember that we spent $1.5 billion to build 2½ B–70's. Then we canceled that program. I do not know what is going to happen with the B–1, but it is just beginning to get cranked up. Two years ago there was $100 million for it. Last year there was $370 million for it. This year there is $445 million for it and we are only warming up. Two years ago in the minority views on the B–1 I lamented the fact that they were going to cost almost half a billion dollars apiece for the R. & D. prototypes. Today I lament the fact that they are now going to cost over $800 million apiece for the R. & D. prototypes. It probably does not matter, but I will move to strike that one, too.

The DD–963 is a fascinating subject matter and it generated a great deal of debate in the committee. When we moved to put $247 million into the bill for advanced procurement for more DD–963's, I do not think the committee really knew whether they had authorized seven more DD–963's or not. Now we say we are not. But here is the situation. We have already authorized 16 of them. The keel has not yet been laid on No. 1. We are putting $247 million of advanced procurement for ships 17 through 23 in here, and I really do not think that there is anyone on the committee who believes that those ships are going to be built anywhere near the cost or anywhere near on time, if we can judge by what has gone before in that particular yard.

Do not judge it by time alone. Take fundamentals like the man-hours needed to build the LHA, which has increased by almost 300 percent, and the wages paid to production workers, which have in the last year increased by one-third. When we get a 300-percent increase in man-hours and a one-third increase in wages, we know we are going to go way over the cost on these things. Essentially there is only one way to limit what we spend on arms. That is just to plain limit what we spend on arms.

What we have here today is a great triumph about the SALT talk and the wonderful things which were accomplished by the SALT talk.

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

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

Mr. GROSS. I hope the gentleman is not going to overlook that great flying Edsel known as the F–111, which was grounded for the seventh or eighth time last week.

Mr. PIKE. I would simply say to the gentleman from Iowa that there are so many things in here that I could devote my time to, but I am running out of time, and I want to just kind of generalize rather than be specific at the end.

I think after the SALT talk agreement, when we wind up with a bill which authorizes more money than we authorized last year, which authorizes $800 million more than we appropriated last year, there is not any great victory in the SALT agreement.

I think if we are going to use every agreement only as an excuse to got out and build something else that is not covered by the agreement, we underestimate the ingenuity of our scientists and theirs. If we can agree only on specifics, then our scientists will still be finding ways of making their vodka bottles explode and their scientists will be finding ways to make our beer cans turn into land mines along the highways.

The only way we will ever be able to do anything about cutting military expenditures so we can do something else in this Nation is just plain to cut them, and I hope a few people vote against this bill.

Mr. BRAY. Mr. Chairman, I yield to the gentleman from Ohio (Mr. CLANCY) such time as he may consume.

Mr. CLANCY. Mr. Chairman, I rise in support of this legislation.

Mr. Chairman, I rise in support of this legislation and I would like to discuss with you a most important feature of this bill—the Trident program.

The Trident program is not a crash program. It is an urgent, but orderly, program for replacing our aging Polaris submarines with new submarines having greatly improved capabilities.

By the time the first Trident submarine can be delivered in the late 1970's, the first Polaris submarines will be nearly 20 years old, and with no potential for significant improvement. These submarines have been operated hard, with two crews, to allow them to be on station a high fraction of the time. They were built to specifications based on a 20-year life and their machinery is wearing out. It is unreasonable to expect them to operate more than about 20 years without having some major breakdowns.

The Trident submarines will be quieter and incorporate the latest technology to improve their survivability. These improvements can only be incorporated in new design submarines; they cannot be backfitted in Polaris submarines.

Our Polaris/Poseidon submarines are limited in their patrol area by the range of their missiles. This forces them to operate in close range to foreign shores, thus bringing them within range of Soviet shore-based aircraft. This limited patrol area simplifies the Soviet antisubmarine problem by allowing them to concentrate their sea and air forces in a much smaller area. The Soviets have been investing heavily in antisubmarine warfare research and development, and have built and continue to build improved nuclear-attack submarines—one of their best ASW weapons. They have invested large resources in ASW surface ships. Also, indications are the Soviets are attempting to establish an area antisubmarine surveillance system presumably aimed at locating our Polaris/Poseidon submarines.

The first generation Trident missile will have a range of almost twice the range of the 2,500-mile Poseidon missile. This initial Trident missile can be backfitted in the 31 Poseidon submarines and will provide a severalfold increase in ocean-operating area available to our ballistic-missile submarines compared to the shorter-range Poseidon missile.

The Trident submarines will have missile tubes which will provide growth potential for even longer-range missiles. With this longer-range missile, which will fit only in the Trident submarines, the ocean-operating area available to our Trident submarines will again be increased severalfold over the area of the first generation Trident missile.

The Trident missiles will permit basing our ballistic-missile submarines in U.S. ports. This will eliminate dependence on foreign basing.

The Soviets are continuing to expand rapidly their own ballistic-missile submarine program. They now have in operation about 30 nuclear and diesel ballistic-missile submarines of older classes and 25 of the new *Yankee* class which can fire a 1,300-mile-range missile. In the past year they started work on their 42d *Yankee* submarine, and they are now substantially expanding their submarine building facilities. They already have the largest and most modern submarine building yards in the world which gives them several times the nuclear-submarine construction capacity possessed by the United States.

The Soviets have tested a missile with a range at least twice that of the present 1,300-mile missile. This new missile will give their submarines the capability to strike us from points only a few days from Soviet bases. In a sense, the Soviets are already building their equivalent to our Trident missile. These developments increase the threat to our land-based strategic forces and increase the reliance we must place on our sea-based strategic deterrent.

The Soviets have a more modern ballistic-missile fleet than we do. They are building more missile-launching submarines today, whereas we funded our last Polaris construction in fiscal year 1964, and finished it in 1967.

The Interim Agreement on Strategic Offensive Arms signed in Moscow on May 26, 1972, allows the Soviets to continue building ballistic-missile submarines up to a total of 950 ballistic-missile launchers on submarines and up to 62 modern ballistic-missile submarines. This will allow the Soviets to continue building ballistic-missile submarines at a rate of about 7 per year during the 5-year term of the interim agreement. Even under the President's recommended fiscal year 1973 budget for the Trident program the first Trident submarine will not become operational during the 5-year term of the interim agreement. Therefore, it is essential that the United States proceed now with Trident submarines as proposed by the President.

Modern complex defense systems take many years to design, develop, and produce. Trident has already been in the research and development stages for 3 years. The system has been carefully evaluated during this period and the Navy is now ready to move into detailed design and construction of the submarine.

In developing a new missile the long leadtime is in research and development with a relatively short production span of 1½ to 2 years required to build the missiles themselves. In contrast, the production span time on nuclear components is up to 5 years under the most favorable conditions. The Navy and Atomic Energy Commission have already done the propulsion plant development work necessary to define what is needed to order the long-lead nuclear propulsion plant components. Delivery of the nuclear propulsion machinery will control the construction schedules for the Trident submarines. It is therefore necessary to start production of this machinery while the missile work is still in the research and development stage.

For this reason, there are $361 million of shipbuilding and conversion, Navy—SCN—funds in the fiscal year 1973 budget request to start work on the first four submarines. Of this amount, $194 million is for ship design, long-lead nuclear propulsion components, and hull steel procurement for the lead ship. The remainder, $167 million, is for long-lead components for three additional ships.

It will be impossible to build the lead and follow ships on the shortened schedule proposed by the administration if the Navy does not get the long-lead machinery on order. In other words, by ordering this long-lead machinery in fiscal year 1973 the option will be kept open to authorize the lead Trident submarine in fiscal year 1974 and follow submarines in fiscal year 1975. However, going ahead with the procurement of the long-lead nuclear propulsion machinery for the ships in fiscal year 1973 does not commit Congress to any specific submarine-building schedules. The construction schedules for these ships can be settled later, based on events as they occur.

If the nuclear machinery were delayed by lack of long-lead funding, the submarines themselves would be delayed, the propulsion machinery costs would increase, and the delay in the submarine schedules would cause the total cost of the submarines to escalate. Further, it is important to have a sizable buy of Trident nuclear propulsion plant components in fiscal year 1973 in order to get the best manufacturers to make commitments to set up production lines for this machinery and to benefit from the economics of a sizable procurement.

Mr. Chairman, it is of the upmost importance that we continue to improve the quality of our submarines. In agreeing to let the Soviets have 62 nuclear-powered ballistic-missile submarines to our

44, it is of prime importance that our submarines be able to cope with any threat. We must start building at once.

If and when additional negotiations occur, and we hope they do, we must negotiate from a position of strength.

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

Mr. GUBSER. Mr. Chairman, I would like to add my voice to the complimentary things which have been said about the gentleman from New York, our colleague who is retiring at the end of this session (Mr. PIRNIE). It has been my great honor and my privilege to sit next to the gentleman on the Armed Services Committee and to serve with him on several subcommittees, to observe at firsthand the very wonderful things he has done for this country, and to admire the tireless and energetic manner in which he has gone about performing his duties.

It is not easy in this modern day and age, considering the emotional trend of our times, to serve on the Armed Services Committee. In fact, I would go so far as to say it is almost a political liability today. We all recognize the fact that people are frustrated and sick and tired of the war in Vietnam, and it is only natural that their emotions escape due bounds and they make a blanket condemnation of everything military.

Members of the type who stand up and assert their feeling that this country does need to be strong and that this is still a dangerous world are categorized as bloodthirsty hawks and as tools of the so-called military-industrial complex.

The gentleman from New York has stood up to the challenge of today. I think all members of the House Committee on Armed Services have done likewise.

If we look at this bill today—yes, it is a larger authorization than last year's appropriation; yes, it is larger than one would expect if they adopted Neville Chamberlain's belief that suddenly peace in our time was upon us. However, if you are going to be responsible, it is up to each of us to resist this mistaken emotional tide that the country is being swept along with and insist that this country be kept strong.

If I were able to have that mythical magic lamp and to have one wish granted, here is what I would wish for. I would wish for the day to come when this arms race would stop and we could cut back on our military spending and use the money for other things of a higher priority insofar as human needs are concerned. That is what I would wish for—real cutbacks in defense spending.

However, I am not going to be fooled into thinking that because we have made one tiny step with the SALT talks that everything in defense spending can come to an end. I am simply not going to be fooled that way.

In fact, if we want to cut back our spending, we have to have phase II of the SALT talks. This is what I pray for when I pray for seeing a real end to this arms race. I am praying for phase II.

This bill is what will give you phase II. If you cut it, if you knock out some of the items which will really provide the incentive for Russia to negotiate phase II, then you will be sacrificing the follow-on SALT agreement and you will be sacrificing the fondest hope and greatest dream mankind could ever have.

If we had succumbed to the pressures to knock out the ABM in past years, you would not have phase I of SALT today. I say this with every confidence. We had the courage to withstand the emotional tides of the moment and vote for the ABM that gave us the first SALT agreement. I say the time has come then when even though it may be unpopular we must stand up and vote for Trident and the B–1. Then we will get phase II and realize our national dream.

Mr. HÉBERT. Mr. Chairman, I yield 1 minute to the gentleman from Mississippi (Mr. MONTGOMERY).

Mr. MONTGOMERY. Mr. Chairman, I would like to thank the chairman for giving me this time to commend him and the other members of the committee on which I serve for doing a good job. We did work hard on the bill. There might be some things a few people do not like, but I believe we have a good bill which will work. I hope the committee will support the bill.

Also, Mr. Chairman, I would like to rise to join my colleagues and say that we are certainly going to miss the gentleman from New York (Mr. PIRNIE). I have served on subcommittee No. 2 with him, and I know he is one of the most dedicated members of the subcommittee. It will be a great loss to the committee.

I take this opportunity to join my colleague in saying how much we are going to miss Mr. PIRNIE who is retiring after this session of Congress.

The gentleman from New York has been of so much help to me personally. I have asked his advice on many legislative issues and his advice has always been sound and logical.

I have served on the subcommittee No. 2 with Mr. PIRNIE. He is always at the committee meetings and always adding something to the meetings. His questioning of witnesses before our subcommittee is outstanding.

We are going to miss this man in Congress. I know the people of his district in New York State are certainly going to miss this great Congressman.

Mr. BRAY. Mr. Chairman, I yield such time as he may consume to the gentleman from Florida (Mr. YOUNG).

Mr. YOUNG of Florida. I thank the gentleman for yielding.

I want to rise along with our colleagues in paying tribute to the gentleman from New York (Mr. PIRNIE), and also to the gentleman from Missouri (Dr. HALL) who will be retiring at the end of this term, for the fine work he has done as a member of the Committee on Armed Services.

Mr. Chairman, the Armed Services Committee has recommended for fiscal year 1973 for the Coast Guard Reserve a manpower strength of 11,800.

However, Mr. Chairman, I wish to reemphasize its position in this regard which is strongly pronounced in the committee report. The committee report reads as follows:

> We want to make clear, however, that we do not share the belief expressed by Coast Guard officers that they could rely on the Ready Reserve to supply the difference between the strength authorized this year and the 22,000 needed within 30 days after mobilization. We are firmly convinced that ultimately the strength of the Selected Reserve of the Coast Guard must be raised to at least 15,000.

Mr. Chairman, along with my colleagues on the House Armed Services Committee I shall be anticipating the Coast Guard returning before our committee next year with a request in support of an increase in the authorized strength of the Coast Guard Reserve. The very important mission in the time of emergency delegated to the Coast Guard certainly warrants a full-strength organized Reserve and I for one will support such an increase.

Furthermore, Mr. Chairman, I am most hopeful the conferees of the other body on the Department of Transportation appropriation bill, will agree to accept the amendment unanimously adopted by this House when it approved the full funding for the Coast Guard Reserve providing for this year's strength of 11,800 men. Should this authorization not be enacted into law before the new fiscal year begins this Saturday, I trust the House will not recess until some legislative language is adopted providing for a continuing authorization; for if this is not done, all activities of the Coast Guard Reserve will cease until legislation is enacted. We cannot allow nor can we afford to permit any of our Reserve components to become inoperative for even 1 hour.

Mr. BRAY. Mr. Chairman, we have no further requests for time.

Mr. HÉBERT. Mr. Chairman, since the gentleman from Massachusetts (Mr. HARRINGTON) is now on the floor and is present, I yield him 10 minutes.

Mr. HARRINGTON. Thank you, Mr. Chairman.

Mr. Chairman, I appreciate the chance to speak, perhaps giving the minority point of view. I cannot help but feel that the observation made by my very able colleague from New York (Mr. PIKE) about the illusion rather than the reality of this performance is something that I should comment on. I think if we were to clear the galleries and to ask the press to leave, we would almost have an exact replica of what the situation goes on, on a day-to-day basis, in the Armed Services Committee.

We probably have a bill here next to the military appropriation bill, that is the single largest item moneywise that the Congress will be asked to deal with.

Mr. HÉBERT. Will the gentleman yield?

Mr. HARRINGTON. I yield.

Mr. HÉBERT. I cannot let that statement go unchallenged. The records of the Armed Services Committee show a 90-percent attendance.

Mr. HARRINGTON. My point, Mr. Chairman, was not to question the attendance, which I would never quarrel with, since the name of the business is not sometimes how well but how often one does things in Congress. Basically my point is that we only operate in a rather

closed and classified circuit, and my point was not to be any more irreverent than my dissenting remarks, but I would point out I think it is unfortunate that in dealing with a $21.5-billion bill that we should find so few of our colleagues present, and so few of the public interested.

Let me, if I can, spend a little bit of time generalizing. Let me make a couple of apologies with reference to my relatively brief tenure on the committee, which is often referred to as perhaps the reason for my inability to understand the logic of what is done. I find it very difficult because I, like the gentleman from California and others, would like very much to see the end of the arms race. I would like very much to see a limitation of what we spend for weapons and more spent in other areas; and I, like those gentlemen before me in general, would like, I think, to find a way, if it is at all possible, to convince more people of the need to have an adequate—not an excessive—defense. But I said this a year ago, and I say it again now, that I find that the method of approach to accomplish this, the way we choose to go about convincing both the Congress and the public, is to me self-detrimental when it comes to accomplishing the desired goal.

If most of our sessions are going to be in secret, if most of our sessions are going to have testimony only from the executive branch, if most of the people who come before us already have a predetermined point of view which coincides with the committee, it seems to me that we do not perform the function which all of us would like to see—a broad national consensus about the need for defense, and a broad national consensus about what those needs should be and how they should be met. What I would like to see, and perhaps it is born of my impatience and by my expectations, is an effort made to be educated in a broader way; an effort made to use the time in compiling the 3,000 pages referred to as a demonstration of interest and skill and capacity, not only to convince the members of the committee—who one might again irreverently suggest were convinced before they started—but to convince the rest of Congress and to convince the rest of the country of the need to spend this kind of money. I think instead what we have had—and I find myself most troubled by this—is an effort to deal more with the form of things than with the substance of things, and I think that this bill once again, despite the well-claimed efforts at cutting $1.5 billion from it, is a fitting justification for that.

There are a number of areas that I would like, if I could, to address myself to, and I would be prepared, as I have indicated in letters sent to all House Members today, to ask amendments to this bill tomorrow in a specific sense.

The first is the one that has already been dealt with dealing with so-called SALT incremental moneys—moneys that were not part of the original bill—moneys that were not given anything more than cursory treatment by this committee in one morning session shortly after the appearance of the Secretary of Defense. The cursory treatment of these additional moneys I think goes to the very heart of the credibility of the performance that we as a committee have and the expectation and the obligation to perform.

I do not see how we can convince the American public that an arms limitation agreement means anything at all if in the next breath we find ourselves asking for increments in a budget, before we have an opportunity to determine whether or not the faith on which these agreements are made can be used as an assumption for the Congress to go forward by limiting amounts of money, rather than increasing them.

The second area, and one in which I have found myself disturbed, is the question of keeping from members of the committee, and I would say from most members of the committee, information about parts of the budget. There is somewhat under a billion dollars which most of the committee knows nothing about, and which we were asked, at least until recently, to take on faith that the ranking majority and minority members have enough information about to guarantee that we should accept it and should vote for these moneys in the course of a $21 billion bill.

I might only point to the history alluded to by the gentleman from California, of our experiences in the late 1930's and in the late 1940's, and perhaps later than that, with certain of the CIA activities in the 1950's and the 1960's, to wonder what kind of mischief might be unloosed by an uninformed American Congress and by an uninformed American public.

I believe it is unfortunate in the midst of classified hearings conducted in secret that the members of the committee were not apprised of money which is substantially a part of this budget, and were thus unable to make a determination as to whether its use is wisely put.

The third item, which has already been alluded to, and one I find myself disturbed by on a regular basis, is one which puzzles me as to why it stays in our budget. I am referring to the $2.7 billion in military assistance service funding which logically belongs under the jurisdiction of the Foreign Affairs Committee. We have been told, as long ago as 1968, that there was going to be a plan to end our involvement in Southeast Asia. We were told as recently as 2 weeks ago that in addition to the moneys already available for that purpose we would perhaps spend $5 billion more in Southeast Asia before the end of the year because of the attacks which have occurred since April 1.

Our slight contribution to that is the sum of $200 million over and above the $2.5 billion which we were asked to authorize to give aid to our allies in all of Southeast Asia for the continuation of the struggle for which we have spent $150 billion in the last 10 years, at a cost of 50,000 lives and 300,000 wounded.

Again, I believe that the matter should have been dealt with in a fashion which gave more of an opportunity for those who oppose the general direction we have taken in Southeast Asia to be heard and, more importantly, I believe it should be heard before the Foreign Affairs Committee, where most of the other matters of this kind are properly matters of consideration, and where, before 1967, this particular area of the world found itself funded.

I would ask that there be one other consideration given, and I do not have any particular special expertise in the area. This is to the question raised by the gentleman from Mississippi, the chairman of the Senate Committee on Armed Services, (Mr. STENNIS), in the course of two very interesting speeches during the course of last year and the first part of this year.

Basically, the question is whether or not we are not pricing ourselves out of being able to raise and equip an army, and whether, in view of the fact that the total cost of personnel now is approaching 60 percent of the total annual budget, we ought not to reflect on whether or not our force levels and the need for men, which is almost a mania, is such that it is now self-defeating as to providing for an adequate defense.

I hope we will give serious consideration, since it is a part of the bill, as to whether or not we need a standing army of 2.4 million men, with 3,000 separate locations in which they find themselves around the world, with a substantial number of them in Western Europe 27 years after the end of World War II, with an increasing number in Thailand and in ships off the coast of Vietnam some 3½ years after the plan is proposed to end our involvement in that area. Can we find any justification in the Congress today, when it comes to appropriating funds in the manner we have chosen to appropriate them?

Finally, Mr. Chairman, I am appalled by the section of the bill which prohibits universities refusing ROTC on campus from receiving Defense Department research and development funds and which prohibits the Defense Department from sending students to those universities. The Department of Defense opposes this provision; the universities oppose this provision; civil libertarians oppose this provision. It is illogical, shortsighted, denies academic freedom, and ignores the fact that many of the universities involved met for over a year with the Department of Defense and came to an amicable agreement about needed changes in the ROTC program which would in many cases allow ROTC back on campus with all parties pleased. Why it is necessary to include this punitive section in the legislation is beyond me and it is a disgrace to the House that we are asked to vote on it.

These are some of the questions I have on the question of dealing with the bill. I cannot help but feel that, though the philosophic bias with which I approach the bill is well known to the members of the committee, and the philosophic bias which most members of the committee have is well known to the Congress, that there is a question in this procedure as a whole whether we really do accomplish anything useful by performing the kind of function we have gone through.

Yes, we had 4 months of hearings.

Yes, we had 3,000 pages of testimony.

Yes, we cut $1.5 billion from the bill. I do not think a single mind in the Congress was changed by what we did. I do not think the divisions in the country that exist about priorities have been healed. And I hate to see the Congress, again in particular the committee that I have enjoyed the experience of serving on, finding itself useless, apparently, in attempting to solve these very simple questions.

Mr. HÉBERT. Mr. Chairman, I yield such time as he may consume to the gentleman from Texas (Mr. FISHER).

Mr. FISHER. Mr. Chairman, I am pleased to rise in support of the bill, H.R. 15495. Before proceeding, however, I desire to join with my colleagues who have paid accolades to our distinguished friend and colleague, the gentleman from New York (Mr. PIRNIE), who, by his own volition, has chosen to leave the Congress at the end of this year.

It happens that the gentleman from New York (Mr. PIRNIE) is a member of a subcommittee of which I am the chairman, which deals with manpower, personnel, Reserves, ROTC, Coast Guard, and related topics, and I can tell you, those of you who may not already know, that Mr. PIRNIE is recognized as one of the most knowledgeable, and probably the most knowledgeable, man in this Congress regarding the Coast Guard, and he has been literally worth his weight in gold in fighting the battles that have occurred on occasion in preserving that very useful and very vital but relatively small portion of our defense structure. He has demonstrated time after time to be one of the most knowledgeable and one of the most able and dedicated Members of this Congress. Believe me, it is really a misfortune for the country, and a great loss, that AL PIRNIE will not be with us next year.

Mr. Chairman, as I said before, I am pleased to rise in support of H.R. 15495. This afternoon, I would particularly like to direct my remarks to titles 3 and 4 of the bill. These are the sections which establish the strengths of our military forces, both Active and Reserve. Before going to the strengths themselves, I would like to call your attention to this general observation. The almost 2.4 million man-years recommended represent:

Over 1 million less than in 1969 at the peak of the Vietnamese buildup;

Almost 300,000 less than in 1964 before the Vietnamese buildup; and

Over 1 million less than in 1954 after the Korean war.

The last time there was an active duty strength lower than the one before you today was before the Korean war, some 22 years ago.

The strengths of the Reserve and Active Forces take into account the relative contributions, actual and potential, of the Active Forces and the Reserve Forces, as well as those of our allies.

The manpower levels requested by the Department of Defense are based upon mission forces which the Department plans to operate and the support necessary to sustain these forces. These force levels are, in turn, based upon foreign policy objectives established by the President on the basis of our treaty commitments and other matters vital to the security of the United States. The forces are built to satisfy specific strategy directives which are issued by the President after consultation with his primary foreign policy, and defense and military advisers. These military requirements, in turn, dictate the force structure and the manpower levels of our defense establishment.

In extremely comprehensive hearings, we examined into the questions regarding our basic policy underlying our national security strategy, our U.S. nuclear strategy, our theater nuclear forces, our general purpose forces, including those forces committed to NATO. We examined into the structure of each of the services, including the factors used to determine the composition of the forces and, in general, we satisfied ourselves that the programs which were designed are correct and that the planning and creating of force structure to respond to the threat is a logical one, bearing in mind that there are political, fiscal, strategic, and manpower restraints which cannot be ignored.

Obviously, manpower requirements cannot be considered in isolation. They can only become meaningful when such requirements are related to mission-trained manpower and equipment. First, the determination must be made of how many aircraft, missiles, combat division equivalents and ships are needed to meet our national security objectives. Once this is established, such questions must be answered as to how many crews are needed, how many persons are required to keep a plane serviced and flying, how much support it takes to keep a division in the field, what sort of headquarters it requires to direct combat elements, what training bases must be maintained, and where troops should be deployed in order to best preserve the capability to deter or to respond to an attack in a way where timeliness is adequate to the threat.

The active duty manpower request is adequate to provide for 13 active divisions, three marine divisions, 594 ships, 463 strategic bombers, 117 strategic missile squadrons, 21¾ tactical wings, plus 110 tactical squadrons. When we consider this force in addition to our Reserve structure of nearly 1 million personnel in the Selected Reserve, we believe there is an adequate manpower base to meet the military goals as part of our national security objectives.

But in speaking of the Reserves, we are extremely concerned that at the time of the hearings, there was a shortage of approximately 55,000 below the minimum average strength authorized by the Congress, and the waiting line for entry into the Reserve program has disappeared. If we are to depend on reservists as a primary augmentation force for the Active Forces, we must find ways to keep this strength at least to the minimum level. The only alternative would be to increase the size of the Active Forces.

But certainly the Reserve picture is not all black. Significant improvement in overall capability has resulted from the influx of equipment. Issues of modern equipment have continued at a high level totaling $727 million in 1971. Forecast for fiscal year 1972 indicate issues will exceed $900 million. Significant in this equipment issue has been the increased inventory of Army Guard and Reserve aircraft now envisioned to reach 99 percent of requirements shown by the end of fiscal year 1973.

Inherent in the receipt of modern equipment permitting more realistic and appropriate training is a resultant increase in readiness.

On the average, Reserve combat divisions and brigades have improved deployment capability by 2 weeks during this past year.

You will note that for the Active Forces the figures are not the ones submitted by the Department of Defense, for we in the Congress had imposed upon the Department an "average year strength." This year, the committee decided to change that requirement to a maximum end strength. The figures that you have before you represent that committee decision but reflect the end strength requested by the services in their budget submissions. We did this because in recent years Congress has not completed its work on the authorization bill until after the beginning of the new fiscal year, and if Congress reduces the average strength, the time the law becomes effective determines in a large measure the number affected by the reduction. For example, if it is known that the average strength of a service is to be reduced by 1,000 man-years, there could be a cut of 1,000 men at the beginning of a fiscal year, but if that reduction begins in the middle of the fiscal year, the reduction is increased to 2,000 personnel, and if it begins in the last month of a fiscal year, there would have to be a personnel cut of 12,000 persons to affect that 1,000-average man-year reduction.

The results impact not only on personnel planning but also on readiness. Thus, in our bill this year, we authorized a maximum end strength for active duty personnel as follows:

The Army, 841,190; the Navy, 601,672; the Marine Corps, 197,965; the Air Force, 717,210.

For the Reserves:

The Army National Guard of the United States, 402,333; the Army Reserve, 261,300; the Navy Reserve, 129,000; the Marine Corps Reserve, 45,016; the Air National Guard of the United States, 87,614; the Air Force Reserve, 51,296; the Coast Guard Reserve, 11,800.

The Reserve strengths represent a slight variance from that provided last year. These variances primarily relate to minor reorganizations and changes in structure based on new equipment.

Mr. HÉBERT. Mr. Chairman, I yield such time as he may consume to the gentleman from Florida (Mr. BENNETT).

Mr. BENNETT. Mr. Chairman, an exception to this, however, is the Coast Guard Reserve. While we have an authorized strength in the Coast Guard Reserve last year of 15,000, we recommended only 11,800 this year, even though a recent study confirmed that

wartime requirements provide a mission for the Coast Guard Reserve requiring in excess of 22,000 persons within 30 days of mobilization. However, because of the lateness in starting the recruiting program last year, the Coast Guard now has only approximately 11,000 members of the Selected Reserve. They cannot get above 11,800 during fiscal year 1973 even if we authorized the 11,800 figure because they just do not have a training base large enough to accommodate more. We are firmly convinced, however, that they cannot rely on ready reservists for nearly half of their strength in the event of wartime mobilization, and that we must in the future build back to a strength of at least 15,000.

I strongly urge your support of the entire bill as I believe it represents the minimum required to preserve our national security.

Mr. Chairman, included in this bill is authorization of $299 million, the amount requested, for long-leadtime items for a new nuclear-powered aircraft carrier. These funds are essentially for the nuclear-propulsion plant of the new carrier.

Authorization of these items will provide the start for the fourth nuclear-powered aircraft carrier. The *Enterprise*, which was funded in fiscal year 1957, was commissioned in 1961 and is now 11 years old. The second nuclear carrier, the *Nimitz*, was funded in fiscal year 1969 and will be delivered in 1973. The third, the *Eisenhower*, was funded in fiscal year 1970 and will be delivered in 1975. When the long-leadtime items for the fourth carrier *CVN–70*, are funded this year, the carrier cannot be available for fleet use until 1980. Only when the *CVN–70* is operating will the Navy have two nuclear carriers in the Atlantic and two nuclear carriers in the Pacific. The carriers in the other oceans cannot be quickly brought to an area of emergency since they are too large to go through the Panama Canal.

The source of the energy is the paramount factor in the unquestioned superiority of the nuclear-powered carriers over conventional carriers. Because she does not have to carry large volumes of fuel oil for her own propulsion, the nuclear carrier has much greater room for aircraft fuel and ordnance. The greater staying power in combat consumables, coupled with virtually unlimited steaming endurance and freedom from oilers, makes the modern *Nimitz*-class carriers much more combat effective than any other ship afloat.

The advantages of nuclear propulsion in a modern aircraft carrier, such as *CVN–70* and the other *Nimitz* carriers, are shown on the table on page 19 of the report. The table reveals that a modern nuclear carrier has twice the strike capability, four times the ordnance capability, five times the jet fuel capability, and virtually infinite times steam endurance.

No weapon system, no land or sea base, no unit is invulnerable. A direct atomic blast can wipe out even the strongest position, even on land and sea. But the carrier has been constructed with all possible defenses and strengths to carry out its position against intense opposition.

The committee received considerable testimony on the amount of damage that the United States and British carriers actually absorbed in World War II. The American experience showed that no carrier, *Nimitz* or later, was ever sunk. The British experience with armored flight decks—our flight decks were made of wood—showed that that kind of protection significantly minimized damages. Since World War II there have been several accidents on board carriers, the most serious being the detonation of nine major-caliber bombs on the flight deck of the *Enterprise*. Yet, it could have been back in action flying and landing planes within hours if that had been necessary.

The amount of planning that has gone into making the carrier survivable has been extraordinary. Both the carrier and its equipment has been designed to withstand shock from nearby atomic blasts. The ship is divided into 2,000 separate watertight compartments which have no lateral openings from one to another. *Nimitz*-class carriers incorporate the latest design and engineering and are far superior to those of our older ships.

A more complete listing of its protections is given on page 20 of the report.

In addition, the carrier together with weaponry, planes and escorts has been designed so that an enemy attack has to pass through several layers of protection before reaching the ship. As a last-stand protection, the carrier will be provided with Phalanx/Vulcan guns which are designed to knock down missiles before they can reach the ship.

To sum it up Mr. Chairman, the carrier is needed. It will really be needed by 1980 when it can first become operational. It has been designed with the utmost care. I hope that the committee will retain the moneys for *CVN–70*.

Mr. HÉBERT. Mr. Chairman, I yield such time as he may consume to the gentleman from California (Mr. CHARLES H. WILSON).

Mr. CHARLES H. WILSON. Mr. Chairman, I thank the Chairman for yielding me this time, and I rise in support of the bill pending before us.

Mr. Chairman, included in the bill now before us is a total of $444.5 million to continue engineering development of the B–1 strategic bomber. The B–1—formerly known as the AMSA—is a long-range intercontinental jet bomber intended as the eventual replacement for the aging B–52 heavy bombers now in the force. The earliest B–52's have already been phased out except for those models being used in support of allied forces in Southeast Asia. The latest built B–52H will be 10 years old in several months.

The B–1, being developed to counter the expected threat in the 1980's and beyond, is on schedule and within cost estimates. The development program includes the design of the aircraft as well as the fabrication and test of three flight vehicles and one fatigue airframe. The first flight of the B–1 is planned for April 1974. This will be followed by a full year of testing before a production decision is made. The initial operational capability—IOC—is planned for November 1979, based on receipt of production approval in April 1975.

Since our appearance before the House last year on the fiscal year 1972 authorization bill, the Air Force has completed the preliminary design review and the mockup review, which were the first two milestones. Full-scale component testing of the F–101 engine is complete. Current effort indicates that tests of the full-scale engine will be initiated on or ahead of schedule.

In fiscal year 1973, effort will be concentrated on the next two major milestones: design validation and critical design review. Aircraft No. 1 will be in final assembly and should be 75-percent complete by the end of the fiscal year. Aircraft No. 2 will be 33 percent complete and the first four of the XF–101 engines will be delivered.

Mr. Chairman, in the Armed Services Committee markup this year, as well as last year, an amendment was offered to delete all of the funds requested for the B–1 development. The amendment was overwhelmingly defeated; however, it is my understanding that the same amendment will be offered here in the House when the bill is read for amendments.

Arguments used against the B–1 include cost, initial survivability, penetration capability, and the lack of a similar system being developed by the Soviets.

COST

During our hearings this year, Counsel Slatinshek questioned Air Force witnesses on a study made comparing the cost of the later model B–52G/H with that of the B–1. The answer, found on page 9887 of our hearing record, was very illuminating. In terms of 1970 "constant" dollars and equating costs for the B–52G/H on the basis of being among the first 241 B–52's produced, the 1970 unit production cost of the B–52G/H would be $25.5 million compared to the estimated unit production cost of the B–1 of $30 million.

Not an unreasonable difference when one compares the capabilities of the two aircraft.

INITIAL SURVIVAL

The problem of initial survival for the bomber fleet has become more critical with the advent of potential missile attacks—particularly if the attack is by submarine launched ballistic missiles that use depressed trajectories from close-in offshore locations to minimize warning time.

The Strategic Air Command has done many things to improve the initial survival of the B–52 force. The B–1 overcomes some of the remaining inherent deficiencies to assure initial survivability well beyond that of the B–52's.

The solution to bomber survival, as with missile survival, can be approached in several basic ways: hiding from the enemy, hardening to withstand weapon effects, and reacting to the enemy's attack. United States sea-based missiles are hidden in the oceans, our land-based missile silos are hardened against nuclear effects, and both types of missiles can be

launched on warning of attack by Presidential order to avoid any enemy strike. The B–1 bomber may use all three means of improving initial survival. It hides by dispersal to any of many bases or by going on airborne alert during times of intense international stress; it is hardened to effects of nearby bursts of nuclear weapons—unlike the B–52; and it can be launched on warning by the commander in chief of the Strategic Air Command—commitment to a mission can only be made by the President. The combinations of effects of such capabilities result in a cumulative probability of initial survival for the B–1 that is greater than the mere sum of the individual components affecting such survivability.

Because the B–1 is designed with a much higher degree of self-sufficiency and requires a relatively shorter runway than the B–52, many more air bases are available than are required. This means that the B–1 can shift from base to base on a random schedule to keep its location ever changing, thus complicating enemy attack plans.

The B–1 is the first bomber to be designed to withstand nuclear effects of blast, radiation, and electromagnetic pulse. Such designed-in hardening, plus higher climbout and cruise speeds, means that the B–1 reaches a safe distance from an air base under attack much faster than the slower, more vulnerable B–52.

In all, the B–1's inherent design improvements over the B–52 permit it to utilize all three means of surviving an initial attack—hiding, hardening, and reacting. The combined effects of these three methods assure a much higher degree of survival for the B–1 than for the existing B–52 fleet.

PENETRATION CAPABILITY

The B–1 is designed to penetrate under the radar coverage of missile and interceptor defenses. In addition, the B–1 will have the option, unlike the B–52, of supersonic high altitude flight that may be used for penetration around the defenses. The low altitude flight mode of the B–1 is effective against surface-to-air missiles—SAM's—regardless of their speed and altitude capabilities; terrain-following flight negates even high performance ICBM defenses. The B–1's greater speed, lower altitude, reduced detectability, greater payload, and larger load of countermeasures assure its penetration through SAM and interceptor defenses to a much higher degree than that of the B–52.

STRATEGIC BOMBER DEVELOPMENT BY SOVIETS

The development of a new long range sweptwing bomber by the Soviets was first called to the attention of the House several years ago by the late L. Mendel Rivers, our beloved former chairman of the Armed Services Committee. This new bomber, now designated the Backfire, is a large aircraft, almost 2½ times the gross take-off weight of the FB–111 and approximately two-thirds the size of the B–1. It is a supersonic bomber, and it probably can be refueled in flight, according to testimony from Admiral Moorer, the chairman of the Joint Chiefs of Staff. With refueling it could reach virtually all targets in the United States.

Testimony was received by our committee that the Backfire could become operational in the next few years. Thus, it is clear that the Soviets are not standing pat in this area of strategic forces.

Mr. Chairman, any attempt to delete or reduce the funds authorized in this bill for the B–1 bomber should be rejected. Manned bombers, such as the B–1, will continue to be an indispensible element of our strategic deterrent for as far ahead as we can see for the following reasons:

First, bombers, in combination with land- and sea-based missiles, provide a hedge against future technological development which might severely degrade the capabilities of any one of the three major elements of our strategic offensive forces. The maintenance of this so-called Triad force has been a fundamental principle of U.S. strategic force planning for more than a decade, and its wisdom has been well demonstrated over the years.

Second, bombers provide insurance against an unlikely, but possible gross failure in our strategic missile systems. We have never fought a war with missiles, but we have with bombers. We know exactly what bombers can do, and cannot do, under wartime conditions. Missiles have yet to be tested in combat.

Third, bombers, together with strategic missiles, compound and frustrate Soviet "first strike" attack planning. If the Soviets launch their SLBM's first in an attempt to catch our bombers by surprise, they would give us time and cause to launch our land-based missiles before their ICBM warheads arrive. If the Soviets launch their ICBM's first and then their SLBM's, so that both arrive at the same time, our alert bombers would have ample time to take off and escape.

Fourth, bombers, together with strategic missiles, make the Soviet defensive task much more difficult and costly. They must have two different types of systems to defend against both.

Fifth, bombers are not limited under the terms of the proposed SALT agreement.

Sixth, bombers are more appropriate than strategic missiles for less than all-out nuclear war. Bombers, in contrast to missiles, can be used with greater precision since they are much less likely to go far astray from their intended targets, and they can be launched and recalled thus providing the opponent much more time to consider his response.

Seventh, bombers comprise the only major element of our strategic forces which can be used in conventional wars, large or small. Their value has been convincingly demonstrated in Southeast Asia.

For the above stated reasons, I urge you to support the continued development of the B–1 and reject amendments to delete it or delay it.

Mr. HÉBERT. Mr. Chairman, I yield such time as he may consume to the gentleman from New York (Mr. STRATTON).

Mr. STRATTON. Mr. Chairman, I rise in support of this legislation, and also to say a few words about one of the programs in it that I think is vital to our country, and that is the Trident submarine, or what was previously known as the Underwater Launched Missile System, or the ULMS.

As a member of the committee, I cannot take the well here without saying at least a word responsive to the comments by our colleague, the gentleman from Massachusetts, who I suppose in a sense represents a kind of a generation gap between some members of the committee.

The impression that the gentleman from Massachusetts has given is one that somehow any appropriation for military spending is bad; that somehow if the committee spends money on weapons that we are contributing to a dark age, to something that is antithetical to human development, and that somehow we are holding back the forces of progress.

I know the gentleman is not as old as I am, but I think the gentleman ought to realize as a Member of this House that there are those of us who have served in World War II. That is regarded as ancient history in these days.

I know my children mention that when I tell them. They say, "Daddy, don't go back to those ancient days."

But I think that one cannot understand what this committee is doing, and one cannot understand why we do not have a philosophical debate on whether arms are or are not good every time a question comes up because most of the members of the committee have lived through days when the future of this world depended on whether certain countries and certain individuals had control of effective armaments.

I have had the privilege of reading through the current best seller, and I am only about halfway through it, and the Library of Congress is bugging me on it to get it back, Herman Wouk's very impressive "Winds of War." Anybody who lived through that period, I think, would understand the touch and go situation that faced the world when Hitler launched his legions and when it was a question as to whether the British had enough research and development in the field of radar to be able to defend themselves against the attack that Goering and his inadequately prepared Luftwaffe was launching against them.

It is possible to spend too much money on weapons. But to suggest that somehow these weapons are undermining our country instead of protecting it is, I think, to ignore the lessons of history.

The gentlemen is entitled to his opinion, but I think we ought to state the other side of the case. The thing that disturbs me the most is to suggest that simply because we do not argue this question in committee every day that we do not have just as deep and just as strong and just as moral a conviction that what we are doing is designed to save this country and to prevent war.

That I think is misleading and I cannot allow, even at this late hour, those remarks to stand in the House record without some challenge from this committee.

One of the items in this legislation is an increase for a particular area of activity. It was requested in a sense as a follow-on to the SALT agreements. It has

to do with the Trident nuclear submarine.

I will not take the time of the Committee at this late hour to present all of the arguments, since I will extend my remarks, but I think we ought to remember that the most important key is our deterrent force, which has prevented a nuclear war, which the experts were telling us back in 1946 and 1947 was just around the corner, and that has still not occurred. We have deterred it. The key to that has been our underwater nuclear submarine Polaris fleet.

Some people, in fact, have argued that is all we need and that if we had Polaris we would not need anything else. Well, I do not entirely think that is true because there are other people who tell us, like Jack Anderson, I think, and some of these other experts, that the Soviets are already discovering a way to destroy our Polaris deterrent forces.

If that happens and if we have all of our eggs in that one basket, we will be in trouble. So I think it makes sense for us to try to improve the Polaris force, and that is what the ULMS does. That is all it does. It is a submarine that incorporates modern developments. It is quieter, so it is harder for the enemy to detect. It will have a longer range of missile. So instead of going within a few hundred miles of the Soviet coast, we can base our submarines at home, out of Charleston, if you will, or even Portsmouth, or maybe even out of Philadelphia, and still have them protecting us the way they are protecting us today.

This is an advance that we ought to work to achieve. This is what this bill today would do.

Mr. Chairman, I think if we really believe in maintaining peace, we ought to get going today and improve our Polaris forces in line with the recommendations of this committee.

TRIDENT

The Trident program is not a crash program. It is an urgent, but orderly program for replacing our aging Polaris submarines with new submarines having greatly improved capabilities.

By the time the first Trident submarine can be delivered in the late 1970's, the first Polaris submarines will be nearly 20 years old, and with no potential for significant improvement. These submarines have been operated hard, with two crews, to allow them to be on station a high fraction of the time. They were built to specifications based on a 20-year life and their machinery is wearing out. It is unreasonable to expect them all to operate more than about 20 years without having some major breakdowns.

The Trident submarines will be quieter and incorporate the latest technology to improve their survivability. These improvements can only be incorporated in new design submarines; they cannot be backfitted in Polaris submarines.

Our Polaris/Poseidon submarines are limited in their patrol area by the range of their missiles. This forces them to operate in close range to foreign shores, thus bringing them within range of Soviet shore-based aircraft. This limited patrol area simplifies the Soviet antisubmarine problem by allowing them to concentrate their sea and air forces in a much smaller area. The Soviets have been investing heavily in antisubmarine warfare research and development, and have built and continue to build improved nuclear attack submarines—one of their best ASW weapons. They have invested large resources in ASW surface ships. Also, indications are the Soviets are attempting to establish an area antisubmarine surveillance system, presumably aimed at locating our Polaris/Poseidon submarines.

The first generation Trident missile will have a range of almost twice the range of the 2,500-mile Poseidon missile. This initial Trident missile can be backfitted in the 31 Poseidon submarines and will provide a severalfold increase in ocean-operating area available to our ballistic-missile submarines compared to the shorter range Poseidon missile.

The Trident submarines will have missile tubes which will provide growth potential for even longer-range missiles. With this longer-range missile, which will fit only in the Trident submarines, the ocean-operating area available to our Trident submarines will again be increased severalfold over the area of the first generation Trident missile.

The Trident missiles will permit basing our ballistic-missile submarines in U.S. ports. This will eliminate dependence on foreign basing.

The Soviets are continuing to expand rapidly their own ballistic-missile submarine program. They now have in operation about 30 nuclear and diesel ballistic-missile submarines of older classes and 25 of the new Yankee class which can fire a 1,300-mile range missile. In the past year they started work on their 42d Yankee submarine, and they are now substantially expanding their submarine building facilities. They already have the largest and most modern submarine building yards in the world which gives them several times the nuclear submarine construction capacity possessed by the United States.

The Soviets have tested a missile with a range at least twice that of the present 1,300-mile missile. This new missile will give their submarines the capability to strike us from points only a few days from Soviet bases. In a sense, the Soviets are already building their equivalent to our Trident missile. These developments increase the threat to our land-based strategic forces and increase the reliance we must place on our sea-based strategic deterrent.

The Soviets have a more modern ballistic-missile fleet than we do. They are building more missile-launching submarines today, whereas we funded our last Polaris construction in fiscal year 1964, and finished it in 1967.

The interim agreement on strategic offensive arms signed in Moscow on May 26, 1972, allows the Soviets to continue building ballistic missile submarines up to a total of 950 ballistic missile launchers on submarines and up to 62 modern ballistic missile submarines. This will allow the Soviets to continue building ballistic missile submarines at a rate of about seven per year during the 5-year term of the interim agreement. Even under the President's recommended fiscal year 1973 budget for the Trident program the first Trident submarine will not become operational during the 5-year term of the interim agreement. Therefore, it is essential that the United States proceed now with Trident submarines as proposed by the President.

Modern complex defense systems take many years to design, develop, and produce. Trident has already been in the research and development stages for 3 years. The system has been carefully evaluated during this period and the Navy is now ready to move into detailed design and construction of the submarine.

In developing a new missile the long leadtime is in research and development with a relatively short production span of 1½ to 2 years required to build the missiles themselves. In contrast, the production span time on nuclear components is up to 5 years under the most favorable conditions. The Navy and Atomic Energy Commission have already done the propulsion plant development work necessary to define what is needed to order the long-lead nuclear propulsion plant components. Delivery of the nuclear propulsion machinery will control the construction schedules for the Trident submarines. It is therefore necessary to start production of this machinery while the missile work is still in the research and development stage.

For this reason, there is $361 million of "Shipbuilding and conversion, Navy (SCN)" funds in the fiscal year 1973 budget request to start work on the first four submarines. Of this amount, $194 million is for ship design, long-lead nuclear propulsion components, and hull steel procurement for the lead ship. The remainder, $167 million, is for long-lead components for three additional ships.

It will be impossible to build the lead and follow ships on the shortened schedule proposed by the administration if the Navy does not get the long-lead machinery on order. In other words, by ordering this long-lead machinery in fiscal year 1973 the option will be kept open to authorize the lead Trident submarine in fiscal year 1974 and follow submarines in fiscal year 1975. However, going ahead with the procurement of the long-lead nuclear propulsion machinery for the ships in fiscal year 1973 does not commit Congress to any specific submarine-building schedules. The construction schedules for these ships can be settled later, based on events as they occur.

If the nuclear machinery were delayed by lack of long-lead funding, the submarines themselves would be delayed; the propulsion machinery costs would increase, and the delay in the submarine schedules would cause the total cost of the submarines to escalate. Further, it is important to have a sizable buy of Trident nuclear propulsion plant components in fiscal year 1973 in order to get the best manufacturers to make commitments to set up production lines for this machinery and to benefit from the economics of a sizable procurement.

Mr. Chairman, it is of the utmost importance that we continue to improve the quality of our submarines. In agreeing to

let the Soviets have 62 nuclear-powered ballistic missile submarines to our 44 it is of prime importance that our submarines be able to cope with any threat. We must start building at once.

Mr. HÉBERT. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, I take this time in order to direct the attention of Members of the House to the fact that during the justified accolades paid to the gentleman from New York (Mr. PIRNIE), we did not mention that we are going to lose several other members of the committee. On the Republican side of the committee we will lose the gentleman from Missouri (Mr. HALL), who has rendered such great service to the committee. On the Democratic side we shall lose the gentleman from North Carolina (Mr. LENNON), and the gentleman from Pennsylvania (Mr. BYRNE), and the gentleman from Louisiana (Mr. SPEEDY LONG). All these individuals were chairmen. I want to pay them equal tribute with that paid to AL PIRNIE. We could not function without the overwhelming unanimity of the majority and the dedication that has been reflected in repeated votes on the committee and an understanding on the part of all its members.

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

The CHAIRMAN. Pursuant to the rule, the Clerk will read the bill by title.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—PROCUREMENT

SEC. 101. Funds are hereby authorized to be appropriated during the fiscal year 1973 for the use of the Armed Forces of the United States for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, torpedoes, and other weapons as authorized by law, in amounts as follows:

AIRCRAFT

For aircraft: for the Army, $134,500,000; for the Navy and the Marine Corps, $3,101,600,000; for the Air Force, $2,508,600,000.

MISSILES

For missiles: for the Army, $888,400,000; for the Navy, $769,600,000; for the Marine Corps, $22,100,000; for the Air Force, $1,772,300,000.

NAVAL VESSELS

For naval vessels: for the Navy, $3,201,300,000.

TRACKED COMBAT VEHICLES

For tracked combat vehicles: for the Army, $189,100,000; for the Marine Corps, $62,200,000.

TORPEDOES

For torpedoes and related support equipment: for the Navy, $194,200,000.

OTHER WEAPONS

For other weapons: for the Army, $70,400,000; for the Navy, $25,700,000; for the Marine Corps, $900,000.

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

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

There was no objection.

Mr. HÉBERT. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. ROSTENKOWSKI, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 15495) to authorize appropriations during the fiscal year 1973 for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, torpedoes, and other weapons, and research, development, test, and evaluation for the Armed Forces, and to authorize construction at certain installations in connection with the Safeguard antiballistic missile system, and to prescribe the authorized personnel strength for each active duty component and of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes, had come to no resolution thereon.

ADJOURNMENT UNTIL 11 A.M. TOMORROW

Mr. O'NEILL. Mr. Speaker, I ask unanimous consent that when the House adjourns tonight that it adjourn to meet at 11 o'clock tomorrow morning.

Mr. ANNUNIZO. Mr. Speaker, reserving the right to object, I should like to ask the distinguished majority whip if he intends to make a similar request for Wednesday also.

The SPEAKER. The Chair will answer that question. The Chair will not entertain a unanimous-consent request to come in early on Wednesday.

Mr. ANNUNZIO. Then I withdraw my reservation of objection.

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

There was no objection.

CONFERENCE REPORT ON H.R. 13188, COAST GUARD AUTHORIZATION, 1973

(Mr. LENNON (on behalf of Mr. GARMATZ) filed the following conference report and statement on the bill (H.R. 13188), to authorize appropriations for the procurement of vessels and aircraft and construction of shore and offshore establishments, and to authorize the average annual active duty personnel strength for the Coast Guard:

CONFERENCE REPORT (H. REPT. No. 92-1177)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 13188) to authorize appropriations for the procurement of vessels and aircraft and construction of shore and offshore establishments, and to authorize the average annual active duty personnel strength for the Coast Guard, having met, after full and free conference, have agreed to recommend and do recommend to their respective houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4 and 6 and agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment as follows: in lieu of the matter proposed to be inserted by the Senate amendment, insert the following: "39,449, and an end of year strength of 39,541."

And the Senate agree to the same.

EDWARD A. GARMATZ,
FRANK M. CLARK,
ALTON LENNON,
THOMAS M. PELLY,
HASTINGS KEITH,
Managers on the Part of the House.

RUSSELL B. LONG,
PHILIP A. HART,
ERNEST F. HOLLINGS,
ROBERT P. GRIFFIN,
TED STEVENS,
Managers on the part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the act (H.R. 13188) to authorize appropriations for the procurement of vessels and aircraft and construction of shore and offshore establishments, and to authorize the average annual active duty personnel strength for the Coast Guard, submit the following joint statement to the House and to the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

AMENDMENT NO. 1

House bill

The House authorized to be appropriated $81,070,000 for procurement and increasing capability of vessels.

Senate amendment

Senate amendment No. 1 increased this amount by $670,000, with the intent that the funds be allocated for expedited action to equip Coast Guard vessels assigned to the Great Lakes with pollution abatement capabilities.

Conference substitute

The conference report authorizes to be appropriated $81,740,000, with the intent that the funds be allocated for expedited action to equip Coast Guard vessels with pollution abatement capabilities and your conferees expect that the Coast Guard will use such funds to abate pollution from vessels assigned to restricted waters where pollution problems are most acute, such as in inland lakes, rivers, and the Great Lakes, on the basis of the most urgent environmental needs.

AMENDMENT NO. 2

House bill

The House bill authorized to be appropriated $15,100,000 for the procurement and extension of service life of aircraft.

Senate bill

The Senate bill authorized to be appropriated $18,100,000.

Conference substitute

The conference report authorizes to be appropriated $18,100,000. Your conferees agreed that the Coast Guard should be authorized additional funds to procure the long-range search and rescue helicopter authorized by Senate amendment No. 3.

AMENDMENT NO. 3

House bill

No comparable provision.

Senate bill

Senate amendment No. 3 provided for the authorization of one long-range search and rescue helicopter, and the Senate report expressed the intent that the Coast Guard should station the helicopter at Alaskan Coast Guard facilities.

Conference substitute

The conference report authorizes the procurement of one long-range search and rescue helicopter, and your conferees believe that the Coast Guard should locate the helicopter wherever it would be most useful to protect human life.

AMENDMENT NO. 4

House bill

The House bill provided $45,650,000 for construction of certain designated projects, including the rebuilding of the moorings of the cutter *Mackinaw* at Cheboygan, Michigan.

Senate bill

The Senate bill increased this amount by $390,000 to allow additional funds for the project at Cheboygan, Michigan. This increase was provided as a result of revised cost studies submitted by the Coast Guard.

Conference substitute

The conference report authorized the appropriation of the additional amount provided by Senate amendment No. 4, making the total amount authorized for construction projects $46,040,000.

AMENDMENT NO. 5

House bill

The House bill authorized the Coast Guard to have an average active duty strength of 39,074.

Senate bill

The Senate bill authorized an average active duty strength of 39,449. The Senate increased this authorized strength in order to reflect the recall of two cutters from the reserve fleet, which was funded by appropriations not subject to authorization, and to reflect the transfer from the Navy to the Coast Guard of the responsibility for providing essential services for Coast Guard operations at Kodiak, Alaska necessitated by the closure of the Naval Station at Kodiak.

Conference substitute

In order to conform to the recent action of the Congress requiring that authorized personnel ceilings be stated in terms of the authorized strength at the end of the fiscal year, your conferees agreed to authorize an end of year personnel strength at 39,541, which does not reflect an increase over the ceiling set by the Senate, but states the figure in a manner compatible with the method adopted by the Armed Services Committees of the two Houses; and your conferees agreed to the increases provided in Senate amendment numbered 5.

AMENDMENT NO. 6

House bill

No comparable provision.

Senate bill

Senate amendment No. 6 authorized the extension of the authority for the Coast Guard to lease housing for military personnel, now scheduled to expire on June 30, 1972, at the request of the Coast Guard. The Senate made the authority permanent, contingent upon an annual report to the Congress as to the utilization of the authority for the previous calendar year.

Conference substitutes

The conference report grants the Coast Guard permanent authority to lease housing for military personnel subject to the filing of an annual report to the Congress as to the utilization of the authority during the preceding calendar year.

EDWARD A. GARMATZ,
FRANK M. CLARK,
ALTON LENNON,
THOMAS M. PELLY,
HASTINGS KEITH,
Managers on the Part of the House.

RUSSELL B. LONG,
PHILIP A. HART,
ERNEST F. HOLLINGS,
ROBERT P. GRIFFIN,
TED STEVENS,
Managers on the Part of the Senate.

CONFERENCE REPORT ON H.R. 8140, PORT AND WATERWAYS SAFETY ACT OF 1972

Mr. LENNON (on behalf of Mr. GARMATZ) filed the following conference report and statement on the bill (H.R. 8140) to promote the safety of ports, harbors, waterfront areas, and navigable waters of the United States:

CONFERENCE REPORT (H. REPT. No. 92–1178)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 8140) to promote the safety of ports, harbors, waterfront areas, and navigable waters of the United States, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 14, 18, and 21, and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "Ports and Waterways Safety Act of 1972".; and the Senate agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment, as follows: Omit the matter proposed to be inserted by the Senate amendment and on page 7 of the House engrossed bill, immediately after line 12, insert the following:

TITLE II—VESSELS CARRYING CERTAIN CARGOES IN BULK

SEC. 201. Section 4417a of the Revised Statutes of the United States (46 U.S.C. 391a) is hereby amended to read as follows:

"SEC. 4417a. (1) STATEMENT OF POLICY.—The Congress hereby finds and declares—

"That the carriage by vessels of certain cargoes in bulk creates substantial hazards to life, property, the navigable waters of the United States (including the quality thereof) and the resources contained therein and of the adjoining land, including but not limited to fish, shellfish, and wildlife, marine and coastal ecosystems and recreational and scenic values, which waters and resources are hereafter in this section referred to as the 'marine environment'.

"That existing standards for the design, construction, alteration, repair, maintenance and operation of such vessels must be improved for the adequate protection of the marine environment.

"That it is necessary that there be established for all such vessels documented under the laws of the United States or entering the navigable waters of the United States comprehensive minimum standards of design, construction, alteration, repair, maintenance, and operation to prevent or mitigate the hazards to life, property, and the marine environment.

"(2) VESSELS INCLUDED.—All vessels, regardless of tonnage size, or manner of propulsion, and whether self-propelled or not, and whether carrying freight or passengers for hire or not, which are documented under the laws of the United States or enter the navigable waters of the United States, except public vessels other than those engaged in commercial service, that shall have on board liquid cargo in bulk which is—

"(A) inflammable or combustible, or

"(B) oil, of any kind or in any form, including but not limited to, petroleum, fuel oil, sludge, oil refuse, and oil mixed with wastes other than dredged spoil, or

"(C) designated as a hazardous polluting substance under section 12(a) of the Federal Water Pollution Control Act (33 U.S.C. 1162); shall be considered steam vessels for the purposes of title 52 of the Revised Statutes of the United States and shall be subject to the provisions thereof: Provided, That this section shall not apply to vessels having on board the substances set forth in (A), (B), or (C) above only for use as fuel or stores or to vessels carrying such cargo only in drums, barrels, or other packages: And provided further, That nothing contained herein shall be deemed to amend or modify the provisions of section 4 of Public Law 90–397 with respect to certain vessels of not more than five hundred gross tons: And provided further, That this section shall not apply to vessels of not more than five hundred gross tons documented in the service of oil exploitation which are not tank vessels and which would be subject to this section only because of the transfer of fuel from the vessels' own fuel supply tanks to offshore drilling or production facilities.

"(3) RULES AND REGULATIONS.—In order to secure effective provision (A) for vessel safety, and (B) for protection of the marine environment, the Secretary of the department in which the Coast Guard is operating (hereafter referred to in this section as the 'Secretary') shall establish for the vessels to which this section applies such additional rules and regulations as may be necessary with respect to the design and construction, alteration, repair, and maintenance of such vessels, including, but not limited to, the superstructures, hulls, places for stowing and carrying such cargo, fittings, equipment, appliances, propulsive machinery, auxiliary machinery, and boilers thereof; and with respect to all materials used in such construction, alteration, or repair; and with respect to the handling and stowage of such cargo, the manner of such handling or stowage, and the machinery and appliances used in such handling and stowage; and with respect to equipment and appliances for life saving, fire protection, and the prevention and mitigation of damage to the marine environment; and with respect to the operation of such vessels; and with respect to the requirements of the manning of such vessels and the duties and qualifications of the officers and crew thereof; and with respect to the inspection of all the foregoing. In establishing such rules and regulations the Secretary may, after hearing as provided in subsection (4), adopt rules of the American Bureau of Shipping or similar American classification society for classed vessels insofar as such rules pertain to the efficiency of hulls and the reliability of machinery of vessels to which this section applies. In establishing such rules and regulations, the Secretary shall give due consideration to the kinds and grades of such cargo permitted to be on board such vessel. In establishing such rules and regulations the Secretary shall, after consultation with the Secretary of Commerce and the Administrator of the Environmental Protection Agency, identify those established for protection of the marine environment and those established for vessel safety.

"(4) ADOPTION OF RULES AND REGULATIONS.—Before any rules or regulations, or any alteration, amendment, or repeal thereof, are approved by the Secretary under the provisions of this section, except in an emergency, the Secretary shall (A) consult with other appropriate Federal departments and agencies, and particularly with the Administrator of the Environmental Protection Agency and the Secretary of Commerce, with

regard to all rules and regulations for the protection of the marine environment, (B) publish proposed rules and regulations, and (C) permit interested persons an opportunity for hearing. In prescribing rules or regulations, the Secretary shall consider, among other things, (i) the need for such rules or regulations, (ii) the extent to which such rules or regulations will contribute to safety or protection of the marine environment, and (iii) the practicability of compliance therewith, including cost and technical feasibility.

"(5) RULES AND REGULATIONS FOR SAFETY; INSPECTION; PERMITS; FOREIGN VESSELS.—No vessel subject to the provisions of this section shall, after the effective date of the rules and regulations for vessel safety established hereunder, have on board such cargo, until a certificate of inspection has been issued to such vessel in accordance with the provisions of title 52 of the Revised Statutes of the United States and until a permit has been endorsed on such certificate of inspection by the Secretary, indicating that such vessel is in compliance with the provisions of this section and the rules and regulations for vessel safety established hereunder, and showing the kinds and grades of such cargo that such vessel may have on board or transport. Such permit shall not be endorsed by the Secretary on such certificate of inspection until such vessel has been inspected by the Secretary and found to be in compliance with the provisions of this section and the rules and regulations for vessel safety established hereunder. For the purpose of such inspection, approved plans and certificates of class of the American Bureau of Shipping or other recognized classification society for classed vessels may be accepted as evidence of the structural efficiency of the hull and the reliability of the machinery of such classed vessels except as far as existing law places definite responsibility on the Coast Guard. A certificate issued under the provisions of this section shall be valid for a period of time not to exceed the duration of the certificate of inspection on which such permit is endorsed, and shall be subject to revocation by the Secretary whenever he shall find that the vessel concerned does not comply with the conditions upon which such permit was issued: *Provided*, That rules and regulations for vessel safety established hereunder and the provisions of this subsection shall not apply to vessels of a foreign nation having on board a valid certificate of inspection recognized under law or treaty by the United States; *And provided further*, That no permit shall be issued under the provisions of this section authorizing the presence on board any vessel of any of the materials expressly prohibited from being thereon by subsection (3) of section 4472 of this title.

"(6) RULES AND REGULATIONS FOR PROTECTION OF THE MARINE ENVIRONMENT; INSPECTION; CERTIFICATION.—No vessel subject to the provisions of this section shall, after the effective date of rules and regulations for protection of the marine environment, have on board such cargo, until a certificate of compliance, or an endorsement on the certificate of inspection for domestic vessels, has been issued by the Secretary indicating that such vessel is in compliance with such rules and regulations. Such certificate of compliance or endorsement shall not be issued by the Secretary until such vessel has been inspected by the Secretary and found to be in compliance with the rules and regulations for protection of the marine environment established hereunder. A certificate of compliance or an endorsement issued under this subsection shall be valid for a period specified therein by the Secretary and shall be subject to revocation whenever the Secretary finds that the vessel concerned does not comply with the conditions upon which such certificate or endorsement was issued.

"(7) RULES AND REGULATIONS FOR PROTECTION OF THE MARINE ENVIRONMENT RELATING TO VESSEL DESIGN AND CONSTRUCTION, ALTERATION, AND REPAIR; INTERNATIONAL AGREEMENT.—(A) The Secretary shall begin publication as soon as practicable of proposed rules and regulations setting forth minimum standards of design, construction, alteration, and repair of the vessels to which this section applies for the purpose of protecting the marine environment. Such rules and regulations shall, to the extent possible, include but not be limited to standards to improve vessel maneuvering and stopping ability and otherwise reduce the possibility of collision, grounding, or other accident, to reduce cargo loss following collision, grounding, or other accident, and to reduce damage to the marine environment by normal vessel operations such as ballasting and deballasting, cargo handling, and other activities.

"(B) The Secretary shall cause proposed rules and regulations published by him pursuant to subsection (7)(A) to be transmitted to appropriate international forums for consideration as international standards.

"(C) Rules and regulations published pursuant to subsection (7)(A) shall be effective not earlier than January 1, 1974, unless the Secretary shall earlier establish rules and regulations consonant with international treaty, convention, or agreement, which generally address the regulation of similar topics for the protection of the marine environment. In the absence of the promulgation of such rules and regulations consonant with international treaty, convention, or agreement, the Secretary shall establish an effective date not later than January 1, 1976, for rules and regulations previously published pursuant to this subsection (7) which he then deems appropriate.

"(D) Any rule or regulation for protection of the marine environment promulgated pursuant to this subsection (7) shall be equally applicable to foreign vessels and United States-flag vessels operating in the foreign trade. If a treaty, convention, or agreement provides for reciprocity of recognition of certificates or other documents to be issued to vessels by countries party thereto, which evidence compliance with rules and regulations issued pursuant to such treaty, convention, or agreement, the Secretary, in his discretion, may accept such certificates or documents as evidence of compliance with such rules and regulations in lieu of the certificate of compliance otherwise required by subsection (6) of this section.

"(8) SHIPPING DOCUMENTS.—Vessels subject to the provisions of this section shall have on board such shipping documents as may be prescribed by the Secretary indicating the kinds, grades, and approximate quantities of such cargo on board such vessel, the shippers and consignees thereof, and the location of the shipping and destination points.

"(9) OFFICERS; TANKERMEN; CERTIFICATION.—(A) In all cases where the certificate of inspection does not require at least two licensed officers, the Secretary shall enter in the permit issued to any vessel under the provisions of this section the number of the crew required to be certified as tankermen.

"(B) The Secretary shall issue to applicants certificates as tankermen, stating the kinds of cargo the holder of such certificate is, in the judgment of the Secretary, qualified to handle aboard vessels with safety, upon satisfactory proof and examination, in form and manner prescribed by the Secretary, that the applicant is in good physical condition, that such applicant is trained in and capable efficiently to perform the necessary operations aboard vessels having such cargo on board, and that the applicant fulfills the qualifications of tankerman as prescribed by the Secretary under the provisions of this section. Such certificates shall be subject to suspension or revocation on the same grounds and in the same manner and with like procedure as is provided in the case of suspension or revocation of licenses of officers under the provisions of section 4450 of this title.

"(10) EFFECTIVE DATE OF RULES AND REGULATIONS.—Except as otherwise provided herein, the rules and regulations to be established pursuant to this section shall become effective ninety days after their promulgation unless the Secretary shall for good cause fix a different time. If the Secretary shall fix an effective date later than ninety days after such promulgation, his determination to fix such a later date shall be accompanied by an explanation of such determination which he shall publish and transmit to the Congress.

"(11) PENALTIES.—(A) The owner, master, or person in charge of any vessel subject to the provisions of this section, or any or all of them, who shall violate the provisions of this section, or the rules and regulations established hereunder, shall be liable to a civil penalty of not more than $10,000.

"(B) The owner, master, or person in charge of any vessel subject to the provisions of this section, or any or all of them, who shall knowingly and willfully violate the provisions of this section or the rules and regulations established hereunder, shall be subject to a fine of not less than $5,000 or more than $50,000, or imprisonment for not more than five years, or both.

"(C) Any vessel subject to the provisions of this section, which shall be in violation of this section or the rules and regulations established hereunder, shall be liable in rem and may be proceeded against in the United States district court for any district in which the vessel may be found.

"(12) INJUNCTIVE PROCEEDINGS.—The United States district courts shall have jurisdiction for cause shown to restrain violations of this section or the rules and regulations promulgated hereunder.

"(13) DENIAL OF ENTRY.—The Secretary may, subject to recognized principles of international law, deny entry into the navigable waters of the United States to any vessel not in compliance with the provisions of this section or the regulations promulgated thereunder."

SEC. 202. Regulations previously issued under statutory provisions repealed, modified, or amended by this title shall continue in effect as though promulgated under the authority of section 4417a of the Revised Statutes of the United States (46 U.S.C. 391a), as amended by this title, until expressly abrogated, modified, or amended by the Secretary of the Department in which the Coast Guard is operating under the regulatory authority of such section 4417a as so amended. Any proceeding under such section 4417a for a violation which occurred before the effective date of this title may be initiated or continued to conclusion as though such section 4417a had not been amended hereby.

SEC. 203. The Secretary of the Department in which the Coast Guard is operating shall, for a period of ten years following the enactment of this title, make a report to the Congress at the beginning of each regular session, regarding his activities under this title. Such report shall include but not be limited to (A) a description of the rules and regulations prescribed by the Secretary (i) to improve vessel maneuvering and stopping ability and otherwise reduce the risks of collisions, groundings, and other accidents, (ii) to reduce cargo loss in the event of collisions, groundings, and other accidents, and (iii) to reduce damage to the marine environment from the normal operation of the vessels to which this title applies, (B) the progress made with respect to the adoption of international standards for the design, construction, alteration, and repair of vessels to which this title applies for protection of the marine environment, and (C) to the extent that the Secretary finds standards with

respect to the design, construction, alteration, and repair of vessels for the purposes set forth in (A) (i), (ii), or (iii) above not possible, an explanation of the reasons therefor.

And the Senate agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment, as follows: On page 13, line 23, of the Senate engrossed amendments, strike out "Title II" and insert the following: "Title I"; and the Senate agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "101."; and the Senate agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "(including the substances described in section 4417a(2)(A), (B), and (C) of the Revised Statutes of the United States (46 U.S.C. 391a(2)(A), (B), and (C))"; and the Senate agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment, as follows: Omit the matter proposed to be inserted by the Senate amendment, and on page 3, line 14, of the House engrossed bill strike out "Act" and insert the following: "Title"; and the Senate agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment, as follows: Omit the matter proposed to be inserted by the Senate amendment, and on page 3, line 16, of the House engrossed bill strike out "Act" and insert the following: "title"; and the Senate agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "102"; and the Senate agree to the same.

Amendment numbered 9: That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment, as follows: Omit the matter proposed to be inserted by the Senate amendment, and on page 4, line 6, of the House engrossed bill strike out "Act" and insert the following: "title"; and the Senate agree to the same.

Amendment numbered 10: That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment, as follows: Omit the matter proposed to be inserted by the Senate amendment, and on page 4, line 11, of the House engrossed bill, strike out "Act" and insert the following: "title"; and the Senate agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment, as follows: Omit the matter proposed to be inserted by the Senate amendment, and on page 4, line 12, of the House engrossed bill, strike out "Act" and insert the following: "title"; and the Senate agree to the same.

Amendment numbered 12: That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment, as follows: Omit the matter proposed to be inserted by the Senate amendment, and on page 4, line 17, of the House engrossed bill, strike out "Act" and insert the following: "title"; and the Senate agree to the same.

Amendment numbered 13: That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"(d) This title shall not be applicable to the Panama Canal. The authority granted to the Secretary under section 101 of this title shall not be delegated with respect to the Saint Lawrence Seaway to any agency other than the Saint Lawrence Seaway Development Corporation. Any other authority granted the Secretary under this title shall be delegated to the Saint Lawrence Seaway Development Corporation to the extent that the Secretary determines such delegation is necessary for the proper operation of the Seaway."

And the Senate agree to the same.

Amendment numbered 15: That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment, as follows: Omit the matter proposed to be inserted by the Senate amendment, and on page 4, line 21, of the House engrossed bill, strike out "Act" and insert the following: "title"; and the Senate agree to the same.

Amendment numbered 16: That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "103".; and the Senate agree to the same.

Amendment numbered 17: That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment, as follows: Omit the matter proposed to be inserted by the Senate amendment and on page 5, lines 20 and 23, of the House engrossed bill, strike out "Act" and insert the following: "title", and the Senate agree to the same

Amendment numbered 19: That the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "104"; and the Senate agree to the same.

Amendment numbered 20: That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment, as follows: Omit the matter proposed to be inserted by the Senate amendment, and on page 6, line 8, of the House engrossed bill, strike out "Act" and insert the following: "title"; and the Senate agree to the same.

Amendment numbered 22: That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "105"; and the Senate agree to the same.

Amendment numbered 23: That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "106"; and the Senate agree to the same.

Amendment numbered 24: That the House recede from its disagreement to the amendment of the Senate numbered 24, and agree to the same with an amendment, as follows: Omit the matter proposed to be inserted by the Senate amendment, and on page 6, lines 23 and 25, of the House engrossed bill, strike out "Act" and insert the following: "title"; and the Senate agree to the same.

Amendment numbered 25: That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "$10,000;" and the Senate agree to the same.

Amendment numbered 26: That the House recede from its disagreement to the amendment of the Senate numbered 26, and agree to the same with an amendment, as follows: Omit the matter proposed to be inserted by the Senate amendment, and on page 7, line 6, of the House engrossed bill, strike out "Act" and insert the following: "title"; and the Senate agree to the same.

Amendment numbered 27: That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "107."; and the Senate agree to the same.

Amendment numbered 28: That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same with an amendment, as follows: Omit the matter proposed to be inserted by the Senate amendment, and on page 7, line 10, of the House engrossed bill, strike out "Act" and insert the following: "title"; and the Senate agree to the same.

Amendment numbered 29: That the House recede from its disagreement to the amendment of the Senate numbered 29, and agree to the same with amendments, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "$50,000".

On page 7, line 10, of the House engrossed bill, strike out "$1,000" and insert the following: "$5,000".

And the Senate agree to the same.

Amendment numbered 30: That the House recede from its disagreement to the amendment of the Senate numbered 30, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "five years."; and the Senate agree to the same.

That the Senate recede from its amendment to the title of the act.

EDWARD A. GARMATZ,
FRANK M. CLARK,
ALTON LENNON,
THOMAS M. PELLY,
HASTINGS KEITH,
Managers on the Part of the House.

WARREN G. MAGNUSON,
RUSSELL B. LONG,
PHILIP A. HART,
ROBERT P. GRIFFIN,
TED STEVENS,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The Managers on the part of the House and Senate at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 8140) to promote the safety of ports, harbors, waterfront areas and the navigable waters of the United States, submit the following joint statement to the House and to the Senate in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report.

The following Senate amendments made technical, clarifying or conforming changes: 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 26, 27, and 28. With respect to these amendments (1) the House

either recedes or recedes with amendments which are technical, clarifying, or conforming in nature; or (2) the Senate recedes in order to conform to other action agreed upon by the committee of conference.

CITATION OF THE ACT

Amendment No. 1. Section 1 of the House bill provided that the Act may be cited as the "Ports and Waterways Safety Act of 1971". The Senate amended the bill to provide that the Act may be cited as the "Navigable Waters Safety and Environmental Quality Act of 1972". The Committee of conference agreed that the Act may be cited as the "Ports and Waterways Safety Act of 1972".

VESSELS CARRYING CERTAIN CARGOES IN BULK

Amendment No. 2. As passed by the House, the bill was intended to promote safety and protect the navigable waters from environmental harm primarily by authorizing the Secretary of the Department in which the Coast Guard is operating (the "Secretary") to establish vessel traffic services, systems and controls and minimum safety standards for structures. The Senate amendment inserted new material, designated as Title I, amending the Tank Vessel Act (46 U.S.C. 391a) to authorize the Secretary, in consultation with other agencies and departments, to establish standards for the design, construction, maintenance, repair, and operation of vessels carrying certain cargoes in bulk in order to protect the marine environment.

The purpose of the Senate amendment is to provide a systems approach to protection of the marine environment: improved traffic controls and improved vessel design, construction and operation. The amendment sets forth congressional findings to the effect that carriage by vessels of certain cargoes in bulk creates substantial hazards to the marine environment, that existing standards for the design, construction, alteration, repair, maintenance and operation of such vessels must be improved, and that it is necessary that there be comprehensive standards established for all such vessels documented under our laws or entering our navigable waters. The Secretary, in coordination with other departments and agencies, is given broad authority to promulgate regulations with respect to these vessels, including their design, construction, propulsion machinery, equipment, manning and operation. He is directed to begin publication of proposed rules relating to certain topical areas as soon as practicable. Specific topical areas for Secretarial action are outlined by way of inclusion and not by way of limitation. With respect to vessels engaged in foreign trade, the effective date of standards is deferred in order to provide a reasonable period of time for the development of standards by international agreement. Finally, the Secretary is required to report annually to the Congress regarding his activities under the legislation.

The Committee of Conference carefully reviewed the Senate hearings relating to the Senate amendment. In addition, the House Merchant Marine and Fisheries Committee held hearings on the amendment on June 19 and 20, 1972 at which all interested persons were permitted to testify.

The Committee of Conference agreed to the substance of the Senate amendment with certain revisions, most of which were technical, clarifying or conforming in nature. The material inserted by the Senate was redesignated as "Title II" which the substance of the bill that passed the House was designated as "Title I". The more significant revisions to the Senate amendment include:

(1) exclusion from the title of vessels carrying dry cargoes in bulk which will be designated as hazardous polluting substances under section 12(a) of the Federal Water Pollution Control Act (33 U.S.C. 1162). This revision was made at the urging of the Coast Guard which noted that such substances have not yet been designated and expressed concern that their inclusion might unduly strain Coast Guard resources. As revised, the bill would apply to vessels engaged in the bulk carriage of liquid cargoes which are inflammable or combustible, oil in any form, or hazardous polluting liquids. Gases carried in liquid form are also subject cargoes. The Committee of Conference also noted that dry cargoes would continue to be subject to the other title of the bill and, specifically, that the reference to "other hazardous circumstances" in section 101(3) includes the carriage of hazardous cargoes, including but not limited to those designated as hazardous polluting substances under section 12(a) of the Federal Water Pollution Control Act.

(2) deferral for an additional year to January 1, 1976 of the latest date by which initial standards for the design and construction of vessels will be applied to vessels in foreign trade, including vessels of foreign registry, in the absence of internationally adopted standards. This amendment was also urged by the Coast Guard which noted that an international conference on the subject of preventing pollution from vessels is scheduled for late 1973 and which believed that an additional maximum delay of two years to allow development of international standards before unilateral imposition of standards might not be unreasonable. The earliest date on which standards may be unilaterally imposed on vessels in foreign trade in the absence of international standards remains January 1, 1974.

(3) providing the Secretary more flexibility with respect to the unilateral imposition of standards on foreign vessels. The Senate amendment provides that the Secretary shall begin publication as soon as practicable of proposed regulations setting forth minimum standards for vessels design and construction and was subject to the interpretation that the Secretary was required to unilaterally impose on foreign vessels all previously published proposed standards unless nearly identical standards were adopted internationally in each and every topic area. The language adopted by the Committee of Conference clarifies that the Secretary has flexibility not to impose a particular standard if he deems it inappropriate, for example, because other standards adopted internationally obviate the need for the earlier proposed standard published by the Secretary.

(4) revision of criminal and civil penalties in conformity with the conference action taken with respect to Senate amendments 25, 29, and 30.

SAINT LAWRENCE SEAWAY

Amendment No. 13. The Senate amendment provides that authority under the title with respect to the Saint Lawrence Seaway shall not be delegated by the Secretary to any agency other than the Saint Lawrence Seaway Development Corporation. The provision adopted by the Committee of Conference clarifies that the authority referred to is that set forth in section 101 (section 2 of the bill as passed by the House, section 201 of the bill as amended by the Senate). Other authority will be delegated by the Secretary to the Saint Lawrence Seaway Development Corporation to the extent necessary for the proper operation of the Seaway.

CRIMINAL AND CIVIL PENALTIES

Amendment Nos. 25, 29 and 30. As passed by the House the bill provides for a civil penalty for violations of not more than $1,000 and for criminal penalties of not less than $1,000 nor more than $10,000 or ten years imprisonment, or both. The Senate amendment provides maximum civil penalties of $20,000 and maximum criminal penalties of $100,000 or one year imprisonment, or both. The Committee of Conference agreed on a maximum civil penalty of $10,000 and criminal penalties of not less than $5,000 nor more than $50,000 or five years imprisonment, or both.

EDWARD A. GARMATZ,
FRANK M. CLARK,
ALTON LENNON,
THOMAS M. PELLY,
HASTINGS KEITH,
Managers on the Part of the House.

WARREN G. MAGNUSON,
RUSSELL B. LONG,
PHILIP A. HART,
ROBERT P. GRIFFIN,
TED STEVENS,
Managers on the Part of the Senate.

CABELL HAS A POINT

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

Mr. ROBERTS. Mr. Speaker, in recent weeks, both the Dallas Morning News and the Dallas Times Herald printed lead editorials concerning my good friend and colleague, EARLE CABELL, and his views on revenue sharing. I thought that these statements of editorial opinion by two outstanding papers in my part of Texas would bear notice:

[From the Dallas Morning News, June 14, 1972]

CABELL HAS A POINT

The City Council and Rep. Earle Cabell are now involved in a disagreement that concerns us all, because it concerns our tax money. Specifically, the disagreement is over which level of government should collect the money from us.

On Monday the council voted to put more pressure on Dallas congressmen to get them to support legislation for federal revenue sharing with the cities. Dallas, of course, is one of the cities that could expect to get its share.

The idea of receiving a "free" share of the federal government's tax revenues has several things to recommend it to the council and, in fact, to all local and state officials.

First, there's the attractive feature that the local officials get the money without having to vote to raise it themselves. It has no doubt occurred to the councilmen—certainly it has occurred to most public officials—that the taxpayers are in no mood to have their taxes raised at the moment.

Taxpayers, in fact, are apt to react ferociously against those who move to add to their tax burdens. And city officials, being much closer to the taxpayers, are therefore more exposed to the heat of their anger.

Letting the Congress do the dirty work of voting the tax increases while the local governments do the more pleasant work of spending the money is understandably a popular plan at the local level.

Second, there is the undeniable fact that the federal government has, in the Internal Revenue Service, a remarkably effective and efficient instrument for the collection of our money. To put it mildly.

Third, there is the old, familiar and unfortunately all too accurate argument, that "if we don't take it, somebody else will." If Dallas makes a stand on its conservative principles and righteously turns away the handouts, this will not stop the handout process—it will merely mean that those other state and local entities who are eager to cash in on it will do so with less competition from us.

But Rep. Cabell, who was mayor before he was elected to Congress, has seen this process from both levels. And he said Monday that the council and other local and state governments are living in a "pipedream" if they think that they are going to go on getting federal money for long without strings being attached.

Fact is, he said, the officials on the receiving end "will be . . . doing the bidding of the federal government like a bunch of monkeys on a string."

Unfortunately, recent history bears out that argument, too. Remember when federal aid to education was being pressed on local officials? We were promised, then as now, that there'd be no strings.

As for the No. 1 argument for the council's position, Cabell said.

"This may look like a bird's nest on the ground. It looks like they are lowering local taxes, but they forget they're raising national taxes."

And that is the most significant point. We should never forget that as citizens and taxpayers we are involved in both sides of this process. The extra money we may receive as local recipients will be the same money we have just paid out as payers of those "national taxes"—less the bureaucracy's handling charges for taking the money to Washington, dividing it and sending it back.

Thus each dollar that we get via Washington costs us more than if we had raised the same dollar by local taxes—currently a federal dollar of aid costs Texans about $1.02 in federal taxes.

It would be far better to work out a plan whereby the federal government would share its sources of collection, letting the local and state governments collect part of the money formerly collected by the feds. This wouldn't ease the local officials' problem with political heat, but it would allow the raising of money to be done in the area where it is to be spent—and without adding to the taxpayer's total tax burden by disguising local spending as federal taxes.

Working out such an alternative plan requires a national approach, of course, and a considerable amount of initiative from Rep. Cabell and his colleagues in Washington. Your move, congressmen.

[From the Dallas Times Herald, June 14, 1972]

RISKS IN REVENUE SHARING

The prospect of easy money from federal revenue sharing has prompted the Dallas City Council to urge Dallas area congressmen to support a measure now under study in Washington. The city's need for additional revenue makes the plea understandable but we believe revenue sharing would be more of a liability than an asset.

In the first place, there are no excess federal funds to share. Annual deficits are running about $40 billion a year and the proposed $5 billion annually in revenue sharing would simply add to the deficits. And where does that money come from, except from the pockets of individual citizens and companies, Dallasites included.

A second objection, which we have stated frequently, is a philosophical one. He who spends tax money should have the responsibility of levying the taxes. Having the Congress earmark billions for various governmental subdivisions, billions gained through the federal income tax office, makes it easier for local or state officials to spend money without worrying about the taxpayer. In addition, we share Rep. Earle Cabell's concern that revenue sharing would tend to centralize, rather than decentralize, federal authority because it places more taxation power in the Congress. There has been much loose talk about unrestricted grants but the Congress isn't likely to hand cities, counties and states a bundle of cash without strict guidelines.

And lastly, nearly all the revenue sharing proposals are weighted in favor of states with corporate or personal income taxes. Approval of a sharing plan would put pressure on the Texas legislature to adopt some kind of income tax in order to get Texas' fair share of the gravy.

We recognize the fiscal problems of Dallas and other cities, but we believe that Dallas citizens would rather have control of their own tax affairs. The city sales tax, the new garbage fee and other service charges have relieved somewhat the pressure on the property tax.

Federal programs providing specific grants in aid for cities should be continued but we believe that all-out revenue sharing should be defeated in the Congress.

CONTENT OF FINANCIAL STATEMENTS

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

Mr. VANIK. Mr. Speaker, on April 3, 1972, I was advised by the Chairman of the Securities Exchange Commission, William J. Casey, that his office is engaged in a revision of the Commission's general regulations with respect to form and content of financial statements including disclosures with regard to provisions for taxes. Securities and Exchange Commission Chairman William J. Casey also advised me that their present rules require separate disclosures of provisions for: First, Federal normal income and surtax; second, Federal excess profit tax; and third, other income taxes.

In reviewing the annual reports filed with the SEC, last year United States Steel Corp., Standard Oil of New Jersey, IBM, and other American corporations, I find that these corporations have combined their Federal and foreign taxes—so that it is impossible to determine who received these tax revenues. In some corporate reports, the taxes paid include excise taxes paid by the consumer or the purchaser of the items produced by the reporting corporation.

As I understand SEC Rule 5–14, 15, commercial and industrial companies are required to state separately: first, Federal income taxes; second, Federal excess profits taxes; and third, other income taxes—State, local, and foreign.

The improper consolidation of taxes paid misrepresents and tends to overstate the actual amount paid to the Federal Government.

I have asked Chairman Casey whether the Securities and Exchange Commission considers this type of consolidated reporting to be a violation of the aforementioned rule. If this is, in fact, a violation of the rule, I have requested Chairman Casey to provide me with a determination as to the type of action the SEC plans to take with respect to the enforcement of its regulations on this subject.

Following is a copy of a letter I received from Chairman William J. Casey on—and a copy of a letter which I have forwarded to him on apparent transgression of SEC rules:

APRIL 3, 1972.

Hon. CHARLES A. VANIK,
Member of Congress,
House of Representatives,
Washington, D.C.

DEAR MR. VANIK: Thank you for your letter of March 23, 1972. At this time we are engaged in a revision of the Commission's general regulations with respect to form and content of financial statements including disclosures with regard to provisions for taxes. The Commission's proposal for revisions of existing rules was published August 20, 1971. A copy is enclosed. You may be interested in "Item 15, Income Tax Expense" at page 26. Our present rules require separate disclosures of provisions for (1) Federal normal income and surtax, (2) Federal excess profit tax and (3) other income taxes.

I wish to assure you that the views expressed in your letter will be thoroughly considered.

Sincerely,

WILLIAM J. CASEY,
Chairman.

JUNE 22, 1972.

Hon. WILLIAM J. CASEY,
Chairman, the Securities and Exchange Commission, Washington, D.C.

DEAR MR. CHAIRMAN: On April 3, 1972, you advised me that your office was engaged in a revision of the Commission's general regulations with respect to form and content of financial statements including disclosures with regard to provisions for taxes. You also advised me that your present rules require separate disclosures of provisions for: (1) Federal normal income and surtax; (2) Federal excess profit tax; and (3) other income taxes.

In reviewing the annual reports filed with the SEC in 1971 for the United States Steel Corporation, Standard Oil of New Jersey, I.B.M., and other American corporations, I find that these corporations have combined their Federal and foreign taxes, so that it is impossible to determine who received these tax revenues. In some corporate reports, the taxes paid include excise taxes paid by the consumer or the purchaser of the items produced by the reporting corporation.

As I understand SEC–5–14, 15, commercial and industrial companies are required to state separately: (1) Federal income taxes; (2) Federal excess profits taxes; and (3) other income taxes (state, local, and foreign.)

The improper consolidation of taxes paid misrepresents and tends to overstate the actual amount paid to the Federal government.

Do you consider this type of consolidated reporting a violation of the aforementioned rule? If so, what action does the SEC plan to take with respect to the enforcement of its regulations on this subject.

Sincerely yours,

CHARLES A. VANIK,
Member of Congress

ONLY ONE EARTH—THE U.N. CONFERENCE ON THE HUMAN ENVIRONMENT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. MCCLORY) is recognized for 60 minutes.

Mr. MCCLORY. Mr. Speaker, the United Nations Conference on the Human Environment held in Stockholm, Sweden, between June 5 and 16, 1972, has been described appropriately as a turning point in human history.

This highly acclaimed meeting attracted representatives from 114 nations totaling an estimated 1,500 official governmental delegates. Our U.S. delegation, headed by Russell E. Train, Chairman of the Council on Environmental Quality, included distinguished environmentalists and public and governmental representatives, from a broad cross section of American society. Our colleagues, Congressmen JOHN DINGELL of Michigan, SEYMOUR HALPERN of New York, FRANK CLARK of Pennsylvania, and I were privileged to serve as part of our U.S. delegation. We were joined also by our colleague

Congressman GILBERT GUDE of Maryland, who attended the conference as a congressional observer in behalf of the House Government Operations Subcommittee on Conservation and Natural Resources. I should add that it was with extreme regret that our colleague, JOHN BLATNIK of Minnesota, chairman of the House Public Works Committee, was unable, at the last minute, to participate. I want to commend highly the important contributions made by all of our colleagues who attended the Stockholm Conference.

Mr. Speaker, in addressing this report to the House of Representatives today, it is not my intention to detail the history and the background of this landmark meeting in behalf of protecting the planet earth from deterioration. However, I would like to state at the outset that my colleagues and I are convinced that unless prompt and comprehensive steps are taken on a global scale the human environment could soon deteriorate to the point where it would no longer sustain human life.

Mr. Speaker, I would like to say in my own behalf that, in my opinion, no international conference has been more carefully or thoughtfully organized or prepared. Following the original proposal by Sweden, made in the spring of 1968 at a session of the U.N. Economic and Social Council, this 1972 Conference was officially approved by the U.N. General Assembly in December 1968. The United States was one of 55 nations endorsing this Conference and, thereafter, became a member of the key 27 nation Preparatory Committee. This Preparatory Committee worked during the intervening 4 years in developing the agenda, and in preparing detailed documentation and recommendations for consideration at the Stockholm meeting.

Mr. Speaker, in connection with this preparatory work, the leadership of Maurice Strong of Canada, who served as Secretary-General of the Conference, deserves special commendation. He was a dynamic and capable leader who guided the affairs of the U.N. Conference from the time he assumed his office in 1969 until the final adjournment of the Conference on June 16, 1972.

The night preceding the opening of the Conference, an ecumenical service was held in the Stockholm Cathedral. In addition to the participation of several clerics, the Conference Secretary-General, Maurice Strong was scheduled to deliver an address at this service. As a result of his unavoidable absence, his formal statement was read with dramatic presence and effect by Mrs. Strong. She spoke from the cathedral pulpit to an assemblage representing every part of the globe. This emphasis on spiritual power gave inspiration and hope at the very outset of this historic Conference.

The objectives of the Stockholm Conference should be kept well in mind. These were stated by our U.S. group as follows:

> The overall U.S. objective for the Conference is to raise the level of national and international concern for environmental problems and to increase national, regional and global capabilities to recognize and solve those problems which have a serious adverse impact on the human environment.

While slated as an "action" Conference proposing urgent steps essential to the protection of various aspects of the human environment, there was no suggestion that economic or social developments must be reversed. On the contrary, at the very outset of the meeting, the Secretary General of the United Nations, Kurt Waldheim, had high praise for the social, economic and cultural advances that have occurred in the developed world. He emphasized that these benefits must be shared with the people of the less developed countries—at the same time as the programs for environmental protection and improvement go forward.

Mr. Speaker, our congressional delegates took an active part in the discussions on all of the six subject areas considered by the three Committees established for the Conference. In addition to our individual preparatory work, we had the advantage of a full-day briefing at the State Department about 10 days before our departure for Stockholm, as well as a followup session at the U.S. Embassy the day before the Conference opened officially. Also, our delegation held a group meeting each morning at 8:30 a.m. before proceeding to the Plenary and Committee sessions. Aided by capable technical staffs, including some of the best scientific minds in the world on the subject under discussion, our U.S. delegation performed consistently as a team determined to make the Conference a successful "first step" in the solution of global environmental problems.

Mr. Speaker, a great many publications were developed in preparation for the Stockholm Conference, but none was more succinct or more helpful than that prepared by the Secretary of State's Advisory Committee, headed by our colleague in the other body, HOWARD H. BAKER, Jr., U.S. Senator from Tennessee. In addition to the volume which his committee produced, Senator BAKER was in attendance throughout the Stockholm Conference providing the benefit of his intensive study of and concern with all of the subjects on the Stockholm agenda.

Now, Mr. Speaker, relating to my individual experiences, I wish to point out that I was assigned as a member of Committee I to deal with Subject Area I: "Planning and Management of Human Settlements for Environmental Quality." In our committee work on the subject of "Human Settlements," I had the privilege of serving with Mr. Laurence S. Rockefeller, Chairman of the Citizens Advisory Committee on Environmental Quality, and Samuel C. Jackson, General Assistant Secretary, Department of Housing and Urban Development; as well as Charles J. Orlebeke, Deputy Under Secretary, Department of Housing and Urban Development, who was also Technical Advisor to our Committee members. The critical aspects of this subject involved the frightening growth of population in most areas of the world, the general impact of urbanization in both the developing and developed nations, and all of the related subjects of housing, transportation, sewer and water services and other subjects affecting human settlements. These made the work of our committee extremely interesting and rewarding.

Mr. Speaker, I would like to recall at this point that in all of my discussions with delegates from the more than 100 other nations, there were no expressions of hostility or unfriendliness toward either our nation or the American people. Instead, all of the delegates appeared to devote themselves to the subject assigned to us for discussion and to direct the debates toward the 24 recommendations upon which our committee acted.

Mr. Speaker, this is not to say that there was complete agreement at all times and on all issues. In the contrary, the debates were quite spirited and differences of opinion were sometimes quite marked. At a later time I shall give an account of the recommendations of our committee, which will indicate the broad scope of our deliberations and recommendations.

Other committees made similarly meaningful recommendations, most of which, in turn, were favorably acted upon at the plenary session of the Conference during the final days in Stockholm.

Mr. Speaker, a number of accounts have come out of Stockholm reporting on events there. For the most part, I feel that the public has misunderstood the depth and seriousness of the discussions and actions which occurred at this Environmental Conference. The few attacks which appeared to be directed at our Nation were publicized way out of proportion to their significance. In the speech of the Prime Minister of Sweden, the United States was not mentioned directly; and, in any event, only a very few words of his entire address were of a character to cause us to take offense.

It should be noted that this is one of the first international meetings at which representatives of the People's Republic of China—Communist China—appeared, and it was my first individual experience in meeting with representatives from the Chinese Mainland. Insofar as their conduct in committee I was concerned with, I should report that they were completely inactive. They declined to vote on a single issue and refused to participate in any way in the committee discussions.

While the Soviet Union, together with several of their satellite governments boycotted the Conference—because East Germany which is not a U.N. member was not invited—it is noteworthy that delegates from Romania and Yugoslavia participated actively in all aspects of the Stockholm meeting.

Mr. Speaker, I am certain that several of my colleagues will want to comment on their individual activities and also to discuss the unofficial and extraneous events which attracted some newspaper, TV, and radio coverage, but which provided nothing constructive to the U.N. Conference activities. Many of those who came to Stockholm were there to attend the so-called environmental forum and other less official gatherings. Unfortunately, the other gatherings served primarily to divert attention from the genuine environmental issues and impinged

upon the limited time of some of the delegates. In their efforts to attract attention to themselves, some of these self-ordained missionaries employed emotional and inflammatory tactics.

Mr. Speaker, I should add that most of the non-Governmental Organizations—NGO's—present in Stockholm represented outstanding environmental and conservation groups. They contributed substantially to the knowledge and prestige of the U.N. Conference. An exceptionally fine series of lectures were sponsored by the International Institute for Environmental Affairs in cooperation with the Population Institute. This series included a presentation by the noted Norwegian author, anthropologist, and explorer, Thor Heyerdahl; and, by the noted Swedish economist, Gunnar Myrdal.

Mr. Speaker, my experiences with environmental subjects have been many and varied during my years here as a Member of this body—and elsewhere. However, I attended the Stockholm Conference not as an environmental expert, but as a lawmaker—because, as lawmakers, you and I and every Member of this body must assume responsibility for translating public hopes and aspirations into laws and appropriations upon which effective action affecting the environment can be taken.

At one stage of the U.N. Conference, I addressed myself along this line substantially as follows and I ask leave to insert here my own remarks as delivered at Stockholm.

REMARKS OF CONGRESSMAN ROBERT MCCLORY, MEMBER OF THE U.S. DELEGATION AT THE UNITED NATIONS WORLD CONFERENCE ON THE HUMAN ENVIRONMENT

As a representative in the United States Congress and member of the United States Delegation to this Conference, I am pleased to be assigned particularly to the Committee dealing with the planning and management of human settlements for environmental quality (subject area No. 1).

I am impressed by the critical nature of this problem in almost every country, the extent to which the subject impinges upon virtually every aspect of the human environment, and by the fact that the theme of this conference—only one earth—must likewise be the limit within which the problems of human settlements may be solved—since there is "only one earth" upon which the human species may be sustained.

The scientific information, and the reports of experts covering every conceivable discipline with which this conference is concerned—have produced—and will continue to produce benefits to mankind which can be measured according to a variety of parameters. However, ultimately, as the preparatory committee has prescribed—and as this conference will certainly conclude—action programs at international, national, and local levels will be required.

The basis for all national action rests with the national parliaments or law-making bodies of our respective governments. Indeed, even national policies, whether enunciated by a government's chief executive or administrative heads, must be authorized or confirmed by appropriate legislative action. In addition, the funds which are essential to the implementation of national policies and programs must be appropriated by the parliamentary branch of our respective governments. Of course, the source of funds, i.e. The revenues with which to defray such appropriations must be based upon enabling legislation.

The expression that dominates many current environmental fears and solutions is that they are "so much rhetoric". Indeed, when talk—(even at the level of an International Conference)—replaces action, such references are well grounded. In sum, the ultimate ideas and steps for effecting improvements in the human environment require the utmost in national and international cooperation and coordination—including the education and training of personnel charged with the responsibilities inherent in any environmental control programs.

But, bear in mind, that all of the educational and training programs, as well as authority for the research and development of plans and techniques, require legislative support. Even the movement of population and the control of population growth may be influenced by legislative action. Furthermore, the agencies and administrative bodies which governments authorize for carrying out the planning of human settlements, the location of industrial developments, the establishment of power sources and transportation facilities can only be realized after the national parliaments or legislatures have passed laws which authorize such action.

Finally, all international arrangements and institutions require legislative authorization or approval. In the case of the United States, international cooperation in the form of treaties requires approval by the U.S. Senate. Other international action, in which the expenditure of funds of the United States may be involved, would require implementation through legislative action by both the House and the Senate.

I am not certain that either this conference or all of the other meetings and conferences which are being held will render our lawmakers experts on the subject of the environment. It is fundamental that a great deal of expert counselling and advice should be made available to our national lawmakers and to the committees or commissions upon which they are represented . However, it is important that it be said here—and vital to the success of any action which is undertaken as a part of this conference—or hereafter—that the critical need is for effective, comprehensive and long range legislative action and goals. This should be clearly understood—and we should go forth from these sessions determined to implement our decisions with action—legislative action, that is, new laws—wherever required.

In my own case, the Congress of the United States represents the key to the solution to our national environmental problems. It is likewise an essential part of all international programs which may be developed to help protect and preserve the land and the sea and the air for this and future generations of mankind.

Mr. Speaker, finally the Conference adopted a declaration which has been heralded by many as the most significant accomplishment of this great international meeting. There was substantial conflict as to the international principles which should guide all nations on the basis of uniform standards of conduct. It seems, indeed, that a turning point in human history was experienced when the vast majority of the representatives from 114 nations from every section of the globe, both developed and underdeveloped, small and large, were able to agree in principle on the broad guidelines which can protect the earth's natural resources and improve the quality of the environment upon which the survival of mankind depends. In brief summary, the declaration provides, as follows:

Man has a fundamental right to freedom, equality, and adequate living conditions in an environment which permits a life of dignity and well-being. Policies of apartheid, racial segregation, discrimination, colonialism, and other forms of oppression must stop.

The natural resources of the earth must be safeguarded for present and future generations.

Man has a special responsibility to safeguard the heritage of wildlife.

Nonrenewable resources of the earth must be used in a way to guard against exhaustion.

The discharge of toxic substances must be halted.

Nations shall take steps to prevent sea pollution.

Nations have the sovereign right to exploit their own resources according to their own environment policies and the responsibility to ensure their activities will not harm the environment.

International matters concerning the protection and improvement of the environment should be handled in a cooperative spirit by all countries.

Mr. Speaker, the principal objectives sought by our U.S. delegation, and outlined earlier by President Nixon, were substantially achieved. These consist of the following: first, establishment of a viable agency within the United Nations to coordinate United Nations environmental activities; second, establishment of an environmental fund totaling $100 million over the first 5 years, of which the United States has pledged up to $40 million on a matching basis subject to congressional approval; and third, establishment of a global earth watch program to coordinate a monitoring of environmental conditions and trends in the atmosphere, oceans and soil. In addition, the U.N. Conference approved such significant U.S. recommendations, as—

First. The early completion of conservation conventions, including the World Heritage Trust for natural and cultural treasures and a convention restricting international trade in endangered species.

Second. The strengthening of the International Whaling Convention and a 10-year moratorium on commercial whaling, and

Third. A Declaration on the Human Environment containing important new principles to guide international environmental action.

At a later time, I will ask leave to insert several significant and informative newspaper articles regarding the Stockholm Conference which supplement the remarks made here today—and to help place in perspective the significant Stockholm Conference on the Human Environment.

Mr. MCCLORY. Mr. Speaker, I now yield to the gentleman from New York (Mr. HALPERN) who served so ably as one of the delegates.

Mr. HALPERN. I thank the gentleman from Illinois for yielding to me.

Mr. Speaker, I wish to compliment the enormously capable gentleman from Il-

linois (Mr. McCLORY) for taking this time today briefly to discuss the United Nations Conference on the Human Environment which was held in Stockholm, Sweden, from June 5 through June 16.

I was privileged to have served as a member of the distinguished United States Delegation along with the gentleman from Illinois, who performed so creditably in Stockholm. Likewise, this House can well be proud of our other colleagues who participated at this historic conclave which brought 114 nations together to agree on mutual cooperation for environmental protection. I refer to the able gentleman from Michigan (Mr. DINGELL), the distinguished gentleman from Pennsylvania (Mr. CLARK), and the esteemed gentleman from Maryland (Mr. GUDE), each of whom contributed invaluably in his respective role on the delegation.

The representatives of the other body on the delegation similarly performed with great skill and achievement. The outstanding Senator from Tennessee (HOWARD H. BAKER), chairman of the Secretary of State's Advisory Committee to the U.N. Conference on the Human Environment, provided tremendous expertise, as did his colleagues from the other body: HARRISON A. WILLIAMS of New Jersey, CLIFFORD P. CASE of New Jersey, WARREN G. MAGNUSON of Washington, CLAIBORNE PELL of Rhode Island, JAMES L. BUCKLEY of New York and FRANK E. Moss of Utah.

It has been one of the most rewarding experiences of my 14-year tenure in the House of Representatives to have served with these most able legislators and with the highly skilled representatives of the administration and private sector who comprised the U.S. delegation to the Stockholm Conference.

All of us, I am sure, left Stockholm with the conviction that the 2-week conclave had accomplished virtually everything it had intended to do. The official representation in Stockholm reflected the diversified opinions and attitudes of the world's 3½ billion people by reconciling, to a remarkable extent, the contrasting philosophical, ethnic, social, and economic backgrounds.

One highlight of the Conference was the unanimous agreement on the existence of a worldwide environmental crisis applying to every aspect of the earth—oceans, atmosphere, and land. Of course there was bickering, political haranguing, regional disputes, and the open expression of philosophical differences. But all this is to be expected when the family of nations gathers together in quest of consensus on a critical issue. The important thing to point out is the miraculous success of the Conference. It produced an agreement that all the nations of the world have the grave responsibility of working together for global environmental protection.

The Conference approved a 200-point program of international action. It established a permanent organization within the United Nations to coordinate these actions. It adopted a Declaration of Principles to serve as guidelines and standards for future national and international performance.

I should also like to point out, Mr. Speaker, that the U.S. delegation went to this Conference with a most detailed understanding of the hundreds of items that were covered both in the committee and plenary sessions. It was the most remarkable job of preparation that I have ever observed and I wish especially to compliment Russell E. Train, Chairman of the Council on Environmental Quality, and Christian A. Herter, Jr., the State Department's environmental specialist, for the exceptional leadership they provided our delegation.

It is significant to point out that in virtually each instance the U.S. position on the Conference recommendations were sustained. In particular, there were 40 Conference recommendations ranging from wildlife protection to trade policy that the United States had especially favored. Foremost among these was the approval of the permanent environmental coordinating unit in the United Nations and the $100 million special environmental fund which were strongly urged by President Nixon as early as last February.

Although the Declaration of Principles turned out to be a matter of some controversy due to the Chinese delegation's move to alter the original version, the principles expressed in the final document actually concur fully with U.S. policy. I would like to quote the official U.S. assessment of the declaration:

> Although the resulting text is uneven in quality it contains important principles which may serve as a foundation for future international law, and its preamble contains concepts which may serve a wide educational value.

The Conference recommendations are, to a large degree, self-implementing. Many of them were addressed to the Secretary General of the United Nations and to the specialized agencies such as the World Health Organization and the Food and Agricultural Organization, both of which are called on to initiate, expand, and intensify environmental activities. An example of one of the significant innovations resulting from the Stockholm Conference is the earthwatch network of monitoring stations which will assess conditions of atmospheric and oceanic pollution.

As expected, many developing nations accused the technologically advanced countries of having precipitated the present crisis of global environmental deterioration and demanded that the industrialized nations make reparations in various forms. These attitudes did not, however, prohibit virtual unanimity on the bulk of Conference recommendations.

In summary, I would say that the Stockholm Conference has truly set the stage for an all-out effort in the area of worldwide environmental protection and the entire world community must cooperate in this timely effort for the survival of mankind.

I should point out, Mr. Speaker, that hundreds of nongovernmental organizations and individuals from scores of countries converged upon Stockholm at the time of the Conference in order to express their own point of view on the crucial issues at hand. Counterconferences were being held throughout the city. Participating in these conferences, forums and workshops were a mixture of individuals ranging from prominent scientists, ecologists, conservationists, and some concerned youth teams to so called ecofreaks.

Among the thousands of visitors to Stockholm in connection with the Conference were hundreds of Americans. Many were accredited through the U.N. Secretariat as representing nongovernment organizations, while a good many others, deeply concerned with environmental issues, had not been officially accredited, due to the fact that their organizations were not international in scope. Many of these enthusiasts felt left out of the proceedings. Some felt that they were not relating to the official conferees and were, in some instances, kept somewhat uninformed of the Conference's proceedings.

Our delegation felt that these people had every right to be heard, and we arranged means of communication with them and established an on-going dialog during the course of the Conference. In my own participation in this endeavor, I was impressed by the exceptional concern and complete dedication on the part of many of our youth who were there. The great majority had an exceptional knowledge of the subject at hand, a well-balanced sense of perspective on the problem and a genuine commitment to a healthier world. This attitude was indeed inspiring and the very presence of those groups and individuals contributed greatly to the overall impact of the Stockholm Conference.

Allow me to relate at this time, Mr. Speaker, some of the proceedings of the working committee of which I was a member covering the educational, informational, social, and cultural aspects of environmental issues. One of the subject areas of this committee on which I had the opportunity to focus particular effort was the recommendation calling for the establishment of an International Referral Service which won both committee and Conference approval.

This instrument should be considered as a necessary basic step toward resolving questions of information exchange which underlie all areas of Conference consideration. The referral service would make full use of the extensive services in existence and would operate in conjunction with them. When established, it will ascertain what information services exist, where they are, and how to gain access to them.

The successful recommendation resulted from a study conducted by the Conference Secretariat on behalf of the Preparatory Committee. It focused upon means of improved access to existing and continuing national and international information resources as representing the most important initial problem to be faced. The Referral Service represents a modest and feasible mechanism for improving such access and for determining both information needs and resources pertinent to environmental assessment and management.

A detailed action plan for establish-

ment of the International Referral Services should be prepared for review by governments prior to implementation. It is significant to note that even the modest costs of the proposed International Referral Service can be minimized—and the effectiveness of the Service significantly enchanced—by the initial efforts and contributions of the governments and the bodies of the United Nations in first, surveying and assessing their own national and U.N.-related needs incident to environmental questions; second, identifying known information resources that can help meet these needs; third, voluntarily reporting such resources to the Referral Service; and fourth, promoting the use, evaluation, and continuing enhancement of the Referral Service, both as an information-exchange mechanism and as a means for progressively determining where additional attention to specialized information needs may required.

If we are to succeed in achieving meaningful environmental protection, there must be a change in present attitudes and methods. Change means knowledge. This means better and broader education on every level and more effective means of gathering, disseminating, and applying experience and environmental information.

I like to think of the proposed information referral service as a "knowledge fund."

We should view it in that sense, for the contributions from this service to each member of the world community will be invaluable. It would be impossible to evaluate the benefits of these contributions in economic terms.

All aspects of environmental problems are of concern to everybody in our deeply interdependent world today. These problems are such that no nation, no continent, no system can succeed in resolving them alone, or even attempt to resolve them without relating to the knowledge, expertise, and experience of others without drawing on the services envisaged in recommendation 137 as adopted at the Stockholm Conference.

Governments, consumers, business, labor, all people rich and poor alike, suddenly realize they are all in the same situation and that something must be done. In other words, no one of us can escape the responsibility of improving the state of our environment. All nations have a stake and concern. No political system or level of economic development is immune, for the environmental crisis is a global one. We must therefore encourage global cooperation in the exchange of knowledge and the application of that shared information.

The United Nations can bring governments together, as so clearly demonstrated by this Conference and its preparatory meetings. It has the machinery to create and expedite the necessary institutional arrangements to collect worldwide data, to evaluate, to exchange experience, and review appropriate implementation. The International Referral Service will hopefully prove to be a great advancement along the path of multinational cooperation in environmental control.

In conclusion, Mr. Speaker, I can assure my colleagues that the U.N. Conference on the Human Environment provided a most interesting personal experience on the one hand, and, more importantly, a giant step toward multilateral control of our precious natural resources on the other. Let us hope that the first dramatic successes, attained this month at Stockholm, will be followed by a sustained worldwide effort to save our oceans, air, and land masses from the ravages of pollution.

Mr. McCLORY. I thank the gentleman for his contribution, as well as for the very able service that he rendered at the recent Conference in Stockholm.

I now yield to the distinguished gentleman from Maryland (Mr. GUDE.)

(Mr. GUDE asked and was given permission to revise and extend his remarks and to include extraneous matter.)

Mr. GUDE. Mr. Speaker, I thank the gentleman from Illinois for yielding. It was my honor and pleasure to serve with the gentleman from Illinois (Mr. McCLORY) and the gentleman from New York (Mr. HALPERN) and observe the invaluable service they gave at the Stockholm Conference. I went to the United Nations Conference on the Human Environment as a representative of the Conservation and Natural Resources Subcommittee of the House Committee on Government Operations.

I thank the gentleman from Illinois for his patience and for his leadership at Stockholm.

Mr. McCLORY. I thank the gentleman from Maryland for his contribution and for the very thorough way in which he prepared for this Conference and the close attention he gave to it, as well as his eloquent report on his participation in the U.N. Conference.

Mr. FRASER. Mr. Speaker, when one considers the worldwide consequences of marine pollution, depletion of key natural resources, and air pollution, international boundaries almost lose their meaning and the motion of interdependence of nations takes on a new meaning which can be felt by every man, woman, and child. Taking note of this fact, former U.N. Secretary General U Thant said:

> Like it or not, we are all travelling together on a common planet. We have no rational alternative but to work together to make it an environment in which we and our children can live full and peaceful lives.

Noting the environmental decay rampant all over the planet, he went on to say:

> If present trends are allowed to continue, the future of life on earth could be endangered.

It was with this common danger clearly in mind, and the realization that only a worldwide common effort can deal effectively with that danger, that the United Nations General Assembly decided to convene the first world Conference on the Human Environment in Stockholm this year. Now that the Stockholm Conference is over and we look at its record, we can be thankful that, at the very least, such a conference was in fact held and that 114 nations came together to seek effective solutions to environmental problems.

If nothing else had been accomplished, at least the Conference would have served to focus world attention on the environment. But I think all would agree that a great deal more than that was accomplished.

Agreement was reached through a number of recommendations to establish an international "Earthwatch," to monitor and assess pollution of the earth, air, and water.

An appeal was made to the International Whaling Commission for a 10-year moratorium on commercial killing of whales, similar to the resolutions passed last year by both the House and Senate. The House resolution was produced by the Subcommittee on International Organizations and Movements which I chair.

Agreement was reached to convene a special meeting in London to consider an ocean-dumping treaty this fall after the U.N. Seabeds Committee meeting in Geneva this summer. The treaty would be presented for final consideration at the U.N. Law of the Sea Conference next year. As a congressional adviser on the U.S. delegation to the Seabeds Committee this year, I intend to support effective antidumping measures.

Of great long-range significance is the organizational proposal to establish within the United Nations a major new agency responsible for international environmental cooperation. The head of this agency would be second only to the U.N. Secretary General in environmental affairs.

Obviously if a new U.N. Environment Agency is to be effective it will require adequate funding. The United States has a major responsibility for funding, as the richest member of the U.N. and at the same time the world's biggest pollutor—an unfortunate byproduct of our advanced state of industrialization. Agreement was reached in Stockholm on a voluntary fund of $100 million over the next 5 years, a rather small figure in view of the enormous scale of environmental problems, and the amount of money that will be needed to implement the numerous Stockholm recommendations.

However, it is a start, and I believe we must make it clear to the world that the United States will devote its fair share of money and effort to this undertaking. Accordingly, today I am introducing a resolution urging that at the U.N. General Assembly this fall, the United States strongly support a General Assembly resolution which would establish the U.N. Environment Agency and voluntary fund, and that Congress declare its willingness to authorize funds for 40 percent of the budget of the new agency. The resolution is similar to Senate Concurrent Resolution 82, passed while the Stockholm Conference was in session. President Nixon has already stated his support for the voluntary fund and a U.S. contribution of 40 percent.

There appears to be wide support in Congress for reducing the United States' legal assessment for U.N. dues from 31.5 percent to 25 percent of the total U.N. budget. Such a recommendation was made last year by the Lodge Commis-

sion, the President's Commission on the Observance of the 25th Anniversary of the United Nations, with the stipulation that the reduction be done over a period of time in accordance with our treaty obligations as a U.N. member, and that the reduction in our assessed contribution be accompanied by an increase in our contributions to the various voluntary funds under U.N. auspices. I can think of no more appropriate and deserving voluntary fund than a U.N. fund for the environment. Effective U.N. action against environmental decay is in the interest of all Americans.

American support for a U.N. fund for the environment would be an important first step in the right direction, if we are ever to begin to direct our national priorities away from wasteful spending on excessive armaments and trips to the moon, and toward such humanity-serving tasks as protecting and improving our environment.

The Stockholm Environment Conference was one of the most significant conferences ever held under the auspices of the United Nations, and points out clearly to those who question the usefulness of the United Nations that on many of the most crucial international issues, the United Nations is not only a desirable forum to rely on, but the only one which holds any prospect for worldwide effective action.

I urge my colleagues in the House to join together in support of a United Nations voluntary fund for the environment.

GENERAL LEAVE

Mr. McCLORY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks on the subject of this special order.

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

There was no objection.

SHOUP AMENDMENT TO CORRECT INEQUITIES IN DIVISION OF TIMBER SALE REVENUES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Montana (Mr. SHOUP) is recognized for 10 minutes.

Mr. SHOUP. Mr. Speaker, chapter 2 of title 16 of the United States Code provides for a share of timber receipts from Federal lands for the counties in which the timber was cut. These moneys are earmarked for school and road purposes and are of course desperately needed by the local governments involved. A reasonable share would do much to alleviate the property tax burden. The burden is heavy in western Montana where half the land area is Federal land with a commensurate loss of tax base.

It is my firm conviction that the intent of the original act was to reimburse local government for loss of tax base by sharing with them 25 percent of the gross value of the timber harvested. However, over the years liberal and sometimes devious interpretation of the law has resulted in reducing the rightful share belonging to local government to a mere pittance.

The problem involved with these payments is that they are based on net receipts rather than gross value. The 25 percent of these net receipts from marginal timber sale becomes a paltry amount when the Forest Service bookkeeping has been completed.

All conceivable costs are subtracted from the established selling price before the local government gets its cut. These costs include logging costs; falling and bucking, skidding and loading—include cost of skid roads—hauling, transportation, road maintenance, logging overhead, depreciation of equipment, and administrative costs. The next cuts are for slash disposal, erosion control, snag disposal, limbing of debris, the construction of temporary roads, and other necessary developments. Another substantial sum is extracted for "sale area betterment." This fund, known as KV moneys, is used for site preparation and reforestation. The most costly of the items is listed as "specified roads," extensions of the Forest Service permanent multiple-use road system.

Here are four examples of recent timber sales in our part of the country. I list the board feet involved, the selling price per thousand, the value of the sale, the net receipts to the Treasury, the amount realized by the local government, the amount that would be realized under provisions of my bill, and finally the dollar loss to local government under the existing system:

Scribe Creek Sale—Coeur d'Alene National Forest

(Volume, 3,350 (MBF))

Selling price L.S	$145.24
Log scale value	486,554.00
Receipts to Treasury	60,765.50
Returned to local government	15,191.38
Proposed returns	121,638.50
Loss to local government under present system	106,447.12

Rausch Mountain Sale—Kootenai National Forest

(Volume, 5,510 (MBF))

Selling price L.S	$143.23
Log scale value	781,497.40
Receipts to Treasury	75,578.36
Returned to local government	18,894.59
Proposed returns	195,384.31
Loss to local government under present system	176,489.72

McGinnis Sale—Flathead National Forest

(Volume, 1,590 (MBF))

Selling price L.S	$136.81
Log scale value	217,617.90
Receipts to Treasury	31,005.00
Returned to local government	7,851.25
Proposed returns	54,404.48
Loss to local government under present system	46,553.23

Bill Cyclone Sale—Flathead National Forest

(Volume, 12,070 (MBF))

Selling price	$140.41
Log scale value	1,694,748.70
Receipts to Treasury	6,035.00
Returned to local government	1,508.75
Proposed returns	423,687.18
Loss to local government under present system	422,178.53

My bill makes provision for payment of 25 percent of the gross stumpage value, the established selling price of the timber. The local governments are in many ways custodians of these lands for the entire country and should be reimbursed for their services rather than being penalized for their efforts. The current practice is at best a devious method of financing land and resource management.

Mr. Speaker, I ask that my bill regarding distribution of timber sale revenues be printed in the RECORD at this time in its entirety.

The bill follows:

H.R. 15686

A bill to amend Chapter 2 of Title 16 of the United States Code (respecting national forests) to provide a share of timber receipts to States for schools and roads

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Section 500 of Title 16 of the United States Code is amended to read as follows:

SEC. 500. Payment and evaluation of receipts to State for schools and roads.

Twenty-five per centum of the gross value of timber harvested during any fiscal year from each national forest shall be paid, at the end of such year, by the Secretary of the Treasury to the State in which such national forest is situated, to be expended as the State legislature may prescribe for the benefit of the public schools and public roads of the county or counties in which such national forest is situated: *Provided,* That when any national forest is in more than one State or county the distributive share to each from the proceeds of such forest shall be proportional to its area therein. In sales of logs, ties, poles, posts, cordwood, pulpwood, and other forest products the amounts made available for school and roads by this section shall be based upon the product of volume of sale times the selling price, L.S.

FOOD STAMPS FOR STRIKING WORKERS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. ADERSON) is recognized for 30 minutes.

Mr. ANDERSON of Illinois. Mr. Speaker, next week the House will consider the appropriations bill for the Department of Agriculture and related agencies. At that time my distinguished colleague and friend from Illinois (Mr. MICHEL) will once again offer an amendment to bar expenditure of funds appropriated for the food stamp program in behalf of those who qualify solely because they are on strike. I intend to strongly support this amendment and would urge my colleagues to do likewise. Because this issue has been so clouded in heated and emotional rhetoric, and because some important new information is now available concerning the extent and impact of food stamp use by striking workers, I would like to take a few minutes this afternoon to outline some of the reasons why I believe it is imperative that the House adopt the Michel amendment.

Mr. Speaker, last month a book entitled "Welfare and Strikes: The Use of Public Funds to Support Striking Workers" was published by two economists, Professors Armand Thiebolt and Ronald Cowin, associated with the Wharton School of Finance and Commerce. In my view this book is the most comprehensive and best documented study currently available of the food stamp for striking workers question, and provides some important evidence that I hope will

not be overlooked during the debate next week. By way of introduction let me cite the following major findings that emerged from the authors' investigation of a large number of industrial disputes over the last 3 years, including the General Electric strike of 1969–70, the massive General Motors strike of September-November 1970, a lengthy strike at Westinghouse plants in Lester, Pa., and numerous others:

In a typical strike situation, at least 50 percent and in some instances up to 90 percent of strikers had applied and been certified for food stamp benefits by the end of the strike.

The average bonus value of the food stamp benefits was about $100 a month for a family of four, but in cases where the union paid no strike benefits the value was considerably greater.

On the basis of food stamp utilization patterns found in the case studies and the extent of annual strike activity, the authors estimate the national cost of food stamp subsidies for striking workers to be almost $240 million annually.

The authors found almost unanimous agreement on the part of management groups involved in these situations that heavy use of food stamps by strikers tended to prolong strikes and significantly strengthen the hands of union negotiators at the bargaining table; in addition, many union officials candidly admitted that the availability of food stamp and other welfare benefits played an important role in sustaining support among their members for prolonged strikes.

In most instances the unions had well developed organizational plans for assuring cooperation by local welfare officials and informing union members how and where to apply for public welfare benefits. Because of the huge backlog of applicants during strikes local welfare agencies often set up emergency processing offices in union headquarters; in Detroit during the GM strike, more than 100 additional employees had to be hired to cope with the surge of applicants, two emergency offices were established, and more than 5,000 hours of overtime were recorded by local welfare offices during the 2-month strike.

In many instances, striking workers made use of additional forms of public assistance including AFDC–U, medicaid, general assistance, and emergency relief that in combination brought in up to $350 per month in tax free income during the strike period.

THE COST OF PUBLIC AID TO STRIKING WORKERS

Mr. Speaker, the study to which I referred above provides some striking evidence as to the growing cost of public aid subsidies to strikers. While the food stamp program accounts for the bulk of expenditures, other public aid programs, most notably AFDC–U, contribute significantly to the total. According to projections developed by Thiebolt and Cowin, the national cost of these subsidies during a year with the average amount of strike activity would be more than $350 million. I find it somewhat ironic to note that figure is almost precisely equal to the amount of additional appropriations authorized for education last week by the Hathaway amendment that many of us felt constrained to oppose in budgetary grounds. In these times, when we hear so much talk about the need to reorder national priorities, I think we must ask ourselves whether or not that $350 million might better be spent on programs like education, health and the environment with broad public benefits rather than to subsidize a minority of the labor force during its efforts to obtain higher personal wages and benefits. The following table indicates the national cost of public aid subsidies for striking workers. It can be readily seen that the food stamp program is by far the most important source:

ANNUAL COST OF PUBLIC AID SUBSIDIES FOR STRIKERS

Program	Average monthly benefit	Annual cost
Food stamps	$98	$238,826,000
AFDC–U	240	62,640,000
General assistance	67	2,412,000
Medicaid and other supplementary benefits	83	24,650,000
Administrative costs		25,000,000
Annual total		353,428,000

Source: Armand J. Thiebolt and Ronald Cowin, "Welfare and Strikes: The Use of Public Funds to Support Strikers" (Wharton School of Finance and Commerce, 1972).

While these figures indicate that public aid to striking workers is now a substantial Federal expenditure, they do not tell the entire story in terms of the magnitude of this kind of assistance in individual strike situations. Using data obtained from the Department of Agriculture and State public aid departments, Thiebolt and Cowin have provided some pretty dramatic evidence of the impact of strikes on food stamp and other public assistance rolls. Let me here just briefly summarize the data for two of the most important strikes that they have investigated:

The General Motors Strike, September–October 1970.—The strike by the UAW against General Motors which began in mid-September of 1970 and lasted 71 days involved more than 329,000 workers nationally, and more than 170,000 in Michigan—almost 18 percent of that State's manufacturing work force.

In Michigan alone, more than $10.6 million in food stamps bonus value was made available to strikers during that 2-month period, as well as an additional $5 million in other forms of public aid. When a similar calculation is made for other States in which GM plants were located, the national total comes to more than $30 million or $3 million a week in total public aid to UAW strikers, about 66 percent of this in the form of food stamps. The authors make the following comments about the effect of this public assistance on the income of an individual striking employee:

Coupled with union strike funds, public aid protected General Motors employees from any severe economic hardship. Although most strikers were not receiving as much money each week as they would have if working, a significant portion of the General Motors strike force was living on $300 to $350 per month.

Data taken from records of the Michigan Department of Public Aid indicates that in August of 1970—the month before the strike began—109,000 individuals were receiving food stamp benefits, but that by October the rolls swelled to more than 400,000, nearly a four-fold increase. In August about 4,000 Michigan families received AFDC–U benefits while in November—after the 1-month waiting period had elapsed—the number increased to more than 19,000. Some small part of this increase, of course, may be a reflection of the general upward climb in public assistance rolls that we have witnessed during the past 4 or 5 years; but the preponderant share must certainly be attributed to the temporary enrollment of large numbers of striking GM workers in these two programs. Perhaps the best confirmation of this is that fact that the number of food stamp recipients in Michigan declined from a peak of 431,000 during November—the last month of the strike—to 163,000 in January after the dispute had been settled; in the case of AFDC–U, the decline was equally dramatic from 19,138 families at the peak of the strike to 7,600 in January of 1971:

GM STRIKE, FOOD STAMP, AND AFDC–U PARTICIPATION RATES AND COSTS (MICHIGAN ONLY)

Month	Food stamps		Number (families)	AFDC-U cost[1]
	Number	Cost		
July	107,209	$3,973,638	3,591	$965,506
August	108,774	3,970,598	3,902	1,073,822
Strike began:				
October	403,404	9,375,584	7,056	1,698,400
November	431,122	10,125,375	19,138	3,807,759
Strike ended:				
January	163,657	5,253,974	7,601	2,202,588

[1] The fact that both participation rates and costs did not go up dramatically until November—1 month after the big jump in the food stamp column—reflects the 1 month waiting period requirement for AFDC-U. In the case of food stamps, strikers are eligible immediately after the work stoppage begins.

Westinghouse strike, 1970–71: In late August of 1970, 5,132 workers at the Westinghouse Steam Division Plant in Lester, Pa., walked out in a strike that lasted 160 days. The union provided no strike benefits from its treasury, but did set up an extensive system to inform strikers of their eligibility for welfare benefits, including a recorded telephone message service giving workers exact instructions on where and how to apply for food stamps, and eventually an arrangement with the local welfare board to set up an emergency office at union headquarters in order to accommodate the backlog of applicants.

The following data taken from tables in the Thiebolt/Cowin book indicate the extent of food stamp and AFDC–U utilization by strikers. In the case of food stamps it is evident that the participation rate rose dramatically during the first month after the strike began, as applicants are eligible as soon as their incomes drop. In the case of AFDC–U there is a 1-month waiting period, and as might be expected it was not until the second and third month that participation rates began to climb substantially. By the fourth month of the strike, food stamp participation in Delaware County had increased by nearly 500 percent and AFDC–U participation by more than 140 percent.

FOOD STAMP AND AFDC-U PARTICIPATION AND COSTS, DELAWARE CO.

Month	Food stamps		AFDC-U	
	Number	Cost	Number	Cost
3d month before	5,923	$55,364	460	$128,938
2d month before	6,473	64,763	446	117,410
1st month before	6,822	69,139	363	111,840
Strike date:				
1st month after	11,881	214,783	404	109,464
2d month after	15,132	234,652	492	134,587
3d month after	15,310	248,279	681	192,451
4th month after	17,361	261,658	807	229,349
5th month after[1]	18,024	250,967	893	249,281

[1] Last month of strike.

In total, the authors estimate that striking workers received more than $1.6 million in food stamp benefits during the work stoppage, more than $190,000 in general assistance aid, and almost $127,000 in AFDC–U benefits. In addition, the latter two figures represent the cost only for Delaware County although a substantial part of the striking work force resided in other counties. When these further costs are computed the total public aid cost of the strike comes to $2.6 million. When this figure is divided by total man-days lost in the strike, it comes out to $18 a day—certainly a sufficient income to maintain the resolve of most workers to hold out.

At the peak of the strike in January, the authors conclude that fully 98 percent of the striking work force was receiving food stamp benefits and that another 17 percent were receiving general assistance payments. In an interview, a local union leader admitted the following:

> This was the first time our members received welfare benefits while on strike. Our experience with them has been very favorable. Yes, I think our membership now relies on welfare . . . I like to think that we could have stayed out for twenty-two weeks without welfare, but it would have been rough.

THE ECONOMIC CONSEQUENCES OF PUBLIC AID FOR STRIKERS

Mr. Speaker, the foregoing information certainly makes it clear that the budgetary cost of subsidizing striking workers is a major problem, and probably for that reason alone it would be in order to reevaluate our current policy in this area. But in my view, there is an even more serious objection to these strike subsidies: namely, the distorting influence they have on the process of collective bargaining and the inevitable cost push inflationary pressures they help create in an economy that is already in a serious state of disrepair.

We are now well into the Nation's first experiment with peacetime wage and price controls. While I welcome the progress in reducing the rate of inflation that the President's economic stabilization program has achieved, it would be highly unrealistic indeed to assume that the controls will be effective indefinitely or that they will not cause serious distortions in the economy over the long run. We were forced to take the extreme step of imposing mandatory controls last August because the traditional medicine of monetary and fiscal restraint had failed to sufficiently slow down the rate of inflation; in the words of Federal Reserve Board Chairman, Arthur Burns, the old rules no longer seemed to be working. Yet unless we can restore the old rules, unless we can succeed in reinvigorating the processes of the private market mechanism, I am afraid that we are in store for merely chronic prolongation of the kind of economic difficulties that have plagued us for the past 5 years. And in my view, termination of the practice of providing public subsidies for striking workers with its distorting influence on collective bargaining is one of the major items on this agenda of economic reform.

FAILURE OF DEMAND MANAGEMENT POLICY, 1968–70

Mr. Speaker, it is agreed by most fair-minded observers that our current economic woes originated in the excessive full employment deficits of the Johnson administration during calendar years 1967 and 1968. In 1967, actual GNP outstripped potential GNP by more than $2.5 billion and during 1968 by more than $7.0 billion. The clear implication of these figures is that the economy was severely overheated and that output was outpacing actual economic capacity with consequent upward pressure on the price level. The obvious imperative for demand management policy was a slowdown in the growth of money supply and substantial Federal budget surpluses. In fact, though, the Johnson administration's policies moved in just the opposite direction. During 1967 the money supply—M_1—increased by 6.5 percent and in 1968 by 7.6 percent; similarly, the Federal budget registered a full-employment deficit of $12.4 billion during calendar year 1967 and $6.5 billion during calendar year 1968. That the rate of inflation hovered at about 6 percent when President Nixon took office in January of 1969, then, is really not very surprising.

Upon taking office the Nixon administration pledged to place the highest priority on reducing this galloping inflation by means of a gradual reduction of the excess demand in the economy. Pursuant to this objective, the Federal budget was brought into a surplus of $7.3 billion in calendar year 1969, and, with the cooperation of the Federal Reserve Board, the rate of money supply growth was reduced to about 3 percent during the same year.

This turn toward restrictive fiscal and monetary policy soon began to have the desired effect of slowing down the rate of economic expansion and reducing the inflation producing excess demand in the economy. Where real GNP had increased 4.5 percent during the peak of the expansion in the 18 months from January 1968 to mid-1969, it actually decreased by 1.6 percent during the next 18 months through the end of 1970. Similarly, plant capacity utilization, which had been at a rate of about 85 percent during most of 1968, dropped to less than 73 percent by the end of 1970; furthermore, the unemployment rate rose from 3.5 percent to almost 6.2 percent during the same period; and GNP, which had been running ahead of potential during 1968, dropped to almost $50 billion below its potential by December of 1970. Finally, the index of industrial production which had increased by 7.5 percent during the 18 months in 1968–1969 when the economy was overheated, declining by an equal percentage during the next 18 months in response to the deflationary fiscal and monetary policies.

These indicators suggest quite clearly that the conventional anti-inflation policy pursued by the Nixon administration substantially slowed down the rate of economic activity during the 18 months after mid-1969. Unfortunately, the expectation that this growing slack in the economy would slow-down the rising price level, as past experience and conventional economic theory would predict, was not vindicated. In fact, the GNP price deflator, which had risen by 5.7 percent during the period of excess demand, rose at an even faster rate—6.8 percent—during the next 18 months of economic slow-down. The consumer price index showed the same pattern; after rising 7.5 percent during the first period. The rate of increase escalated still further to 8 percent during the second 18-month period. The following table indicates this paradoxical phenomena of declining demand and economic activity and simultaneously rising price levels:

[In percent]

Indicator	Excess demand period (January 1968–June 1969)	Recession (July 1969–December 1970)
Demand indicators:		
Real GNP change	+4.5	−1.6
Index of industrial production change	+7.5	−7.1
Corporate profits change	+7.5	−15.5
Unemployment rate[1]	3.7	6.2
Plant utilization rate[1]	85.0	72.4
GNP gap (billions)[2]	−$9.3	+$50.1
Price indicators:		
GNP deflator change	5.7	6.8
CPI change	7.5	8.0

[1] Figure in 1st column is monthly rate for January 1968, and 2d figure for December 1970.
[2] Figure in 1st column is for 3d quarter of 1968 and figure in 2d column for 4th quarter of 1970.

Source: Business Conditions Digest.

THE ROLE OF RISING WAGES AND UNIT LABOR COSTS

Mr. Speaker, I think the second column in the table I have just referred to makes it clear the persisting high levels of inflation that we experienced during late in 1969 through 1971 were not of the demand-pull variety. Fiscal and monetary policy clearly did succeed in its assigned task of cooling off the level of economic activity and in reducing demand pressures on the price level. That prices nevertheless continued to rise must be explained by other factors.

One of these additional factors, of course, was undoubtedly the inflationary psychology that gripped the country until the President's dramatic announcement of August 15, 1971. Where possible, bankers hedged on interest rates, businessmen on prices, and unions on wage rates in the common expectation that the price level would continue to rise and that larger than normal increases where

therefore necessary in order to maintain real purchasing power.

However, we would be ill advised, I think, to attribute this stubborn persistence of inflationary pressure to some great national psychological aberration entirely. For in the final analysis, the source of rising price levels in the face of a slack economy is more deeply rooted. In an effectively operating competitive economy, it would simply be impossible to translate inflationary expectations into inflationary wage and price behavoir for any sustained period of time unless someone succeeded in repealing the law of supply and demand. It is only in those situations in which economic entities—whether they be corporations or labor unions—have sufficient market power to at least partially exempt themselves from supply and demand pressures and constraints that inflationary expectations can be readily translated into actual inflationary behavior. This, I believe, is the real source of the strong cost-push inflationary pressures that persisted during 1970 and 1971.

In the name of fairness and sound policy I would be the first to admit that these market imperfections or excessive concentrations of economic power which fuel cost-push inflationary pressures exist on both the business and labor side of the economic equation. But I also think that the latter is the more serious problem and obviously the one most pertinent to our consideration of the amendment to be offered by Mr. MICHEL.

In order to get a fuller appreciation of the role that these wage-push pressures played in frustrating the antiinflation efforts of the original Nixon economic game plan, it is useful to compare wage and unit labor cost patterns during the most recent business cycle and recession with those for previous downturns during the postwar period. In examining this data one striking trend is apparent which makes the 1969–70 cycle unique: in each of the earlier four recessions or downturns, wages and unit labor costs were actually declining as the economy hit the bottom or trough of the recession. During the 1969–70 recession, however, this pattern did not occur: wages and unit labor cost increases did not slow down in response to growing slack in the economy, but, on the contrary, continued to rise unabated right through the low point of the business cycle in the fourth quarter of 1970. This, in my view, was one of the major contributors to the frustration of the Nixon administration's carefully designed demand-management policies.

The table below indicates quarter-to-quarter changes in unemployment, used here as a measure of the overall level of economic activity, and in manufacturing hourly wage and unit labor costs. In the 1948–50 cycle, for instance, wage rates were rising at a rate of 6 percent to 12 percent on an annualized basis during the quarters right before and after the peak of the economic expansion, or put another way, during the period of strongest demand pressures. However, during the four quarters or so prior to the bottom of the recession, as the unemployment rate crept steadily upward, the rate of wage increase slowed down to nearly zero and unit labor costs actually declined quite substantially. This same pattern is generally apparent during each of the other cyclical swings, though the timing varies from cycle to cycle, depending on its steepness. But in every case, except for 1969–70, wage rate increases during the quarters previous to the bottom of the recession are substantially below that rate of increase during the peak period—in most instances nearly zero—and unit labor costs actually tend to decline quite substantially:

[In percent]

Business cycle	Peak demand quarters		Recession quarters (peak to trough)						
	2 quarters before peak	Peak quarter	1st	2d	3d	4th	5th	6th	7th
1948–50:									
Unemployment rate	NA	3.7	3.8	3.8	4.7	5.9	6.7	7.0	
Manufacturing wage change	6.4	9.2	12.0	6.0	0	.4	.4		
Unit labor cost change	9.6	0	9.6	5.2	0	−1.6	−6.4	−4.4 (trough)	
1953–55:									
Unemployment rate	2.7	2.6	2.7	3.7	5.3	5.8	6.0		
Manufacturing wage change	7.2	2.4	4.4	2.4	0	2.0	0		
Unit labor cost change	4.8	1.2	−1.2	13.8	4.8	−4.0	−4.8 (trough)	−8.4	
1957–58:									
Unemployment rate	4.1	3.9	4.1	4.2	4.9	6.3	7.4		
Manufacturing wage change	7.0	2.0	2.0	3.6	3.6	0	3.6		
Unit labor cost change	5.6	3.2	1.2	.4	13.2	14.0	−5.6 (trough)	−10.8	−2.0
1960–62:									
Unemployment rate	5.6	5.1	5.2	5.5	6.3	6.8	7.0		
Manufacturing wage change	9.2	3.6	0	1.6	3.2	0	0		
Unit labor cost change	6.0	−4.8	−.4	2.8	4.8	−9.2	−6.4 (trough)		
1969–70:									
Unemployment rate	3.4	3.4	3.6	3.6	4.2	4.8	5.2	5.8	
Manufacturing wage change	5.2	6.4	7.6	6.0	2.4	6.0	7.2	6.0	
Unit labor cost change	2.4	3.2	4.4	10.4	4.4	2.0	4.8	4.8 (trough)	

Note: The bulge in unit labor costs for the 2d and 3d quarter after the peak during most cycles reflects the fact that production tends to decline more rapidly than payrolls during the early part of the recession. By the 2 or 3 quarters prior to the trough, though, payrolls have been reduced, wage rates have leveled off, and consequently unit labor costs decline sharply. In the 1969–70 period, however, wage rates did not level off and as a consequence unit labor costs continued to rise unabated through the entire recession.

Source: Business Conditions Digest.

THE WORSENING BALANCE OF BARGAINING POWER

Mr. Speaker, in my view, the above data certainly helps to explain the paradox of rising prices in the midst of recession and substantial economic slack; it suggests that a strong and historically unique wage-push inflation may have played an important role in dooming the original Nixon administration policy of demand restraint to failure, and in forcing upon the Nation our current unprecedented experiment in peacetime wage and price control. However, in answering one question, it raises another: namely, what prompted this unique pattern of wage and unit labor cost increases during late 1969–70 recession. Can it really be said that union bargaining power has increased that much relative to management during the past decade?

On the surface this would appear to be a rather dubious proposition. Certainly the unionized sector of the labor force grew only imperceptibly, if at all, during the last decade. Moreover, there have been few developments that I am aware of, such as the emergence of stronger union leadership, or more cohesive and active membership that could somehow be said to account for greater union muscle at the bargaining table.

Nevertheless, a comparison of union and economywide wage increase patterns during this period clearly indicates that it was the union sector that was least responsive to changing demand conditions.

The index of private economy manhour compensation shows at least marginal responsiveness to the decline in demand that occurred during 1969 and 1970; during 1968, the peak year of the expansion, this index increased by 7.6 percent; in 1969, as slack began to set in, the rate of increase was 7.3 percent; and in 1970, when the economy hit bottom, the rate of increase was again slightly lower at 7.3 percent. Obviously one would expect a considerably slower rate of increase in the later years if the economy was truly operating in the classic com-

petitive fashion. However, it should be noted that this index is biased upward by both the spillover effects of union negotiated increase on other rates, and by the fact that the index reflects a combination of both union and nonunion wage patterns. Ideally, one should compare an index for nonunion wage rates with the index for union wage rates rather than the one employed here, but unfortunately this data is not available.

By contrast, the index for first-year union negotiated wage rates moved in just the opposite direction; that is, counter to the expected pattern of lower rates of increase in response to growing slack in the economy. During 1968, the union wage index increased by 7.2 percent; during 1969 by 8.0 percent; and during 1970 when the unemployment rate had reached nearly 6 percent, by 10.0 percent. In the case of the building trades, the trend was even more pronounced: Negotiated rates increased by 6.7 percent in 1967–68, 8.2 percent in 1968–69, and nearly 12 percent in 1969–70. An almost identical pattern prevailed in the case of unionized local transit workers, with the rate of increase similarly rising to nearly 12 percent during the bottom period of the recession. Though wages as a whole were sticky and did not make the relative downward adjustment to a cooling off of demand pressures as should be expected, it is clear from the data presented above that union negotiated rates were the major contributing force to this pattern, and for that reason a strong source of the cost-push inflation that led some to describe the economy as being in a state of "stagflation" during 1970 and early 1971.

While it is impossible to provide any simple, neat explanation for these union wage patterns that run counter to basic laws of a competitive economy, the dramatic growth of union strike activity over the past decade, especially strikes of long duration, is surely one indicator of more aggressive union wage demands and the ability to actually obtain them. The table below indicates the sharp upward trend in man-days lost due to strikes for both all strikes and strikes of 60 days or longer. Since total employment increased by only 18 percent during the decade and union membership by only 12 percent, the 400-percent increase in man-days lost for all strikes and the nearly 500-percent increase for extended strikes must be attributed primarily to more aggressive wage demands and, in my view, an improved position at the bargaining table:

[In thousands]

	Man-days lost due to strikes	
	All strikes	Strikes of 60 days or more
Period:		
1961–63	17,000	6,576
1964–66	23,900	8,500
1967–69	44,662	21,643
1970	66,414	30,921

Source: "Handbook of Labor Statistics" (U.S. Department of Labor).

FOOD STAMPS, UNION WAGE DEMANDS AND ECONOMIC POLICY

Mr. Speaker, if we pull the three trends together that I have discussed thus far—the dramatic increase in food stamp usage by striking workers, the fivefold increase in strikes of long duration, and the cost-push pattern of union wage rates—I think the connection is pretty apparent, although obviously still no simple matter of direct cause and effect. Yet, in my view, these trends indicate that our collective bargaining process has gotten progressively out of balance and as a result we find ourselves in one of the most critical economic crises since the Great Depression.

It is clear from our experience over the last 3 or 4 years that traditional fiscal and monetary policy instruments simply cannot do an effective job of combating inflation in an economy that has accumulated as many structural imperfections, rigidities and concentrations of excessive market power as has ours, and that is consequently plagued by persistent cost-push pressures. Yet I think that anyone who reflects critically on our experience with Government-fostered wage and price controls over the past year would have to admit that this solution is no more promising in the long run. For once you politicize the economic decision-making process, and that is what has occurred, you might as well throw in the towel, jettison the whole delicate process of wage and price adjustment and resource allocation performed by the competitive market, and move toward a permanent system of Government control. In the short run and in emergency situations there is obviously a place for the kind of control program that the President inaugurated last August; but in the long run an economy half-controlled and half-free will yield the worst of both worlds. Since I certainly do not want to see us move in the direction of permanent controls and I am sure this sentiment is shared by the vast majority of my colleagues and the American public, we have no other choice but to get about the work of restoring the competitive dynamics of a market economy that has served this Nation so well in the past. This week we can take an important step in that direction by ending the economically unsound and debilitating practice of providing striking workers with Government subsidies.

To be sure, food stamp and other public welfare subsidies are only one part of the problem of an imbalanced collective bargaining system. On the union side, the fact that members have obtained substantially higher standards of living and the savings and assets that go with it over the past decade has undoubtedly increased their ability to employ the strike weapon to their own advantage, public welfare benefits aside. And on the management side, there have been equally important developments in the opposite direction which have undermined its ability to withstand the natural and necessary contest of economic muscle that occurs over the negotiation of a new contract.

For one thing, the continuing shift in business cost structures away from variable costs toward a higher proportion of fixed costs has reduced management ability to resist excessive wage demands. For example, the ratio of white collar workers who cannot be readily laid off during a strike, to production workers has increased substantially for most of our basic industries. To take one example, production workers accounted for slightly over 82 percent of the labor force in the food processing industry in 1945, but this ratio had declined to 62 percent by 1970. This same pattern is present in many other industries and it means that businesses have considerably larger fixed manpower costs to carry during a strike than previously. As a result, the point at which it is better to accept an inflationary settlement than continue to absorb the strike comes only that much sooner

If you look at corporate financial structures this problem of rising fixed costs in relationship to variable costs is similarly present. In the steel industry, for instance, long-term debt was equal to about 23 percent of net worth in 1960, but had risen to more than 40 percent by 1970. As a consequence, interest charges on long-term debt rose from 12 percent of net income in 1960 to 56 percent in 1970. Yet debt service charges are a cost that must be met even if production, sales, and income have been brought to a halt by a strike. Much the same point is equally valid concerning the long-term shift from labor to capital inputs that has occurred in most industries: plant and equipment must be maintained and depreciation charges continue despite stoppages in productive activity and income flow. Finally, the new international competitive climate of the 1970's means that in a growing number of industries, markets or orders lost during an extended strike may never be regained thereafter.

Thus, while public welfare benefits and rising affluence as well as a host of other factors have strengthened the position of union bargainers on one side of the table, the factors enumerated above had tended to weaken the management position. The result, then, is in some very real sense an increase in union "market power" and with it the cost-push pressure that wreaked so much havoc with our efforts to control inflation by traditional means during the last years of the 1960's.

THE TENUOUS CASE FOR PUBLIC SUBSIDIES FOR STRIKERS

Mr. Speaker, while the evidence presented thus far, both in terms of budgetary impact and consequences for the proper functioning of our economic system, suggests that this question is one of more serious moment than is often supposed, there still remains the familiar litany of justifications for these subsidies that union apologists never tire of repeating. Mr. Leo Perlis, who has been the motor force and chief strategist in the union drive to exploit the public welfare system, recently outlined several reasons why this practice should continue. Frankly, I find his arguments not

very convincing at all, but since they will undoubtedly be used during the debate on the Michel amendment again this year, I want to conclude with a brief consideration of each of the points that he raises:

First, strikers are taxpayers. The argument here is that because strikers contribute to the funding of public welfare programs, including the food stamp program, while they are working, they are entitled to benefits when they are on strike. Yet, if you think about that assertion for just a while it is apparent that a pretty novel concept of government finance is involved; what, for the lack of a better term, might be termed the "cookie jar" theory of public finance; if you contribute from time to time, you have a presumptive right to dig into the jar when the appetite prompts you. Well, that may work well enough in the kitchen but it certainly could not work long when you are dealing with a nation of 100 million taxpayers and a budget of almost $250 billion. The whole point of the process of legislative authorizations and appropriations is to decide how public benefits are to be distributed, who shall be eligible, and under what conditions. In the final analysis, the mere fact of paying taxes into the general fund entitles no one to anything. If it did, the red budget ink we now see would in short notice be turned into a veritable torrent. If unionists believe that a case can be made for providing these subsidies for strikers, let them make the case. But to insist that they are taxpayers does not further the case one iota; it is a nom sequitur of the first order.

Second, we feed criminals, and prisoners of war. Mr. Perlis' followup to that indisputable point of fact is, "Are fellow Americans engaged in industrial warfare entitled to less?" That analogy does not go very far, though, when you remember that we also keep criminals and prisoners of war incarcerated against their will. This is hardly the case during a strike, and though he is pleased to use the term "industrial warfare," that cannot disguise the fact that he is comparing apples and oranges.

Third, the starvation of children. If this is indeed the result of strikes, in the absence of public welfare benefits, then we might better reevaluate our whole industrial relations system. Yet Mr. Perlis and those who bandy this argument about know full well that the food stamp and AFDC–U programs, the major source of public welfare benefits for strikers, were only inaugurated in 1962, and that literally billions of man-days in strikes had occurred just in the 30 years between that date and the enactment of the National Labor Relations Act in 1935. Somehow children did not starve during strikes in those days, and there is even less reason to believe that this would occur now.

The basic point, though, is that in enacting the NLRA we adopted a basic policy legalizing the strike and lockout weapon as one instrument to be employed in the collective bargaining process. When employing these instruments, each side takes short-term risks and must bear immediate costs in the pursuit of a more overriding objective. If we remove these factors, then the system simply cannot work and we will be forced to adopt an entirely different arrangement. Of course, both sides are free to take precautionary measures to bolster their own position during the stoppage: businessmen run up inventories prior to the strike or lockout date, and unions build up strike funds and individuals savings. But this is the prerogative and responsibility of the parties involved, not the obligation of the Government.

Fourth, the minority striker. I never cease to be amazed at the torrent of crocodile tears shed by labor apologists on this argument. If the worker who wants to go back to work but is kept from doing so by a majority of his fellows would be treated as "unfairly" by termination of public welfare benefits to strikers as Mr. Perlis insists, why not get to the bottom of the problem and give him the right to decide whether or not he will join the union in the first place? It is often said that politics makes strange bedfellows, but to find union leaders arguing for the principle of a right-to-work law is a little disconcerting indeed.

Fifth, Government contracts. During the debate last year the point was made a number of times that if workers should not be eligible for public welfare benefits during a strike, then companies should not be allowed to receive Government contract payments either. Though that analogy is for the most part another case of apples and oranges, the fact is, in 99 percent of cases, a company may not receive payments unless the goods or services it contracted for are delivered. If sufficient inventories are not available and delivery cannot be made, then either the contract is terminated or fines are assessed for late delivery, or both. In either case, the company cannot be said to be receiving a public subsidy.

There is only one partial exception to this general rule. In a case where a contractor can establish that his failure to deliver during a strike was due to no fault of his own, then the contract may be terminated by "convenience" rather than by "default." In both cases he loses the contract, though in terminations by "convenience" fines are not levied.

SELF-INSURANCE COULD SAVE THE GOVERNMENT MONEY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Wisconsin (Mr. ASPIN) is recognized for 5 minutes.

Mr. ASPIN. Mr. Speaker, the General Accounting Office issued on June 14 a report to the Congress entitled "Survey of the Application of the Government's Policy on Self-Insurance"—B–168106. This is a very interesting and important report which many of my colleagues might want to look at.

According to the GAO, the Federal Government is literally giving away millions of dollars each year to private insurance companies which often assume no risk and provide few services. Huge amounts of money are being thrown down the drain for private insurance plans when the Government could do the job itself without having to pay expensive administrative costs and profits of insurance companies.

Among the programs GAO recommended the Federal Government become a self-insurer for, were the Federal Employees Health Benefit program and the Federal Employees Group Life Insurance program. The GAO report noted that in some cases involving these two insurance areas the Government was actually paying insurance companies for phantom expenses and nonexistent services. Government employees presently pay close to $1 billion per year in premiums for these two insurance programs. I believe it makes no sense at all for a government with a $220 billion annual budget to turn to a private insurance company for a $10,000 life insurance policy for a Government employee. By becoming a self-insurer in these areas, and others, the Federal Government could save tens of millions of dollars each year and Federal employees would pay less for their health and life insurance policies.

While the GAO report does not make a specific estimate of the savings that could be realized if the Federal Government became a self-insurer in certain areas in which it now contracts with insurance companies, I believe the savings could amount to more than $100 million per year. I strongly urge the appropriate Federal agencies to seriously consider the GAO's recommendations.

PROPOSED AMENDMENTS TO DEBT CEILING BILL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Wisconsin (Mr. REUSS) is recognized for 5 minutes.

Mr. REUSS. Mr. Speaker, the House is scheduled to begin consideration of H.R. 15390 on Tuesday, June 27, under the closed rule designated by House Resolution 1021. I will seek to modify the rule to permit tax reform amendments to the debt ceiling bill.

The text of the amendment to House Resolution 1021 follows:

Page 2, line 5, change the period to a semicolon and insert: "except amendments consisting of Sections 2 and 3 of H.R. 14830 offered either together or separately, and said amendments shall be in order, any rule of the House to the contrary notwithstanding."

The text of the two tax reform amendments to H.R. 15390 which I will offer if the rule permits follows:

AMENDMENT 1

Page 1, after line 5, insert the following additional section:

REASONABLE ALLOWANCE FOR DEPRECIATION.

(a) REPEAL OF ASSET DEPRECIATION RANGE.—Section 167(m)(1) of the Internal Revenue Code of 1954 (relating to class lives for depreciation allowance) is amended by striking out the following: "The allowance so pre-

scribed may (under regulations prescribed by the Secretary or his delegate) permit a variance from any class life by not more than 20 percent (rounded to the nearest half year) of such life.".

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply only to property—

(1) the construction, reconstruction, or erection of which is completed by the taxpayer after December 31, 1972, or

(2) acquired after December 31, 1972, if the original use of the property commences with the taxpayer and commences after such date.

In applying this section in the case of property described in paragraph (1), there shall be taken into account only that portion of the basis which is properly attributable to construction, reconstruction, or erection after December 31, 1972.

AMENDMENT 2

Page 1, after line 5 and after any amendment heretofore adopted, insert the following additional section:

AMENDMENTS TO MINIMUM TAX FOR TAX PREFERENCES.

(a) Section 56(a) of the Internal Revenue Code of 1954 (relating to imposition of minimum tax for tax preferences) is amended to read as follows:

"(a) IN GENERAL.—In addition to the other taxes imposed by this chapter, there is hereby imposed for each taxable year, with respect to the income of every person, a tax equal to 20 percent of the amount (if any) by which the sum of the items of tax preference exceeds $12,000."

(b) Section 56 (b) of such Code (relating to treatment of net operating losses) is amended by striking out "$30,000" and inserting in lieu thereof "$12,000" and by striking out "10 percent" in each place it appears and inserting in lieu thereof "20 percent".

(c) Section 56(c) of such Code (relating to tax carryovers) is hereby repealed.

(d) Section 58 of such Code (relating to rules for application of the minimum tax) is amended by—

(1) striking out "$30,000" in each place it appears and inserting in lieu thereof "$12,000",

(2) striking out "$15,000" in subsection (a) and inserting in lieu thereof "$6,000", and

(3) adding at the end thereof the following new subsection:

"(h) ELECTION NOT TO CLAIM TAX PREFERENCES.—In the case of an item of tax preference which is a deduction from gross income, the taxpayer may elect to waive the deduction of all or part of such item, and the amount so waived shall not be taken into account for purposes of this part. In the case of an item of tax preference described in section 57(a)(9), the taxpayer may elect to treat all or part of any capital gain as gain from the sale or exchange of property which is neither a capital asset nor property described in section 1231, and the amount treated as such gain shall not be taken into account for purposes of this part. An election under this subsection shall be made only at such time and in such manner as is prescribed in regulations promulgated by the Secretary or his delegate, and the making of such election shall constitute a consent to all terms and conditions as may be set forth in the regulations as to the effect of such election for purposes of this title."

(f) Section 443(d) of such Code (relating to adjustment for minimum tax for tax preference in case of returns for less than 12 months) is amended by striking out "$30,000" and inserting in lieu thereof "$12,000".

(g)(1) The amendments made by this section shall apply only with respect to taxable years beginning after December 31, 1972.

(2) In determining the deferral of tax liability under section 56(b) of the Internal Revenue Code of 1954 for any taxable year beginning before January 1, 1973, the necessary computations involving such taxable year shall be made under the law applicable to such taxable year.

(3) There shall be no tax carryover under section 56(c) or 56(a)(2)(B) of the Internal Revenue Code of 1954 to any taxable year beginning after December 31, 1972.

A YEAR-ROUND BASIS FOR DAYLIGHT SAVING TIME

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. ROSTENKOWSKI) is recognized for 5 minutes.

Mr. ROSTENKOWSKI. Mr. Speaker, I have introduced a bill today which would provide that daylight saving time be observed on a year-round basis. It is my hope that the enactment of this legislation would serve as a deterrent to such crimes as aggravated assault, robbery, and murder, which occur most frequently around 6 p.m. and 7 p.m.

While it is obvious that this legislation would not completely eliminate crime on the streets, it would be a major step toward accomplishing this end. Statistics provided by Superintendent James Conlisk of the Chicago Police Department indicate that in the early evening, the number of police emergency calls is highest. For example, at 6 p.m. the number of emergency calls in Chicago is 21 percent higher in December than in July. At 7 p.m., the difference is 23 percent. Proportionately, the number of police calls is greatest during this period of the day. Therefore, the additional hour of daylight provided by this bill should insure greater safety for commuters.

This legislation would also facilitate the movement of evening rush hour traffic. In Chicago, this would be particularly beneficial for drivers who must contend with often-hazardous driving conditions: icy streets, drifting snow and slippery intersections.

A reevaluation of the time question would admittedly effect some initial inconvenience to time-scheduled industries. Broadcasting, interstate trucking and other common carriers would ultimately benefit from a standardized program of operation. I believe that the expenditures necessary for schedule alteration will be more than justified by greater efficiency of service.

The present system, instituted as part of the Uniform Time Act of 1966, provides for a 6-month period of daylight savings time. This is confusing to a great many persons who must change their clocks in April and again in October. As Superintendent Conlisk's statistics have indicated, an additional hour of daylight is more important in the evening than in the morning.

The spiraling crime rate in our urban areas demands that every possible step be taken to insure the safety of our citizens. This must be our highest priority. This legislation, which was first introduced by my distinguished colleague from California (Mr. HOSMER) and which I reintroduced today, is not a matter of convenience, but one of urgent necessity.

CAPTURED U.S. ARMY MEN WRITE TO U.S. CONGRESS

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from New York (Mrs. ABZUG) is recognized for 5 minutes.

Mrs. ABZUG. Mr. Speaker, recently a number of American servicemen captured in South Vietnam sent a letter to the Congress of the United States urging it to take action to end the U.S. war of aggression in Vietnam and negotiate the total withdrawal of American troops and the return of the American POW's. Following is the full text of the letter:

To: The Congress of the United States
From: American servicemen captured in S.V.N.

We represent decades of captivity. When President Nixon assumed his office, we nurtured great hopes that he would honor his campaign pledge and his commitment to the American people and terminate this tragic war. It is essential to realize that our statement stems from a profound love of our country and from the interest in its future, it is our contention that the Viet Nam war is a mistake, that national beings rectify mistakes when recognized. This is our fundamental motivation.

For almost four years, we have listened to the political jargon of the age Vietnamization, winding down, withdrawal. Our hopes have been vanquished by disappointment, then dismay, and now alarm.

We have watched with great concern while the heavy costs of the war continue to rise, while the majority of our people consistently oppose it, while the American image continues to be sullied. We have watched with sadness and trepidation while the spiritual and moral fiber of our society degenerates.

Finally, for four years we have looked askance at our captors when they told us that Vietnamization was a failure and that President Nixon has no intention of ever withdrawing from Viet Nam. Now, as the war is being re-escalated in the North and American troops remain in the South, we are impressed with their veracity and their understanding of the character of this war.

Now it is clear that Mr. Nixon, without the sanction of his electorate, is willing to take the most provocative steps to salvage the Vietnamization program. Is he willing to destroy the American P.O.W.'s detained in both North and South Viet Nam? Is he willing to directly challenge public opinion? Is he willing to go to the brink of a larger war and perhaps beyond for an issue that is not vital to the interests of the United States, and which has been resoundingly repudiated by the majority of our people? We are convinced that there is nothing at stake in Viet Nam which could possibly justify the recent irresponsible and provocative measures taken by Mr. Nixon.

We know the Vietnamese people. They are stoic and resolute. They say that they would rather sacrifice all than give up their struggle and they meant it. The last twenty-five years provide eloquent testimony for this proposition. The intense bombings, mining of ports, and blockade will certainly increase their death and suffering—but equally important, it will harden their resolve. They will never give up their cause.

They want the right to decide their own destiny without outside interference. The destruction of Hanoi and Haiphong was predicted years ago by their President Ho Chi Minh in words which now serve as a rallying cry for their whole nation. It will certainly not influence the course of the war, but on the contrary, prolong it and perpetuate the presence of American troops and P.O.W.'s in this land.

As American servicemen, we are ready to die to safeguard our country and our families. But we are not ready to die in order to safeguard an illusion. We are not ready to die for Vietnamization or Nguyen Van Thieu or any other objective that is not supported by our people. We agree with several senators and congressmen when they say that the only practical solution to the Viet Nam problem lies in the Paris negotiations.

We appeal to you, the Congress of the United States, to obey the dictates of conscience and reason and to discharge your political and historical responsibility. Remove this millstone from our country's neck. Dispel this senseless threat which hangs over us and our children. We urge you, in all good faith, to exercise your constitutional power to force the administration to return to Paris to negotiate the complete withdrawal of American troops and the return of the American P.O.W.'s and leave Viet Nam to the Vietnamese.

The time is critical. Please! take effective legislative action. We must choose between an immoral tragic war with catastrophic consequences, and the honorable future of the U.S. The wisdom derived from our history and experience leaves little doubt as to the proper choice.

With great respect and urgency.

LIST OF SIGNATURES

Harold F. Kuhsner, M.D., Captain, [redacted] M.C., U.S. Army, Captured 2 Dec. 1967.

Frank G. Anton, WO-1, [redacted] U.S. Army, Captured 6 Jan. 1968.

Jon Robert Cavaiani, Sgt., [redacted], U.S. Army, Captured 4 June 1971.

John A. Young, Sp/4, [redacted] U.S. Amy (S.F.), Captured 30 Jan. 1968.

King D. Rayford, Pfc, [redacted] U.S. Army, Captured 1 July 1967.

Frederick L. Elbert, Jr., L/Cpl, [redacted], U.S. M.C., Captured 16 Aug. 1968.

John G. Sparks, Pfc, [redacted] U.S. Army, Captured 25 Apr. 1968.

Jose Jesus Anzaldua, Jr., Sgt., [redacted] U.S. M.C., Captured 17 Jan. 1970.

Richard C. Anshus, 1st Lt., [redacted], R.A., Inf., Captured 8 Mar. 1971.

David W. Sooter, WO–1, [redacted] U.S. Army, Captured 17 Feb. 1967.

Alfonso Ray Riate, Cpl., [redacted] U.S. M.C., Captured 25 Apr. 1967.

Robert P. Chenoweth, Sp/4, [redacted], Captured 8 Feb. 1968.

James A. Daly, Pfc, [redacted] U.S. Army, Captured 9 Jan. 1968.

Don A. MacPhail, Pfc, [redacted] U.S. Army, Captured 4 Feb. 1969.

Abel L. Kavanaugh, PFC, [redacted] U.S. M.C., Captured 25 Apr. 1968.

SOCIAL SECURITY COVERAGE FOR "SECOND SPOUSES"

(Mrs. MINK asked and was given permission to extend her remarks at this point in the RECORD and to include extraneous matter.)

Mrs. MINK. Mr. Speaker, it has come to my attention that in certain cases a widow could be denied a claim to retirement income under social security because of legal complications, regarding the validity of her marriage; for instance, if it is discovered that her late husband had failed to obtain a legal divorce before remarrying.

Our social security law attempts to overcome inequities which might arise from this by providing that the second spouse can receive benefit payments if the marriage was entered into in good faith without knowledge of the previous marriage. But the law also specifies that the second spouse cannot receive benefits if the first spouse is or has been entitled to a benefit. The effect of this is to deprive some deserving spouses, most of whom are women, of social security benefits to which they thought they were entitled.

Especially those women who marry and do not obtain employment must rely on their husband's earnings to provide both current income and future security. They are thus in an untenable position if this security they had counted on is suddenly withdrawn.

When this happens, she may also find herself responsible for several dependents. I believe that society should provide protection for such a person, who through no fault of her own finds herself cut off from family security she had relied upon and which would have been hers except for an unexpected legal impediment.

I have introduced legislation to correct this inequity. My bill provides that in cases where there is a second spouse, the second spouse is eligible for social security benefits regardless of whether the first spouse receives them also.

Under my proposal, wife's, husband's, widow's, and widower's benefits will be available to spouses or surviving spouses where a marriage was entered into in good faith but in fact, was not legal for some reason. I have provided that the second spouse will not receive more benefits than the first spouse and that no other beneficiaries of the worker's earnings will suffer as a result of this bill.

The latter provision is important because of the family maximum limitation in the social security program. This places an absolute limit on the amount that can be paid on the basis of one worker's earnings regardless of how many beneficiaries there may be. Under my legislation, the benefit of the second spouse would be considered outside of the family maximum. It provides, however, that if the benefits of others are already reduced because of the family maximum limitation, the benefit of the second spouse will be reduced correspondingly.

Mr. Speaker, there are some widows suffering needlessly because our social security system fails to recognize the injustice of withholding benefits from a surviving spouse who thought she was legally married but was not. In such instances, the second widow may have lived with her late husband for years, have children, and assume all the obligations and responsibilities of a mother, only to find that she has been left out in the cold by the social security law.

Our laws should recognize the human need of such spouses by affording them at least the income security they would have had by a legal marriage. That is the purpose of my bill, and I hope it will have the full attention and consideration of my colleagues.

FRENCH NUCLEAR TESTS

(Mrs. MINK asked and was given permission to extend her remarks at this point in the RECORD and to include extraneous matter.)

Mrs. MINK. Mr. Speaker, at the United Nations Human Environmental Conference in Stockholm protests against the French atmospheric nuclear tests at Mururoa Atoll in the Pacific are being made by many governments, including New Zealand, Australia, Yugoslavia, and Peru. Other governments like Japan have filed direct protests to the French and demanded the right to compensation for all damage incurred thereby.

The New Zealand Federation of Labor has refused to service all French ships and aircraft coming in or going out of New Zealand as part of a monthlong protest. The Australian Council of Trade Unions has also called for a similar ban.

The Australian Prime Minister, Mr. William McMahon, has protested to French President Mr. Georges Pompidou. In a statement the Prime Minister said, "We have taken every reasonable step to persuade our French friends to cease atmospheric testing."

A call from my office to the French Embassy here in Washington indicates no specific date has yet been set for the test.

In view of the fact that the United States has signed the Test Ban Treaty, I believe it is absolutely essential for the President to join with these concerned citizens and governments of the Pacific to protest this test and to urge that it be canceled.

The dangers from atmospheric testing are well documented. Furthermore, it is not only confined to the immediate locale, but the entire world will be affected.

I hope that my colleagues of the House similarly concerned will join me in seeking the intervention by our Government in this most crucial matter.

The following are news articles which I believe will be of interest to the House:

[From the Fiji Times, June 2, 1972]

JAPAN PROTESTS AT N-TESTS

TOKYO.—The Japanese Foreign Ministry has lodged a protest with France over the planned nuclear tests in the South Pacific.

A Foreign Ministry spokesman issued a statement deploring the tests also.

"At a time in particular when a United Nations human environmental conference is to be held at Stockholm shortly to discuss ways to prevent environmental pollution, the nuclear tests will greatly limit the results that are likely to be obtained from the conference," the statement said. "We, therefore, reserve the right to ask for compensation for any damage or losses incurred as a result of the tests."

[From the Fiji Times, June 6, 1972]

STRONG N-TEST ACTION URGED

CHRISTCHURCH.—New Zealand's Labour Opposition leader, Mr. Norman Kirk, called on the Government yesterday to take "strong and credible steps" to stop France's nuclear tests at Mururoa Atoll in the Pacific. The Opposition leader renewed his request to the Government that it call a conference of foreign ministers from Australia, Japan, Peru, the Philippines, Ecuador, Chile, Western Samoa, Nauru, Tonga, Fiji, the Cook Islands and New Zealand.

Mr. Kirk proposed that a task force of

Government ministers should go to Paris, Washington and Moscow in a bid to stop the tests.

APPEAL

New Zealand's Minister for the Environment, Mr. Duncan MacIntyre, will appeal at the United Nations Conference on the Human Environment in Stockholm for a resolution opposing all nuclear testing.

The New Zealand Government announced on Friday that it would ask France to stop its present test programme until the human environment conference ends.

In Melbourne, the secretary of the Melbourne branch of the Waterside Workers' Federation, Mr. A. E. Bull, said work on French ships would be banned in Melbourne this month.

[From the Fiji Times, June 1, 1972]

N-TEST PROTEST LEADER KICKED OUT OF FRANCE

PARIS.—France has expelled the leader of a Canadian peace group for taking part in an international campaign against French nuclear tests in the Pacific. An Interior Ministry official said Mr. Ben Metcalfe was arrested at Orly Airport on Saturday and escorted on Sunday with his wife to the Franco-Italian border.

The expulsion order was "dated some time back," he said.

Mr. Metcalfe is the chairman of Canada's Greenpeace Foundation.

The ketch Greenpeace III is sailing into the French nuclear test zone as part of an international protest joined by organisations in Fiji, Australia, New Zealand, Peru, Japan and Ecuador.

The foundation is organising an anti-nuclear campaign in France involving protest demonstration and letters to President Georges Pompidou and the French Government.

The tests are expected to comprise two to three blasts, starting later this month.

REFUSED

Meanwhile, the New Zealand Federation of Labour has refused to call off its threatened month-long ban on services to French ships and aircraft in New Zealand.

The ban is due to take effect today.

The Australian Council of Trade Unions also has called for a ban on all French air and sea transport in Australia during June as a protest against the nuclear tests.

The ban could stop all UTA flights into and out of Australia during June. The French airline runs four direct flights a week from Sydney through the Pacific and across the United States to Paris.

REMARKS

A French Government spokesman said in Paris yesterday that no "political blackmail" was intended in remarks by the French Minister of Overseas Territories, Mr. Pierre Messmer, about New Zealand protests.

Mr. Messmer was quoted as saying: "We must not forget that New Zealand is on the asking side. At the time of Britain's entry to the Common Market she came on her knees to beseech us to allow her to go on exporting to Britain."

The spokesman said he felt Mr. Messmer's remarks had been "misinterpreted" and "not well understood."

[From the Fiji Times, June 8, 1972]

FIJI GROUP WELCOMES NZ ATOM TEST MOVE

A proposal that New Zealand could call a conference of Pacific countries to explore ways of acting against French nuclear tests has been welcomed by Fiji's anti-bomb test committee, Atom.

The New Zealand Prime Minister, Mr. John Marshall, said he would consider the proposal, which was made in a petition presented to the New Zealand Government.

An Atom spokesman, Dr. Graham Baines, said the committee hoped the Fiji Prime Minister, Ratu Sir Kamisese Mara, would support the proposal and urge the Australian Government to follow up its earlier statement about the matter.

Australia's Minister for Foreign Affairs, Mr. Nigel Bowen, said in Canberra that his Government was sounding out the possibility of concerted action by South Pacific countries.

The International Union of Food and Allied Workers' Associations has made a protest about nuclear tests in the South Pacific.

UNION LETTER

A statement from the union headquarters in Geneva said a letter had been sent to President Pompidou of France.

It said the tests would seriously affect the environment of the population of the South Pacific.

They would create health risks for the consumers and workers handling fish, meat and dairy products exported to Asia, North America and Europe by countries in the South Pacific region.

The letter said the tests increased political tensions and the possibility of nuclear war, and diverted resources needed for socially useful projects.

The union, which represents 119 organisations in 56 countries, asked the French Government to cancel the series of tests scheduled for this year and to give up any further testing it planned.

JOURNALISTS

A group of Fiji journalists has protested about the tests and sent a letter to the French President requesting cancellation of the present series.

[From the Fiji Times, June 8, 1972]

NG LEADER ADDS TO ANTITEST PROTESTS

Papna-New Guinea's first Chief Minister, Mr. Michael Somare, has joined in the chorus of Pacific protest about French nuclear tests near Tahiti.

Mr Somare said at Nausori that the territory's coaltion Government had not yet discussed the tests, but he personally could understand why Pacific countries were objecting to them.

Fiji is one of the South Pacific countries which have protested to France.

"I would be upset if the tests were conducted near Papua-New Guinea," Mr Somare said. "The people of Papua-New Guinea would be very upset if this happened in our area."

Mr Somare stopped briefly in Fiji on his way home after attending state functions in Western Samoa.

He supported a call for his country to be permitted to join the South Pacific Forum regional reorganisation before it becomes independent.

Fiji's Prime Minister, Ratu Sir Kamisiese Mara, is opposed to Papua-New Guinea becoming a member until it is independent.

Mr Somare said one of his Government's first tasks would be to educate the people politcally so they were aware of what it was trying to do.

A political education division of the Government would be under his own office, he said.

Mr Somare said some members of his Government had received death threats.

Different tribes and groups existed in Papua-New Guinea and not everyone understood the concept of government.

Younger, better-educated people who felt it was all one country had come together to form a coalition.

Threats came because some people did not like the idea of early self-government for the territory.

But now the people concerned were starting to realise this country's own people were running it, Mr. Somare said.

[From the Fiji Times, June 19, 1972]

AUSTRALIAN PROTESTS OVER TESTS GROW

SYDNEY.—A wave of protests against scheduled French nuclear tests continued to swell yesterday with the Australian Writers' Guild accusing France of "arrogant inhumanity."

The chairman of the Victorian branch of the guild, Mr. Monte Miller, said the guild would cable its French counterpart and ask French writers to protest to their Government about the tests.

He said the guild condemned France's "arrogant inhumanity" and added that if the tests went ahead, it would be like "declaring war on the peoples and ecology of the Pacific."

Other groups to protest against the proposed tests this weekend included the Australian Legion of Ex-Servicemen with more than 100,000 members.

ALARMED

The legion said it was alarmed at the tests and rejected assurances they did not constitute a health hazard.

The Union of Australian Women challenged the Australian Prime Minister, Mr William McMahon, his ministers and Opposition members to sail into the testing area.

TOO SOFT

In another move, the French Consul in South Australia announced his resignation after 10 years as French representative in Adelaide.

The consul, Mr Frank Butterfield, said: "I am opposed to nuclear testing."

The Australian Young Liberal Movement attacked the Australian Government for being too soft in its attitude to the blasts.

The British Leader of the Opposition in the House of Lords, Lord Shackleton, told newsmen at Sydney Airport that he thought the tests should be criticised because they would increase radioactivity in the atmosphere.

Lord Shackleton, who was arriving at the start of a week-long visit to Australia, added: "I suppose they picked the least-inhabited part of the world for it.

BALANCE

"I don't know whether they would do it nearer home."

Lord Shackleton said he thought France had decided to join the thermonuclear (hydrogen bomb) league, but added that it was arguable whether the French could affect the balance of nuclear power.

During his visit, Lord Shackleton will meet Australian business and political leaders.

[From the Fiji Times, June 20, 1972]

AUSTRALIAN PM PROTESTS TO FRANCE ON NUCLEAR TESTS

SYDNEY.—The Australian Prime Minister, Mr. William McMahon, said yesterday that he had protested to the French President, Mr Georges Pompidou, about the coming French nuclear bomb tests in the South Pacific.

In Auckland, radio operators said that a French naval vessel was yesterday preparing to tow the protest yacht Greenpeace III out of the nuclear testing zone near Mururoa Atoll, with the series of tests due to start today.

Mr. McMahon said: "Let there be no misunderstanding. I and my Government would like to see the tests abandoned.

"We have taken every reasonable step to persuade our French friends to cease atmospheric testing."

Mr McMahon was speaking at the opening at the Lucas Heights Research Station, near Sydney, of a new critical facility built with the aid of French nuclear engineers.

LETTER

Addressing himself to the French Ambassador, Mr Gabriel Van Laethem, Mr McMahon said: "I have already conveyed personally

to the President of France the views that I have now expressed."

Mr McMahon wrote to President Pompidou soon after his return from a 10-day Asian tour last Thursday.

Australia had already supported a motion opposing the tests at the environment conferences in Stockholm.

But Mr McMahon decided on the direct protest to President Pompidou when he returned home.

STAND

Mr McMahon said Australia had taken a stand against nuclear testing in the atmosphere, outer space and under water when it ratified the 1963 partial nuclear test ban treaty.

Earlier Mr Van Laethem said France's existence might depend on its access to nuclear deterrents.

He said the French Government had spared no effort or expense to reduce hazards to their environment.

About 50 demonstrators protesting against the French tests stood outside the plant during the opening ceremony.

The Auckland reports, from Radio Rarotonga, said that the French authorities had been observing Greenpeace III.

The radio reports said a faint radio message from the yacht early yesterday said that all was well aboard the vessel, which left Auckland last month for the testing area, about 600 miles north of the Cook Islands.

TELEGRAM

The president of the Auckland branch of the Campaign for Nuclear Disarmament, Mr. Richard Northey, said that he had sent a telegram to New Zealand's acting Prime Minister, Mr. Robert Muldoon, asking that New Zealand seek assurances from the French authorities about the safety of Greenpeace III.

[From the Dominion, New Zealand, June 8, 1972]

PACIFIC OPPOSITION TO TESTS TOTAL

A New Zealander telephoned three Pacific countries and telexed a fourth yesterday, and said he found total opposition to the French nuclear tests.

The chairman of the Peace Research Media Project, Mr. Barry Mitcalfe, said only Australia and New Zealand now appeared to be withholding effective protest.

A conference, hosted by the Cook Islands, will be held among Pacific leaders next week at which the nuclear tests will be a main subject.

However, it appeared New Zealand did not know of the conference.

"We could at least send an observer or a Government delegate with power to speak and act on this issue," Mr. Mitcalfe said.

He had telephoned the Premier of the Cook Islands, Mr. Albert Henry; President Allende of Chile, and the Samoan Minister of Works, Mr. Tupoala Efi, and telexed Senator Sanford of Tahiti.

Mr. Henry told him his assembly was meeting at present and in addition to its protest already made through New Zealand, the assembly would make direct representation to the French Government.

President Allende's assistant, Mr. Palma, said Chile had already made strong representations to France, and any official approach to Chile through its ambassador in Canberra would be most sympathetically received.

However, it appeared New Zealand had as yet not taken advantage of this offer, Mr. Mitcalfe said.

Mr. Palma also said Peru had broken off diplomatic relations with France over the tests and was very strongly in opposition.

Mr. Efi told him the Fiji Prime Minister, Ratu Sir Kamasese Mara, had promised his country would take a leading role in any combined protests against the tests, Mr. Mitcalfe said.

Senator Sanford, one of two Tahitians representing the island in France, was "bitterly opposed" to the tests and would welcome New Zealand intervention.

OUTLAWED

Senator Sanford's Reassemblement Democratique Party, was the majority party in Tahiti at the time of the last Pacific tests by France, but it was outlawed after taking a leading part in anti-nuclear demonstrations.

Mr. Mitcalfe urged New Zealand to make an "effective" protest.

This would comprise informing the United Nations the South Pacific region was taking direct action against France, possibly by sending a combined fleet into the test area; and, asking for U.N. support in the same way as it intervened in Korea at the United States' request.

[From the Washington Post, June 25, 1972]

FRENCH DEPUTY PROTESTS TESTS

PAPEETE, TAHITI, June 25.—A member of the French Parliament said today he will fly to New York July 5 to denounce his country's government in the United Nations for holding nuclear tests in the Pacific.

Francis Sanford, who represents the Tahiti Overseas Territories in the National Assembly, announced his plans while French authorities at the Mururoa testing grounds awaited a green light from Paris to launch the new series of nuclear explosions.

Sanford, a Polynesian, recently quit the majority coalition in the French lower house because of his opposition to the imminent resumption of atomic tests at Mururoa and Fantataufa atolls.

[From the New York Times, June 3, 1972]

ATOMIC TESTING BY FRANCE

TO THE EDITOR:

Over the joint protest of the governments of Fiji, Tonga, Western Samoa, the Cook Islands, Nauru, New Zealand and Australia, the French will resume their nuclear testing in the atmosphere at Mururoa in French Polynesia in June.

Just as Americans have shown contempt for the lives and well-being of Micronesians during their own testing of atomic weapons and of Asians in their war against Vietnam, the French plan to expose the peoples of the South Pacific to risks which they dare not impose on their own population.

Some of us must recognize that the traditional Western disregard for the lives of people in Asia and Africa as well as Oceania is destroying us as well as them, and that the only hope is to work against such expressions of racism anywhere in the world.

The "Greenpeace" is now sailing into the testing zone; the chairman of that organization, Ben Metcalfe from British Columbia, is in Rome to seek the blessing of the Pope for efforts to stop the testing. There will be demonstrations at Notre Dame Cathedral in Paris beginning June 1 and at the U.N. conference on the environment beginning June 6 in Stockholm.

We urge people of good will to join them, and to express their objections to President Pompidou.

WALTER and BETTE JOHNSON,
Suva, Fiji, May 25, 1972.

(NOTE.—This letter was also signed by twelve others at the University of the South Pacific.)

NATIONALIZED MEDICINE: "A FASHIONABLE FOLLY"

(Mr. WAGGONNER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. WAGGONNER. Mr. Speaker, during the extensive public hearings before the Ways and Means Committee last year, many comments were made relative to Great Britain's National Health Service. I believe that my colleagues would be interested in the article by the Honorable J. Enoch Powell, a Member of the British Parliament and former Minister of Health in Great Britain, concerning his experience with medical care which appeared in the April issue of Nation's Business. I include his article in the RECORD:

NATIONALIZED MEDICINE: "A FASHIONABLE FOLLY"

LONDON.—At a time when Congress is considering vast national health plans, the views of a man who has directed a government medical system are significant for their insight.

The Right Hon. J. Enoch Powell, a member of the British Parliament and former Minister of Health, is such a man. Though he warns that the United States and Great Britain are too different for exact comparisons, he offers from his own experience some decided opinions about nationalized health plans.

For one, he says that a quarter century of socialized medicine has not given the British people more health services, more hospitals, or faster or necessarily better medical attention, and that no one should be looking for panaceas in nationalization.

"I happen to believe that the total resources devoted to medical care in Britain would be larger but for the National Health Service," he says. "I believe people would opt for more medical care than the state decides to allocate."

Mr. Powell, a linguist and author, a former university professor, and an outspoken member of his country's Conservative Party, is controversial. He is anathema to liberals and socialists, both in his own country and here. Indeed, he is not universally loved in his own party, least of all by Prime Minister Edward Heath, with whom he has often disagreed.

In part, this is because he opposes many of his party's policies and because he enjoys talking about controversial problems.

In conversations with Nation's Business, Mr. Powell talked about his experiences as Minister of Health, and his views on medical care and other subjects.

FREEZE ON HOSPITALS

He believes strongly that for the first 15 years of socialized medicine in Britain—between 1946 and 1961—nationalization prevented any hospitals from being constructed.

"If there had been no National Health Service," he says, "many hospitals would have been built. Huge sums were in the possession of big charitable trusts after the war ready to be used to build modern hospitals. And the hospitals which were taken over [in the national health scheme] had large reserves and resources. Large reservoirs of charitable intent were ready to be taped. Municipalities which had taken pride in erecting their own hospitals would still have taken pride in erecting them in the 1940s and 1950s.

"But since there was nationalization it was left to the state, and the state said, 'No. No. No. No capital for that.'"

To this day Britain has not caught up with the rate of hospital building of the 1930s.

Furthermore, Mr. Powell declares, "It is certain that British hospitals today are far more obsolete than they would have been but for the National Health Service."

Also, Mr. Powell says, there has been change—for the worse—in doctor-patient relationships. "The British general practitioner always readily gave his care and attention

to the poor patient," he explains. "This is probably less readily given, now.

"If you nationalize medical care, you eliminate the commercial nexus, and therefore also the charitable nexus, and therefore the *noblesse oblige* between doctor and public. The doctor has—not quite—become a salaried servant."

In Britain, the term "English pay" means remuneration in terms of respect. Mr. Powell believes there is less of this for physicians now than there was prior to nationalized medicine.

THE DEMAND IS INDEFINITE

Waiting lists of patients for many types of medical attention have not been shortened because of free medical care, he notes, thus refuting claims by advocates of further nationalization of American medicine.

"You can't take care of everyone. The demand for medical care is infinite," Mr. Powell explains.

Recalling the three-year stint he put in as Minister of Health in the government of Prime Minister Harold Macmillan during the early '60s, he says:

"When I came into office I saw a long waiting list for what we call cold surgery—nonurgent surgery. The list was not growing, so I said the waiting can't be due to a deficiency of resources. It must be a backlog. If it had been due to a deficiency of resources the backlog would be growing.

"So, if you get rid of the backlog, I thought, services would be up-to-date. I said, 'All right, we will clear the backlog up.' Well, we couldn't do that. When I ceased to be Minister of Health the waiting lists were almost to within the same digits, certainly within thousandths, that they were in the first year of the National Health Service."

Mr. Powell learned then, he says, that "there is no way of adjusting infinite demand to limited supply."

He learned, too, that when services are provided "free" by government, discontent is often a side effect. In the case of health service, the people of one area will complain when they hear that the people of another area have a newer government-provided hospital, or a newer treatment, than they do.

One fact that gets slight attention from boosters of nationalized medicine in the United States is that the sale of insurance covering doctors' and hospital services in Britain is increasing. With money collected from insurance companies, an increasing number of Britons are therefore able to pay directly for health services rather than get them "free."

Obviously, they feel they get better attention—and probably quicker service—by paying as private patients.

The British plan includes arrangements whereby a person can "go private" and pay for medical attention, or go "under the scheme," and have the government pay.

However, little private hospital care is available, Mr. Powell says. When he is asked: "Do you yourself use the national health scheme?" he quickly answers: "If I had an illness requiring serious hospital treatment I would insist upon having it 'on' the National Health Service."

Despite its drawbacks, Mr. Powell says there "is not the slightest possibility in the foreseeable future" that the national health plan in England will be abolished.

At the same time, he thinks that, although most doctors now have grown up under the national health scheme, many "would wish for there to be more independent sources of demand for their services."

What about the United States? Would a national health scheme be acceptable here? "Most nations will commit the same follies," Mr. Powell says, "and it looks to me from a distance that any fashionable folly is at least as attractive to Americans as it is to Englishmen."

It is pointed out that several national medical care measures have been before Congress, including an Administration bill and one introduced by Sen. Edward M. Kennedy (D.-Mass.) that calls for what amounts to socialized medicine.

Mr. Powell's comment is that usually "the bad drives out the good." He adds: "I guess you will go to complete socialism—you will go the whole way." In his opinion, there is no happy medium between private and socialized medicine.

His views on a variety of other subjects are forthright:

Inflation. "If you really want to attack it—which I doubt—then you tell the government to stop it. Until I came to the United States for the first time, I thought the phrase, 'Government of the people, by the people, etc,.' was all flummery. I thought that was a load of flannel. But when I got here, I found it was a true description. You all bloody well are 'government' and nobody knows where government starts or stops in the U.S.A. Which makes the question, 'How to stop inflation,' more difficult.

"It would be easy for us in England. We just say to the government, 'Stop doing it.'

"Remember, nobody but government causes inflation because nobody but government maufactures or destroys money—apart from forgers.

"Inflation is caused by government because it is growth of money in a certain relationship to the growth of goods and services offered. The government controls money. Indeed, government is the creator of money. Government says to the people, 'Look, see this, this is money.'

"It's true that you can have inflation which isn't caused by government, but we don't in modern times. So this is rather by way of a footnote."

Economic terms. Such terms as "cost-push" and "demand-pull" irritate Mr. Powell, who has studied, written about and taught economics. He calls them "nonsense."

"There is always an immense quantity of nonsense going about," he says, "and the biggest quantity goes about in my part of the world—in politics—because we in politics are brought to the test of reality with much more delay than those who practice in other fields.

"For example, you would be surprised at the efficiency in a military headquarters as it gets nearer to the enemy. Similarly, I am sure that in a business there is a lot of nonsense. But it gets sorted out. Not so in politics.

"Cost-push and demand-pull—a lot of nonsense. It seems nonsense to say this itself when you think of the oceans of ink that have been expended in writing about them—but the fact that a thing is written about doesn't prove it is sense. On the contrary the more nonsensical it is, the more you can write about it."

Mr. Powell calls the term GNP (gross national product) nonsense as well. "The whole economic theory is not nonsense," he says, "but the GNP, if you treat it as other than an amusing compilation of disparate figures—like adding together cows and horses and teapots and pounds of coffee beans—if you treat it as anything other than that kind of statistical amusement, then it is nonsense."

WORLD MONETARY AND TRADE MATTERS

Declines or increases in shares of world trade do not mean what we think they do, Mr. Powell argues.

"Decline is a statistical trick," he explains. "The consequence of the growth of total world trade is that the share of it which any country has must fall. It happened to Britain, France and Germany, and it is bound to happen to the United States.

"So the first prescription I have to offer is not to worry and don't bother with statistics."

The benefit of all trade, he continues, "is equal and opposite. It is precisely mutual. Therefore, there is an inherent contradiction in the notion of dominance in trade. The more nations there are, and the more international trade there is, the less the proportion carried out by any one nation. This is bound to happen."

Mr. Powell has a deep dislike for pegged currencies. He wants them to float and he deplores recent moves to re-peg currencies. The Western world, he feels, had a great chance to improve the global monetary situation last autumn when President Nixon unpegged the dollar. And he says he would like very much to write the obituary for the International Monetary Fund, which helps control currencies.

He has equally strong feelings against SDR's, the Special Drawing Rights created by nations and the IMF four years ago as an aid to international bookkeeping and debts payment. The drawing rights are commonly called "paper gold."

"SDR's," Mr. Powell says, "are fool's gold. They are a substance which can be lent without being borrowed and invested without being saved."

Labor unions. Mr. Powell declares flatly that "the net effect of labor unions has been to make workers slightly worse off than they otherwise would have been."

Unions, he says, slow the transfer of effort from less to more valuable applications.

"The more this is held up, the worse off we are, compared with what we could be," he adds. "And to the extent that labor unions, by a legalized duress, are able to prevent people from freely seeking their own advantage, they make themselves—as well as nearly everybody else—worse off. They probably don't make the leaders worse off."

Denationalization. Can a country far down the path of socialism change course and pull back to a freer enterprise arrangement without a violent overthrow of government?

Mr. Powell believes it is possible. "It is a thing which can be done gradually," he muses. "You don't have to denationalize all nationalized industries at once. You can take it bit by bit."

But he adds: "You have to say all at once that nationalization is a bad thing. You have to take that step."

Denationalization has come along far enough in Britain under the Conservatives that it is no longer a case of "piercing of an ideological barrier," he says. "Not with the nationalized industries. But with the National Health Service, it might be."

APPROPRIATIONS FOR THE POSTAL SERVICE

(Mr. RANDALL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. RANDALL. Mr. Speaker, when the House considered H.R. 15585, being the appropriation bill for the Treasury, the U.S. Postal Service, and the executive offices of the President on Thursday last, I was on the floor when the gentleman from Kansas (Mr. SEBELIUS) indicated that he would oppose the bill because of the $1.4 billion appropriated for the Postal Service. I listened attentively to his remarks, at that time I felt I was in substantial agreement with what he said and because I agreed with his remarks, I joined with him as one of the Members who voted "No" on that appropriation bill.

Mr. Speaker, I have no serious objection to the appropriations contained in that bill for the Treasury, or for the executive offices of the President.

Rather, my vote against this appropriation bill was a protest against the present operating procedures of the Postal Service.

Like the gentleman from Kansas, I was mindful that a point of order would be raised if we were to try to legislate in an appropriation bill. About all that was left for any of us to do was to vote against this appropriation bill and to state our reasons why. We will all have to wait until such time as we can legislate about some of the things that are not right with the Postal Service.

I followed carefully the comments of the gentleman from Kansas when he said that it is almost unbelievable that instead of delivering mail directly from one small town to another, the mail is moved a long distance away to a so-called distribution center, which may be as much as 100 miles away, and then brought back to a neighboring town not over 10 or 15 miles from the point of origin. I do not know how the illustration could be made much better than to say that mail moving from point A goes to point C and then back through point A in order to get to point B. It would be comparable to the manager of a baseball team ordering his shortstop to throw the ball to center field and then for it to be thrown back to the shortstop in order for the shortstop to throw the ball to to first base.

Just about equally as confusing, if we turn to the world of football, would be for the quarterback to turn his back to the line of scrimmage and pass toward the goal that is being defended, in the hopes that the ball would not be intercepted and somewhere back there would be a receiver who would somehow, someway, run to a point where he could lateral to the quarterback who would then finally throw a forward pass downfield to the intended receiver.

Of course, all this would be very confusing to the referee, and if he did not penalize the offensive team for illegal procedure, he would undoubtedly spend the rest of the afternoon shaking his head in bewilderment, just why a quarterback would go through such a confusing procedure on a football field.

Well, that is about the way it is today with a lot of our postal patrons as they look at what is happening to the Postal Service. Like the referee, they go around shaking their heads wondering how confused can things become. I refer, of course, to the cutbacks in rural service, the consolidation of rural routes, and most difficult of all to understand, is the elimination of postmarks from small towns. As it stands now, there is no way that the recipient of a letter knows the point of origin of that letter or very much about it except that it was deposited somewhere in the U.S. Postal Service.

I would hope that many Members of Congress either are or become concerned over the deterioration of the Postal Service in our rural areas. It is not alone a matter of cutbacks, elimination of routes, slower delivery, and departure from the long-established policy of local postmarks but with it all there has been a rate increase raising magazine and newspaper rates nearly 150 percent over the next 5 years. This kind of thing will put out of existence many of our weekly and daily rural newspapers.

At the present time I have no knowledge of what amount the Service intends to save from cutbacks of service in the rural areas in Missouri. I do not know whether it is $150,000 or $200,000.

Notwithstanding if we can rely on the information of the gentleman from Kansas the Postal Service is planning to spend $17.5 million with two advertising agencies to improve the image of the Postal Service. My reaction to this information is that if procedures that are now being followed in the Postal Service are not changed, no amount of money spent for public relations will do very much to improve the image.

No, Mr. Speaker, at all times from the days of Benjamin Franklin, to the present, we have known that the only way rural America can be served is by spending money to give it good mail service. Long, long ago we learned there is no way to deliver the mail on a daily break-even basis. But I had hoped that we had settled long ago on the merit of the proposition that good mail service is the right of every citizen even if it takes a subsidy from taxes imposed on everyone by the Federal Government.

We should all be indebted to our colleagues who have conducted the oversight hearings on postal operations. I do hope they make such recommendations as will insure good postal service in our rural and smalltown areas.

There is no way to amend an appropriation bill that would circumvent the present proposals of the Postal Service that have or will downgrade service in rural and smalltown America. That will have to be done in other legislation.

I am not sure whether $1.4 billion is enough to run the Postal Service for the next fiscal year. Perhaps it is not. But I do know that it may very well be too much until it is fully justified not simply before an Appropriations Committee but also before the House Post Office and Civil Service Committee as to why the quality of service continues to decline. I voted in opposition to H.R. 15585 as a protest of the deterioration of our Postal Services in our rural areas and our small towns.

CONGRESS IS ENTITLED TO A CHANCE AT A FORMAL VOTE ON WHETHER THE COSTLY WEST FRONT EXTENSION PROJECT SHOULD BE CARRIED OUT

(Mr. STRATTON asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. STRATTON. Mr. Speaker, Members of this House are well aware of the fact that I have long opposed the costly, destructive, and unnecessary project to extend the west front of the Capitol. The last time the House debated and voted on this project was in 1969.

We shall have another chance this week to consider and vote on this project when the conference report on the legislative appropriations bill is before the House, probably early on Wednesday or perhaps Thursday.

In order to acquaint my colleagues in the House with the issues involved in this west front matter and to enlist their support for my long efforts to kill the west front proposal, I recently sent a lengthy "Dear Colleague" to Members of the House.

Under leave to extend my remarks I include this letter for the information of those, both inside and outside the House, who may be interested in this matter and who may not have seen my letter:

HOUSE OF REPRESENTATIVES,
Washington, D.C., June 23, 1972.

DEAR COLLEAGUE: Some time next Wednesday, June 28, or shortly thereafter, the conference report on the Legislative Appropriation Bill will come up for consideration. The major item in disagreement has to do with *the controversial extension of the West Front of the Capitol.*

Since this is a matter on which I have been actively concerned since June 1966, I wanted to alert you to the upcoming vote and enlist your support for what I believe to be the most sensible position for a Member of the House to take on this question.

Basically, the issue revolves around Senate Amendment No. 36, on which *the House managers will ask the House to insist on its opposition to this amendment. My position is that the House should recede and concur in the Senate amendment.*

Actually this bill contains no funds for the West Front, because $2 million is still left over from the 1970 Bill for this extension project, which the elite Commission on the Extension of the Capitol ordered last March should be constructed. Strictly speaking this $2 million is *only for "plans" for the West Front extension, but plans for this project have long since been completed.*

What is likely to happen then *if the Senate amendment is not approved* is that this $2 million will be used for preliminary digging, demolition, etc., so that by the time the House is finally presented with an actual construction appropriation request *the work would have gone so far there would be no possible alternative to extension.*

The Senate amendment simply provides that "no funds may be used for the preparation of the final plans or initiation of construction of said [West Front extension] project until specifically approved and appropriated therefor by the Congress."

In other words, the *extension work* ordered in March by the handful of Commission members *could not proceed until Congress itself had voted to approve it.* What could be more reasonable?

Since this whole extension matter has been *under vigorous debate for the past 6 years;* since *the arguments offered in its behalf in 1969 have now been proven completely false;* since *the project involves the expenditure of $60 to $70 million of the taxpayers' money,* primarily for the convenience of some Members of Congress; and since the extension *will cover up the last remaining visible portion of the original historic 1800 Capitol building;* it does seem that this is an important enough matter to deserve to be settled *by a specific vote of both Houses of Congress* and not just by the wishes of a handful of Members, however senior they may be.

In 1969 we were told the reason for extension was that the Capitol was *in imminent danger of collapse.* Because of its unique construction, we were told, the Capitol could only be saved by a costly extension adding roughly 4 acres of new space! We were told it was engineeringly *impossible to repair the Capitol* or prevent its collapse in any other way, and that any attempt to do so *would be far more costly than the extension itself,* then estimated at $45 million.

Finally a compromise solution was agreed to. To check the validity of these sweeping

claims $200,000 was appropriated to hire the nation's most qualified structural engineering firm, Praeger of New York. This firm was directed to determine whether the Capitol was indeed in danger of collapse, whether it could be restored by some method other than extension, and whether this restoration would cost more than extension.

The Praeger report was filed with Congress in December 1970. *It completely demolished all three arguments:* the Capitol was *not* in danger of collapse (as a subsequent bombing attempt dramatically reaffirmed); it could be restored much more simply than by extension; and restoration *would cost less than $15 million.*

Oddly enough, this report *was ignored by the Appropriations Committee and the Commission on the Extension of the Capitol for 15 months. It was never commented on, never challenged, never even discussed.* Then suddenly on March 8, 1971, meeting in secret session, the Commission rejected the report and ordered construction on the extension to begin at once—*without any opportunity for debate or for a record vote of the membership in the light of the very devastating conclusions of the Praeger report.*

Surely if this issue was important enough for us to spend nearly a quarter of a million dollars to engage the most qualified structural engineering firm in the nation, then we ought not to discard their recommendation lightly *on nothing more substantial than the views of one architect (who opposed the extension before he went on the Capitol payroll) and a handful of non-technical Congressmen and Senators.*

Incidentally, the West Front extension will not be like the East Front extension. It will completely destroy the present unique West Front architecture, completely destroy the lovely Olmstead terraces, and replace them both with a cheap imitation of the East Front crammed with all kinds of restaurants and hideaway offices.

By allowing extension to be started without debate or vote we are in fact approving a project that will cost somewhere between $60 and $70 million, in preference to one the Praeger report says would cost only $15 million. Even if we concede that costs have gone up since December 1970, perhaps by $5 or $6 million, *a vote in favor of extension would still mean spending $40 or $50 million more than we need, largely for our own personal convenience.*

But this is not all. *The Senate discussions have disclosed an even more appalling picture.* Holiday Inn motels, for example, cost about $15 a square foot to build. A palatial private residence can be built for $30 a square foot. The Rayburn Building, until now the most expensive structure in existence, cost $50 a square foot. The new FBI building is reported to cost $68 a square foot, a new record high. *But the extension of the West Front will exceed this figure by 5½ times—$368 per square foot!* Is this really the sort of thing we want to do in an election year?

Finally, the argument has been made that extension is essential because Congress needs more space—more committee rooms, more private "hideaway" offices, more restaurant space. *But why do these have to be built in the Capitol when they can be built far more cheaply in some other location, the new Visitors' Center at Union Station, for example?*

You may perhaps not agree with me that approving the extension project is unwise. But I do *hope you will agree with me that a project of this magnitude ought not to be started without at least a specific authorizing vote by Congress as a whole,* taken after full debate and in the light of all the latest available evidence.

I earnestly solicit your support therefore in my effort on Wednesday to defeat the motion to insist on opposing Senate Amendment No. 36, and instead to recede and concur in their very reasonable, moderate, and democratic proposal, which the House Managers, who should be interested in economy, ought to have accepted long ago.

Sincerely yours,

SAMUEL S. STRATTON.

THE QUARTER OF A MILLION DOLLAR STRUCTURAL ENGINEERING REPORT ON THE CONDITION OF THE U.S. CAPITOL—THE PRAEGER REPORT—WHICH SAYS RESTORATION IS FEASIBLE AND IS ALSO CHEAPER THAN EXTENSION

(Mr. STRATTON asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. STRATTON. Mr. Speaker, the last time that Congress debated the controversial project to extend the west front of the Capitol was in 1969. At that time we were told the reason for extension was that the Capitol was in imminent danger of collapse. Because of its unique construction, we were told, the Capitol could only be saved by a costly extension adding roughly 4 acres of new space. We were told it was engineeringly impossible to repair the Capitol or prevent its collapse in any other way, and that any attempt to do so would be far more costly than the extension itself, then estimated at $45 million.

Finally a compromise solution was agreed to. To check the validity of these sweeping claims $200,000 was appropriated to hire the Nation's most qualified structural engineering firm, Praeger of New York. This firm was directed to determine whether the Capitol was indeed in danger of collapse, whether it could be restored by some method other than extension, and whether this restoration would cost more than extension.

The Praeger report was filed with Congress in December 1970. It completely demolished all three arguments: the Capitol was not in danger of collapse—as a subsequent bombing attempt dramatically reaffirmed; it could be restored much more simply than by extension; restoration would cost less than $15 million.

Oddly enough, this report was ignored by the Appropriations Committee and the Commission on the Extension of the Capitol for 15 months. It was never commented on, never challenged, never even discussed. Then suddenly on March 8, 1971, meeting in secret session, the Commission rejected the report and ordered construction on the extension to begin at once—without any opportunity for debate or for a record vote of the membership in the light of the very devastating conclusions of the Praeger report.

Surely if this issue was important enough for us to spend nearly a quarter of a million dollars to engage the most qualified structural engineering firm in the Nation, then we ought not to discard their recommendation lightly on nothing more substantial than the views of one architect—who opposed the extension before he went on the Capitol payroll—and a handful of nontechnical Congressmen and Senators.

Mr. Speaker, with another vote on this controversial issue now likely to come up on Wednesday or Thursday, it is essential that Members have before them the frank, forthright, professional, and revealing conclusions of this Praeger report.

Under leave to extend my remarks, I include here the full text of that report as it was submitted to Congress in December 1970:

INTRODUCTION

A. BACKGROUND OF REPORT

The United States Capitol (Frontispiece and Figure 1) is a unique structure with strong and direct ties to the foundation of our Republic. Throughout its long history it has been the subject of continued interest and concern. It has been changed extensively and enlarged as new conditions and usages required. It has been the subject of numerous inspections, reports and discussions. Most recent of the reports are those of Moran, Proctor, Mueser & Rutledge published in 1957, made in anticipation of "extention, reconstruction, and replacement of the central portion of the United States Capitol", and the Thompson & Lichtner report of 1964 with a critique by Locraft in 1966.

The Moran, Proctor, Mueser & Rutledge report was primarily a soils investigation, but it included a survey of the physical construction of the walls and an opinion on the lack of evidence of settlement. The Thompson & Lichtner report was a detailed examination of the West Central Front, including test cores of the walls, test pits and soil borings, as well as laboratory tests of materials. The Thompson & Lichtner study resulted in the general conclusion that the "exterior walls of the west central portion of the Capitol are distorted and cracked, and require corrective action for safety and durability." The report recommended that the west central exterior wall be retained "as an interior wall of an extended building" which would provide it with lateral support. Shoring of the west portico and the old terrace screen walls followed publication of that report.

As a result of the deliberations of the Congress concerning the extension of the west central portion of the Capitol, an additional study and report was authorized under Public Law 91–145.

B. OBJECTIVES OF REPORT

Praeger Kavanagh Waterbury was retained to provide data, estimates, schedules, findings, and evaluations as necessary to enable the Commission for Extension of the Capitol to make a special determination with respect to its directive under Public Law 91–145:

"* * * That after submission of such study and report and consideration thereof by the Commission, the Commission shall direct the preparation of final plans for extending such west central front in accord with Plan 2 (which said Commission has approved), unless such restoration study report establishes to the satisfaction of the Commission:

"(1) That through restoration, such west central front can, without undue hazard to safety of the structure and persons, be made safe, sound, durable, and beautiful for the foreseeable future;

"(2) That restoration can be accomplished with no more vacation of west central front space in the building proper (excluding the terrace structure) than would be required by the proposed extension Plan 2;

"(3) That the method or methods of accomplishing restoration can be so described or specified as to form the basis for performance of the restoration work by competitive, lump sum, fixed price construction bid or bids;

"(4) That the cost of restoration would not exceed $15,000,000; and

"(5) That the time schedule for accomplishing the restoration work will not ex-

ceed that heretofore projected for accomplishing the Plan 2 extension work: *Provided further,* That after consideration of the restoration study report, if the Commission concludes that all five of the conditions hereinbefore specified are met, the Commission shall then make recommendations to the Congress on the question of whether to extend or restore the west central front of the Capitol."

In order to develop the information necessary to evaluate the feasibility of meeting these conditions a detailed study was made of the recorded history of the construction of the Capitol, structural analyses were prepared and site inspections and tests were made.

THE REPORT

A. Description of Structure

1. Structural System

The Capitol is a vaulted masonry structure with each of the three sections forming the west central front having a different structural arrangement, as indicated in Figures 2 through 6. The North Wing (Senate Side) consists of barrel and groined brick vaults supported on brick and sandstone walls (Figure 7). The Central Wing consists almost entirely of groined vaults supported on brick pilasters, which are presumed to be bonded into rubble-and-sandstone walls (Figure 8). The second and third floors of this wing, which are of brick groined vaulting, were not constructed until 1902 when the Library of Congress moved into its own building. The South Wing (House Side) consists of vaulted construction only at the basement and first floor levels (Figure 9). The upper stories, contiguous to Statuary Hall, are supported on steel beams, except at the corners where there is brick vaulting. A steel trussed arch spans over the "Liberty" statue in Statuary Hall supporting the dome above, and springs from a location about 25 ft. inside the face of the west wall.

A fundamental characteristic of an arch or vault is that it imposes a lateral thrust on the supporting structure. A groined vault is an intersection of barrel thrust at its four corners (Figure 10). Most of the floor construction along the west front wall involves vaulting, but since the thrust from a barrel vault acts away from the curve of the vault, not all adjacent walls are subjected to a lateral force. Along Wall 6 [1] there is no lateral thrust applied to the wall because of the orientation and width of the barrel vault thrusts from reaching it. This is also true of the two floors below the Portico on Wall 4. Wall 2 has no thrust applied to it at the upper stories where floors are supported by steel beams or at the basement and attic where barrel vaults are oriented normal to the wall. The pattern is not the same at each floor level, as can be seen by comparing the plans in Figures 2 to 6, where the directions and relative magnitudes of the maximum horizontal thrust forces are indicated. The critical points occur at the corners.

The foundations are rubble masonry walls with rubble infilling. In some cases they have been given a degree of continuity through the use of inverted arches. To a significant degree, the interior foundation walls adjoining and normal to the exterior walls, participate with the exterior walls in carrying load to the soil below. Walls 1, 2, 6 and 7, and sections of the Walls 3 and 5, have been underpinned in the past.

2. Physical condition

A survey record of the major cracks and deterioration in the West Central Front is presented in Figures 12 through 17. Similar surveys by others, made in 1957 and 1960, and on a regular basis since then, are generally confirmed. All indicate the same cracking pattern with minor changes since 1957.

A review of reports published over the years indicates that evidence of deterioration was observed early in the life of the structure. The walls were painted in 1817 to arrest weathering. A report of dropped keystones was made in 1826, and reference to settlement, fractures and displacements was made in both the Mudd Report (1849) and Meig's Report (1856).

Exterior wall cracks occur typically within a vertical swath roughly located between the window jambs, in every bay. The preponderance of the open cracks is vertical, most of the horizontal cracks being hairline fractures connecting vertical ones. Substantial portions of the entablature, balustrade and second floor band course are spalled or eroded.

The areas most severely flawed are the presently shored screen wall sections at the two old terraces. These walls are a nonstructural veneer over the rubble foundation wall that would otherwise be exposed.

Elements of the portico entablature have failed structurally and are presently shored.

Many of the keystones over first floor windows have dropped, a condition which tends to grow over the years because of thermal expansion combined with wedging action.

B. Investigation

To analyze the structural problems an investigation has been made of the loads imposed on the structure by use and construction as well as the many environmental phenomena to which it is exposed.

1. Loads

Under the terms "loads" all external forces and environmental influences of the behavior and safety of the structure are considered. These include static loads, such as the dead load of the structure itself and the relatively stationary applied load, as well as dynamic loads such as wind, moving occupancy, earthquake and sonic boom. Environmental loads include temperature effects that cause relative movements of structural elements which, if restrained, produce stresses. Environmental loads also include the effects of volume changes due to moisture absorption as well as the consequences of foundation settlements.

(a) Static (Live plus Dead)—Critical bays have been analyzed for dead and live loading through the full height of the building. The results indicate that the walls, as originally built, are stable and the masonry is subjected to compressive stresses of the order of 100 pounds per square inch with a maximum of 236 pounds per square inch. These stresses are relatively low for the materials involved. Horizonal and vertical shear stresses are in the 10 pounds per square inch range. Since the strength of the sandstone averages about 6,000 pounds per square inch and the fieldstone about 14,000 pounds per square inch, compression failure of the stone should not occur. The lime mortar has a compressive strength varying from 100 pounds per square inch to 2000 pounds per square inch and is therefore the critical material. Under the maximum stress indicated it is possible that there has been local failure of the mortar with subsequent redistribution of stress to the stronger materials.

A reasonable criterion for the design of masonry construction is that the section be proportioned so the resultant of the loads remains within the kern of the section so that tensile stresses do not occur. As can be seen in Figure 11, analysis indicates that the resultant is within the kern, but in some cases is close to the boundary.

(b) Wind—The Uniform Building Code [3] prescribes a design wind pressure of 15 pounds per square foot for the height zone from 0 to 30 feet above ground, 20 pounds per square foot for 30 to 49 feet, and 25 pounds per square foot above 50 feet. The Building Officials Conference of America Basic Building Code [3] prescribes 15 pounds per square foot for the height zone from 0 to 50 feet above ground and 20 pounds per square foot above 50 feet. These are generally accepted building codes, and the Uniform Building Code criterion, which is slightly more severe, was adopted as the basis for analysis.

The wind analysis indicates that stresses in the walls are negligible, generally less than 1 pound per square inch.

(c) Earthquake—Earthquakes produce impulse loads which can cause structural damage. Buildings, whose dynamic characteristics produce resonant response to the disturbance are particularly vulnerable.

Washington is in a geographic area which experiences infrequent seismic events of low intensity. The U.S. Coast and Geodetic Survey Seismic Probability Map of the United States places Washington in Zone 1, which is associated with minor damage.

The Earthquake History of the United States, Part I, prepared by the U.S. Coast and Geodetic Survey (1958), shows no major earthquakes in the Washington area, but records minor shocks on: February 4, 1828, March 9, 1828, April 29, 1852, August 31, 1861, January 2, 1885, and April 9, 1918. The only record of shock intensity observed in Washington was measured as 5M.M.[3] in 1918. The Earthquake History summarizes the seismic record as follows: "Although no earthquakes are listed as definitely occurring within the District of Columbia, several shocks of uncertain origin have been felt there."

For the analysis of earthquake effects on buildings in areas where seismographic records are not complete, the lateral force provisions of the Uniform Building Code,[4] which are based on the recommendations of the Structural Engineers Association of California, are widely accepted. These determine separate values of the lateral force for the building itself, and for elements of the building, such as an exterior wall. As applied to the Capitol these values are computed as follows:

(a) For the building:

Total lateral force at the base is 1.25% W, where W is the total dead load.

(b) For the west front bearing wall the lateral force is 5.0% Wp, where Wp is the weight of the wall element.

Criterion (b) controls the magnitude of force to be used on the walls, and an analysis was made of the stresses induced by this lateral force at the exterior and interior faces of a typical bay or of the west wall. Earthquake forces are reversible and therefore additive, acting to augment lateral thrusts from the vaults.

The analysis demonstrates that earthquake stresses are relatively small as compared to dead and live load stresses to the structural integrity of the west wall.

(d) Sonic Boom—Sonic booms is a pressure differential resulting from a shock wave induced, among other things, by aircraft flying at supersonic speeds. It is affected by controllable factors, such as speed, altitude and maneuvers of the aircraft, as well as by non-controllable factors, such as meteorological conditions, topography and ground level air turbulence.

The sonic boom curve is often called an N-wave and its peak pressure intensity, or "overpressure," is the pressure above normal ambient atmospheric pressure. The push-pull characteristics of the N-wave have been related to secondary structural damage to buildings on the flight path, and regulation of flight operations is necessary to limit overpressure from aircraft operating too close to the ground. The intensity of sonic booms at ground level resulting from aircraft at normal operating altitudes is seldom above 1 millibar (2.0 pounds per square foot), and rarely as high as 2.5 millibars (5.0 pounds per square foot). Structural damage caused by sonic booms of these intensities is usually limited to non-structural elements of buildings, and results from the interaction of the

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impulse-type loading and the resonant frequencies of the affected element. When the duration of loading exceeds the natural period of the structural element, amplification of the static effect of the overpressure result. When the duration time is less than the natural period, smaller amplification may occur.

A simplified approach to the analysis of a structure under dynamic loading utilizes the concept of an equivalent static load which produces the same stresses and strains as would be caused by the dynamic loads. The ratio of the equivalent static load to the dynamic load is called the dynamic amplification factor and depends on the element's stiffness, natural frequency and damping, as well as the type and duration of applied loading. The dynamic amplification factor can be measured by experimental tests, such as those which are part of the National Sonic Boom Evaluation Project undertaken at Edwards Air Force Base. These tests furnish plots of amplification factor versus natural frequency, for each type of loading as related to types of planes at various Mach numbers and altitudes. Characteristic values lie between 2.0 and 3.0.

The fundamental natural frequency of the Capitol is in the order of 1 to 2 cycles per second, while that of the individual wall elements considered as plates is about 48 cycles per second. Though the building as a whole is little affected by dynamic amplification, an amplification factor of 2.0 is assumed. Wall elements are assumed to have a factor of 3.0. Even with these conservative values, and the rare occurrence of a free-field sonic boom intensity of 2.5 millibars (5.0 pounds per square foot), the corresponding lateral pressures of 10 or 15 pounds per square foot are lower than those associated with wind.

The effects of sonic boom associated with planes flying at supersonic speeds and present altitude restrictions will not adversely affect the west central front walls.

2. Foundations analysis

Consideration has been given to the possibility that the observed cracking and displacements of the walls constituting the west front of the Capitol might be due to some foundation inadequacy.

For this purpose borings were made to confirm soils information previously obtained along the west front and to recover soil samples for laboratory test. The soil profile, inferred from the new borings and from those made in 1957, and the laboratory test data, are presented in Appendix A, Section 3.

Failure of a foundation generally may occur in two ways. One is a shear failure of the supporting soil, in which the soil under and around the foundation is ruptured and a relatively sudden collapse ensues.

The second mode of foundation failure is by excessive settlement as the soil supporting the foundation is deformed by the imposed loads. As long as deformations are not excessive, the building accommodates itself to the deformation without serious damage, though some cracking may occur. If the deformations are excessive, wide and long cracks result and the building tends to separate into pieces. The definition of "excessive" settlement is a function of the type of building, the rate of deformation, the degree of uniformity of settlement and other factors.

Fixed numeric values are not applicable. For example, there are buildings in Mexico City which have settled upwards of five feet and remain in sound condition and continue in use. As a rule, designers endeavor to proportion foundations for a building of heavy masonry construction, not occupied by sensitive equipment, so as to limit the settlement to about 2 to 4 inches.[5]

(a) Shear Failure of Soil—The ultimate bearing capacity of the several soil strata supporting the foundations for the west front have been calculated. The principal soil strata are:

(1) A layer of sand and gravel directly underlying the footings, expending about 20 ft. below the lowest footing level and underlain by

(2) a layer of stiff to very stiff red-brown clay, averaging about 40 feet in depth and, in turn, underlain by

(3) a layer of compact sand, approximately 25 feet thick which is underlain by

(4) a hard gray clay, averaging about 30 feet in depth. This stratum is underlain by

(5) a compact sand and silty clay of undetermined depth.

The calculated ultimate bearing capacities of these strata are indicated in the following table, together with the calculated pressures imposed by the foundations. The ratio of the two is the safety factor.

Designers normally proportion a foundation to achieve a factor of safety of from 1.5 to 3 against a bearing capacity failure. Table 1 indicates that a minimum factor of safety of about 2 exists under the present circumstances. The corresponding soil pressure is relatively high, but far less than that required to produce a bearing failure. Further, the computed pressure is conservative since the calculated value represents a maximum condition, occurs only locally and is based on the assumption that there is no contributing support from adjacent interior foundation walls.

TABLE 1.—BEARING CAPACITY VERSUS IMPOSED PRESSURES

Soil stratum	Ultimate bearing capacity (tons per square foot)	Imposed pressure (tons per square foot)	Factor of safety
Sand and gravel	9.7	4.8	2.04
Red-brown clay	17.2	2.5	7
Sand	>10.0	.3	>10
Gray clay	>10.0	.2	>10
Sand	>10.0	.1	>10

Loss of strength of the clay soil due to long term strains is a secondary phenomenon occasionally encountered. However, calculations indicate that the shear stress intensity in the clay soil is too low to produce this effect.

Clearly, the wall has stood for the past 150 years. The computed factors of safety indicate that, barring some grossly changed condition, there is no danger of a bearing failure.

(b) Settlement Failure of Soil—For the soil profile which occurs beneath the foundations of the walls of the west front, settlement would occur in three stages. The first would consist of an almost immediate compression of the sand and gravel strata, followed by a somewhat longer-term (about 20 years), slow, progressive consolidation of the clay strata, conventionally known as primary consolidation. This would be followed by a longer term consolidation of the clay strata, known as secondary consolidation.

An empirical estimate of the compression of the sand and gravel, based upon the resistance to penetration of the sampling device, is in the order of one to two inches. Except for minor additional displacements due to alterations in the building which may have added more load, this displacement took place over one hundred fifty years ago.

The primary consolidation of the clay strata has been calculated from the data provided by laboratory tests. These computations indicate a total settlement of about one and one-half inches and this, too, occurred over one hundred years ago.

Secondary consolidation continues today at a very slow rate and is of limited magnitude: Calculations indicate that a total of about one-half inch has occurred in the past, and that a somewhat smaller amount will occur over the next one hundred fifty years.

It is estimated that the total settlement of the walls of the west front, to date has been about 3 to 4 inches. These settlements are on the high side of normal but they are not unreasonable or alarming. Future movements due to settlement will be very minor.

(c) Field Observations—Because of the complexities of the construction of the Capitol's foundations and the heterogeneity of the soil profile, the application of the theoretical analysis described above has been checked against field conditions, with the following results:

(1) There is no indication that a bearing capacity failure has occurred. This is in consonance with the computations which indicate that there is a substantial margin of safety against such a failure.

(2) It appears that the observed cracks in the walls of the West front are not due to excessive settlement. Evaluation confirms the report by Moran, Proctor, Mueser & Rutledge, dated May 1957, Volume 1, page 81, which indicates that a thorough inspection of the walls of the west front led to the conclusion that cracking did not relate to foundation settlement. The pattern of cracking and the general conditions and deformations are not indicative of a foundation problem. This confirms the computations, which indicate that the existing walls should not have suffered seriously from settlement of the foundation.

(3) Prior to this study a level survey was made which indicated that about ¼-inch of settlement occurred over a period of about 2½ years. This is inconsistent with the calculations, which indicate that whatever settlement of the foundation continues to occur is inconsequentially small. Accordingly, an independent check of the level points utilized by the previous survey was made. This most recent survey indicates that there has been no detectable settlement over the past two years.

3. Causes of damage

(a) Environmental Changes—The structural integrity of a building may be affected each time there is a change in the original structural arrangement or an environmental condition change. The extent to which past changes have caused a present threat to the safety of the structure must be evaluated. Table 4 is a list of such events which deserve special consideration.

The history of the Capitol is one of continuous change. Before it was occupied, faulty construction in the North Wing foundations had to be repaired by Dr. William Thorton, the designer of the Capitol. Parts of the South Wing foundations were torn down and rebuilt under Latrobe's direction. As soon as the South Wing was completed, the North Wing was practically dismantled and reconstructed to accommodate the Supreme Court and Library of Congress, in addition to the Senate. Roof leaks were reported in the North Wing before it was ten years old. A number of arch failures occurred, with subsequent reconstruction.

The British burned the Capitol in 1814, subjecting its materials to severe extremes of temperature. The construction which followed involved a complete structural change from timber to masonry vaulting for all floors, except the roof.

Around 1830, the Bullfinch Terraces were built and the North and South Wings were underpinned. More underpinning was done when the "new" Senate and House Extensions were built in the 1850's. Parts of the Central Wing walls were underpinned to make room for construction of heating furnaces. Underpinning may have resulted in some loss of vertical support with accompanying strain in materials which produces cracks.

The floor of Statuary Hall was once used as a mixing chamber for a hot air heating system, which caused volumetric expansion and contracting of an unusual nature. Hot

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air heating was replaced by steam, gas was installed, followed by electricity and, finally, the building was air-conditioned. In 1874 the first elevator was installed. Each change required new cuts into the structure and consequent readjustment of structural elements; see Plate 3.

In 1851 there was a fire in the Library of Congress, which had been moved from the North Wing to the Central Wing, and in 1898 another fire occurred, following a gas explosion in the North Wing.

When the Library of Congress moved into its own building, two new floors were installed in that Central Wing. About the same time, the timber Lantern Domes over both wings were removed and replaced by steel construction.

The sequence of construction is a significant determinant of differential settlement. The North and South Wings were built about 30 years before the Central Section was completed and the present cast iron dome replaced a wooden dome in 1863, thirty-three years later. As a result, the supporting soil strata under the three parts of the building were subjected to different loading intensities, hence different soil consolidation and settlement patterns. Evidence of articulation at the intersections of the three wings is probably in part due to differential settlement.

The building has adjusted itself to these changes or has been repaired to accommodate them as they occurred. This study indicates there is no observable threat to the structure due to past changes.

(b) Quality of Construction and Materials—In 1795, Dr. Thornton reported poor masonry work on the North Wing. A remedy was applied, but the suspicion has persisted that the Capitol foundations are of inferior quality. The notion was reinforced in 1804 when work on the South Wing had to be reconstructed. Assertions that these walls are merely two minor walls with the area between filled with loose rubble and mortar were contradicted by Dr. Thornton who referred to good bond stones intermingled throughout.[6]

Arch failures during construction were fairly common in those days and Thornton took occasion to remark on Latrobe's poor luck in this field.[7] Several failures were reported in the history of the Capitol's construction, and in each case repairs were made. One may wonder if, based on this history, other arches might be on the verge of failure. This study indicates that such fears are unfounded.

The Capitol in its present form is over 100 years old and most of the vaulting is over 150 years old. During that period the building has been subjected to high winds, shocks of seismic origin, and explosion, and numerous structural incursions to accommodate new facilities.

Wherever it can be seen, the brick vaulting is solid and firm with good mortar bond. There are many examples where vaulting has been cut and remains firm. Bricks exposed at the edge of openings in vaulting made for air-conditioning ducts, are supported solely by mortar bond and are not easily removed (Plate 3). Observed arches and vaulting have adjusted to change or were properly repaired to form a safe and strong structural element.

Interior damage to exterior walls is shown on Figures 16–17 but the evidence of damage is inconclusive because of the high standard of maintenance. Nevertheless, there are signs of water intrusion. Except for rooms H227 and S231, all interior wall cracks are minor, probably limited to the plaster.

In Room H227 a series of vertical cracks appear at a point corresponding to the junction between the South Wing and the Central Wing. Since the Central Wing was abutted to the South Wing, some 20 years after the latter was built, these cracks may be the result of an imperfectly bonded joint.

Some plans of the building in this area suggest that there are flues in the walls and these could be responsible for the damage.

In Room S231 the concentration of expansion and contraction activity which is typical at the corners of a building is evidenced by vertical cracks on the interior surface.

Cores of the upper walls show voided areas which may have resulted from the reported construction technique of infilling the walls with loose batches of stone and mortar. Condensation may keep lime mortar soft and some may leach out, causing voids or enlarging existing ones (see Figure 22). Grouting done under the Exploratory Work conducted as part of this report indicates that the foundation wall cores have an overall void ratio of about 5% and as high as 20% locally.

The void ratio of the upper wall varies from 5% to 10%.

It is suspected that a serious error in construction occurred because masons at the time did not cut and lay exterior sandstone with careful observance to the orientation of the bedding plans of the stone. Sandstone, though porous, will weather well if permitted to drain properly. If the stone is laid without regard to grain, there will be stones in which water will be trapped long enough to freeze and cause surface deterioration. The pattern of deterioration observed is consistent with this possibility since many stones are in good condition. Full confirmation of this theory cannot be obtained unless the entire surfaces of the walls are cleaned of paint and the sandstone is examined.

Painting the surface of stone is a reasonable method of preventing the intrusion of water, but there is a danger that it can become a cause of deterioration by permitting intrusion of water at some points and causing entrapment at others. Painting records are not available, but this aspect of building maintenance apparently was neglected between the years 1830 and 1850, according to Mudd,[8] who states his understanding that the Capitol had not been painted for 17 years.

Painting can have other deleterious effects. Components of the paint may penetrate the pores of the stone and react chemically with it. It will generally stain the stone, and attempts to remove the paint can cause further unsightliness as well as inadvertent removal of stone particles.

While painting has discolored the stone it appears to have provided protection more often than it has caused damage. Sandstone which has been painted has weathered better than much of the nearby marble which is not as old.

(c) Temperature—Most of the cracking and deterioration of the west wall can be explained by the effects of weathering and temperature. Structures adjust to temperature change through volumetric expansion and contraction. This process can be complex, taking account of building configurations, inside-outside temperature differential, the ability of the materials to transmit the imposed forces and the effects of water intrusion followed by expansion when it freezes.

The ways in which a masonry wall can be cracked by temperature changes are depicted in Figure 18, which demonstrates the fundamental action of expansion and contraction. With a rise in temperature, the wall lengthens. When the temperature drops, it tends to shorten. Because masonry is weak in tension it does not recover its original length if there is any restraint to this shortening. Instead, it falls at the section where the least amount of material is available—at door and window openings.

The manner in which this is compounded by structural configuration is demonstrated by Figure 18(b). When two parallel walls are linked by a third wall, the movements just described tend to distort the linking wall and cracks form at the locations shown.

These effects are compounded because of the restraint provided by floors and walls, shown in Figures 18(c) and (d). If the inside temperature is different from the outside, a warping effect results and the structure assumes the shapes indicated in the sketch. Since expansion and contraction occur vertically, as well as horizontally, the actual pattern is complex, but cracks tend to form as shown.

Generally, this effect would not be large enough to cause cracks, but it is continually reversible and becomes a determining factor when additive to one or more of the previously described forces. Once the stone has cracked, the wall does not return to its original position and a natural process of growth sets in. If the crack is filled with dirt, or patching mortar, or if a dropped keystone closes the gap, the wall becomes still longer upon expansion and the crack opens again when contraction occurs.

In the case of the Capitol walls, the described action is compounded by the great thickness of the wall and its 3-layer construction. The inner part of the wall is thermally stable while the exterior is exposed to the temperature extremes. The existence of a void behind the sandstone suggests that the sandstone may have some behavior independent of its backup wall. To the degree, that its internal geometry will permit, the exterior wall responds to temperature, and forms its own expansion joints by cracking in the manner shown in Figures 12–15.

(d) Settlement—Differential settlement of the foundations of a structure produces a characteristic cracking pattern in the supported masonry walls. These usually take one of the forms illustrated in Figure 19:

(1) If settlement acts to tilt or rotate one portion of the wall with respect to another, cracks will develop, as indicated in Figure 19(a), and the size of opening increases as it travels up the wall in vertical cracks or joints.

(2) More commonly, one portion of the wall drops with respect to an adjacent part and the openings occur in horizontal joints (Figure 19(b)).

Close inspection discloses relatively few crack patterns that could be related to foundation behavior. By themselves cracks are not evidence of settlement, and in the case at hand are explainable by weathering and temperature phenomena.

4. Exploratory Program[9]

As part of this study, plans and specifications were prepared for "Exploratory Work In and Adjacent to the West Central Portion of the United States Capitol", and a contract to carry out the work was awarded to Layne-New York Co., Inc. The purpose of the work was to determine the practicality and limitations of some of the restoration methods under consideration and their costs, as well as confirmation of data developed in earlier studies and reports. Determinations were sought for the following specific items:

(a) Drilling and Grouting—The primary purpose of the exploratory program was to determine the practicality and effectiveness of grouting the walls, using different techniques and materials. Underlying this work was the unknown degree to which the walls actually are voided, so an effort was made to determine the void ratio as well as the degree to which voids can be filled.

In 1964 some 63 cores were drilled in the west front wall. These were well distributed, were described and photographed in the Thompson & Lichtner report, and the cores are presently stored in the basement of the Rayburn Building. For the exploratory program. Layne-New York Co., Inc. drilled an additional 45 cores in much greater concen-

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tration in two test areas of wall. Because dry drilling tends to pulverize the core and wet drilling tends to wash out lime mortar and sand, good clean cores are seldom obtained and judgment is required to establish a void ratio. Additional information provided by the drilling process is obtained when there is a sudden change in the drilling pressure or the drill "falls through" a void.

When the wall was grouted, a careful record of the volume injected was kept as another indication of the existence and extent of voids. This record does not detect voids that are not filled, nor is there any way to determine exactly how far the grout traveled in the channels it found. Therefore, the indication is limited. It proves that voids exist, but it cannot prove that they do not exist or the degree to which they are filled.

At Wall A[10] there were 4 inclined grout holes and 14 test holes which were drilled after the grout was injected. In the test holes, a determination of the extent of voids, as compared to the extent of grout in the cores, was made to evaluate both the void ratio and the effectiveness of grouting. Logs of all drilling and grouting were kept, and a profile was recorded for the test cores.[11]

Of the 14 test cores taken in Wall A, 12 contained evidence of grout filled voids. The other 2 contained none, but also showed few voids. If a core contains a void not filled by grout, some conclusion can be drawn about the effectiveness of grouting. However, if there are no voids which might have been filled, no conclusion can be drawn except as to the degree to which it tends to indicate a solid wall.

In Wall B, one vertical grout hole and 8 horizontal grout holes were drilled. The holes were grouted and 18 test cores were taken.

Wall B turned out to be not typical [12] of the rest of the west wall since it did not have the extent of loose rubble in filling discovered in other areas in the 1964 investigation. The masonry units were large and the proportion of joints was, therefore, small. Out of the 18 test cores, 9 contained evidence of grout.

Wall A was grouted with Monomer, Epoxy, Neat Cement and Sand Cement in four different grout holes spaced about 7 feet apart. Altogether over 420 gallons, or 56 cubic feet of material was placed in the wall. This indicated that a considerable volume of voids existed and was filled; and it implied a void ratio of about 10%, if a normal distribution of voids existed around the grout holes. A normal distribution apparently does not exist, however, since over 50% of the total grout was placed in one of 4 holes and it traveled as far as 6 ft. in one direction and 12 ft. in another. Test holes also pierced many areas in which no grout was found and few voids were observed. The inference is that there are large voids, several inches in diameter, located in clusters, rather than a general distribution of fine voids. There are channels or seams through which grout can travel a great distance but these do not necessarily interconnect the larger voids.

The void ratio in the foundation wall, based on examination of the cores, is estimated to be 5% generally and 20% locally.

In Wall B, only cement grouts were used, and about 315 gallons of grout material were placed in the pier. Apparently, the only void in this wall was detected by the driller when the drill "fell through" consistently at about a depth of 2 to 3 feet from the face of the wall. The indicated volume would be equivalent to about a 5% void ratio. A 2½ inch continuous seam would also produce a 5% void ratio. What appeared to be this seam was observed as a ¼ inch crack when the wood paneling was removed to expose the wall near the window jambs.

In Wall B, 1 inch diameter horizontal grout holes, using about 20 pounds per square inch pressure, were as effective as was the larger vertical hole. With both grouting procedures, the conclusion was reached that the wall at this location is very solid. From examination of the 1964 cores, it is estimated that the void ratio for the upper walls is generally less than 10% and most of it is in the vertical plane, immediately behind the sandstone face. These can be best filled by grouting through horizontal or slightly tilted grout holes drilled through the face.

Of the four grouts tested, three proved superior: neat cement, sand cement and epoxy.

Monomer, an acrylic plastic, is a promising material with good laboratory test results, but the test program indicated a lack of field experience with the material, which restricts its applicability in a major structure. While the material soaks into the grouted wall quite effectively, its rate of cure was indeterminate. It also gave off an objectionable penetrating odor that cannot be tolerated in a building which is to be occupied during construction. It also is flammable and has a low flash point in the liquid state.

Sand cement grout was used with two different gradations of sand, was pumped both with and without pressure through 1 inch diameter holes and 3 inch diameter holes. With 3 inch diameter holes and well graded sand, it proved adequate. Since its prime virtue over neat cement grout is economy, it is not suggested for use in the foundation walls, where it would be less likely to seek out and flow through small channels which interconnect the voids. In the upper walls, it is recommended for use in conjunction with epoxy. To avoid damage to pumps and obtain good flow characteristics, the sand gradation must be rigidly adhered to.[13] The best mix for neat cement grout was 1.5:1 [14] and for sand cement grout 1.5:1:2.[15]

Grouts of the suggested mix ratios did not generally bleed through the wall joints. When they did, a self-sealing characteristic was evident. Bleeding quickly stopped and is easily retained by slight obstructions to flow.

Epoxy is very strong in extension, compression and bond. It is also effective in permeating a finely voided material, but relatively expensive. It should be used as an adjunct to sand cement for grouting the upper walls, where good bond is a desirable characteristic. After the wall has been grouted with sand cement, to fill the large void behind the sandstone, a second stage grouting of the same areas with epoxy would result in a strong wall.

Solidification of the wall will affect the thermal properties. Air spaces at voids in the rubble core offer practically no resistance to the transmission of water vapor but are effective insulation against transmission of heat. When the voids are filled with grout the transmission rate of water vapor is decreased and that of heat is increased. The result is a 10% net increase in heat loss or gain for a solidified wall.

Condensation in the wall will not occur during the summer. During the winter there are conditions under which condensation occurs for both the existing wall and a solidified wall. Grouting will not produce much change in this effect (see Figure 22).

(b) Soils and Settlement—Three soil borings were made and one-dimensional consolidation tests were performed on three undisturbed samples. In addition, three unconfined compression tests, and three sets of liquid and plastic limit determinations were made by Woodward-Moorhouse & Associates, Inc. Laboratory results are given in Appendix A, Section 2, and a general discussion is included in Part B2 of this report.

(c) Paint and Paint Removal—Efforts to remove old paint, which has a thickness of 90 to 115 mils, from the surface of the west central front wall were not encouraging. The methylene chloride base remover specified, was at least as effective as other removers which were tried, but none succeeded in producing a completely clean stone surface. Application of a hydro-silica jet, using 600 to 700 pounds per square inch pressure, did remove the remaining paint but it also removed a portion of the stone surface. The jet treatment was too harsh for use on carved stone. On flat areas, it would be effective but would require a follow-up rubbing and sanding to restore the surface to a reasonable plane. The removal of soft decomposed stone forms a sound base for bonding of applied protective coats, so plain water jetting should not be rejected as a removal technique unless extreme erosion occurs.

Several manufacturers and paint consultants were contacted and the consulting service of Mr. Arnold J. Eickhoff was retained. There was general agreement that chemical removal would have limited success. Other techniques suggested include flame, hydro-silica jet followed by sand blast using walnut shells, and mechanical removal using pneumatic tools.

Paint removal resulting in a perfectly clean exposed sandstone does not appear to be practical. Removal to permit inspection of sandstone and effective use of stone preservative can be obtained using conventional hand labor and chemical remover.

Present painting practice requires the use of paint meeting Federal Specification TT–P–102a. This is a paint particularly adapted to exterior use on wood. Use of a stone preservative or conditioner as a base coat for a latex binder paint should be considered. Laboratory tests of paint samples indicate that latex binder paints were used in recent paint applications on the west front wall (see Appendix A, Section 5).

(d) Stone Preservative. — The existing stone is soft and porous. Its life could be effectively extended if it could be hardened and/or waterproofed. Two commercially available products were applied to test portions of the wall and smaller specimens which were sent to the National Bureau of Standards for testing. Their report is included as Section 3 of Appendix A. Complete protection of the stone surfaces should combine caulking of cracks and joints with the plastic material, followed by application of stone preservative and two coats of paint.

(e) Source of Sandstone—As an adjunct to the exploratory work, two field trips were made to the Aquia Creek area in Stafford County, Virginia, from which the original sandstone reportedly had been obtained. One of these trips is documented by Mr. Thomas W. Fluhr, Engineering Geologist, in Appendix B. Old quarries were discovered, but the findings were no more successful than similar efforts undertaken by Latrobe between 1805 and 1819. If good stone is there, it is well beneath the surface and expensive exploratory work would be required to discover it, with no guarantee of results. An even more expensive quarrying operation would then be required to uncover it. That would also be a gamble because it has been stated that blasting has been used in the area for the extraction of gravel. Such blasting may have shattered what otherwise might be acceptable sandstone.

What stone was visible on the surface during these inspections at the quarries had considerable quartz pebbles or was badly decomposed. An area visited on the second trip to the Aquia Creek area was possibly quarried in the 1930's, judging by the vegetation over the cut: see Plate 4. Here the volume cut was relatively small and the quality apparently ran out.

C. Conclusions

The many cracks and surface flaws do not significantly impair the ability of the west central front wall to continue to support the loads imposed on it. There are voids in the walls which do affect its strength.

Materials are of a quality and strength in excess of that required for safety, with the exception of the lime mortar cementing agent which ranges from fair to poor. The

Footnotes at end of article.

poor material is generally in the central core of the wall, which can be assumed 50% efficient without causing overstress in the remaining portions of the wall.

Because there have been so many environmental changes during the course of the Capitol's history, there is no way of being certain that the building has all the characteristics of the original structure or those assumed in the computed structural analysis. Therefore a structural restoration program is required. Also, maintenance policy should require that all future installations of mechanical equipment, devices, chases, etc., be preceded by a structural analysis of affected elements.

If the wall voids were filled, exterior cracking would be inhibited by transfer of stress to interior portions of the wall. Generally, however, cracking will continue to occur as the wall adjusts to temperature change. A series of control joints must be provided to insure that these cracks occur at preselected points. Control joints must be caulked with plastic materials, which will stop the intrusion of water. With these measures future cracking should occur at a much reduced rate.

The following are specific conclusions and restoration procedures which apply to the different parts of the building, considered from the standpoints first of structural restoration and preservation.

1. Structural

(a) Soils [16]—Laboratory tests of soils beneath the Capitol indicate that the imposed loads are carried safely with a very small amount of anticipated future settlement.

In the past, settlement has occurred and since the three wings of the Old Capitol were built at different periods of time, there undoubtedly was differential settlement. The cracked vertical joints at the intersections of the three wings may be the results of this effect. Present settlement is negligible.

Neither underpinning of foundation walls nor chemical injection of soils is necessary.

(b) Foundation Walls—Foundation wall masonry is laid in lime mortar bedding of varying strength in a low range. The interiors of the walls were reportedly not laid in regular courses but filled with mortar dropped on the stones. Drilling conducted in the field test program indicates that this condition might exist locally rather than generally.

It is desirable to solidify the interior of the foundation walls to remove discontinuities and provide a relatively monolithic condition. The walls should be pointed. Then grouting can be accomplished with cement grout followed by epoxy. Use of epoxy grout would provide cohesive strength to existing mortar.

Experience in the exploratory program indicates that for foundation walls a first stage cement grout should be injected under pressure. Holes should be 2 to 3 inches in diameter, slightly off vertical, and spaced at about 3 feet on centers. Second stage grouting with epoxy should be in 2 to 3 inch round holes located between the first stage holes. To obtain a positive tie, steel rods would be inserted in the holes immediately upon completion of each grouting operation.

(c) Screen Walls—The screen walls at the lower old terraces are out of line and at some points could buckle despite present shoring. Although this veneer is non-structural it does provide protection against the weather for the rubble foundation wall behind it. Because the protection is important, and because the wall is unsightly, the screen wall should be rebuilt.

Earlier investigations showed that the veneer is generally six inches thick, with a three to four inch air space behind it. Rusted remains of ties were found, indicating that some attempt to bond the veneer to the wall behind it had been made.

To restore the screen wall it should be removed and the stones cleaned and trimmed. Broken stones should be repaired or replaced. Before replacing the screen wall, the rubble wall should be grouted (see Figure 20). Using the original stones, the wall should then be replaced plumb and true with bonding ties located at each course and doweled into the rubble wall and the space between veneer and rubble wall should be filled with cement mortar as each course is laid. The wall should be treated with preservative and painted, in consonance with the main walls.

(d) Terrace Walls—The old terrace walls, located about 20 feet forward of the screen walls, are gravity retained walls founded on stone bases about two feet below the adjacent ground. Cracks in the terrace floor slab indicate that these walls have moved an inch or two forward of their original position.

To restore the walls, they should be dismantled and rebuilt on a concrete footing founded below the frost line. The stones should be repaired, cleaned and treated with preservative.

(e) Upper Wall Repairs [17]—Cracks in the walls are generally due to thermal effects. This has been aggravated by the freezing of intruded water and other environmental effects.

Unless expansion joints are provided, cracking will continue. Studies made to develop an expansion point detail did not succeed in eliminating the possibility that difficulties would be increased rather than relieved. However, cracks can be minimized and progressive growth can be inhibited by solidifying the walls with grout and providing caulked control joints between window heads and sills as indicated on Figure 21, at the locations shown on Figure 3.

To strengthen the wall it should be grouted. This should be done in two stages; an injection of sand cement grout under pressure through 2 inch diameter horizontal holes to fill the largest voids, followed by an injection of sand cement grout under diameter inclined holes. Holes would be spaced at about 3 feet, on a grid, but would be located after paint removal to arrange, to the extent possible, that they occur in stones scheduled for repair.

To tie the wall together and to add strength, ½-inch diameter steel reinforcing rods should be inserted in grout holes immediately upon completion of the grouting operation in each hole. When interior walls about the west wall at pilaster lines, ties should be extended into them (Figure 20).

The building corners are the location of the most severe stone damage. Corners can be stabilized by cross ties, as shown on Figure 20. An alternate method for accomplishing this would require the vacation of corner office space during construction. Under this alternate, existing flooring and sand fill would be removed and a structural slab, tied into the walls, would be poured. This would stiffen the corners and make them strong buttressing elements.

Surface deterioration is due to weathering and freeze-thaw of entrapped moisture. Though unsightly it is of minor structural importance. Some stones are so far eroded that they should be replaced but others, less seriously deteroriated, may be tolerated as an expected sign of age. Future damage by intrusion of moisture or paint can be controlled by the application of a stone preservative and joint sealant, a procedure which should be applied at regular intervals.

Faulty face stone can be removed by saw cutting, line drilling and chipping, then replaced with new stone. Carved stone, unless basically faulty, can be repaired in place. Entablature elements can be removed by cutting and chipping, as shown on Figure 20. To avoid removal of elements above it, and subsequent danger to vaulting below, entablature pieces should only be removed back to the approximate facestone line and replacement pieces installed using reinforcing anchors with epoxy cement.

(f) Portico Repairs—Spanning members in the Portico have failed and must be repaired. The entire balustrade and entablature over the Portico should be removed down to the column capitals.[18] Broken lintels may be pieced together and made strong by using post-tensioning techniques. All members should be cleaned, treated with preservative and replaced with a new reinforced concrete backup well (Figure 21).

Columns and their bases can be replaced by sister elements from the East Face stored stone. East Face members are monolithic and are in better condition than the West Portico columns which are made up of varying length drums. East Face column bases are also in better condition and should replace those in the West Portico.

(g) Window Lintel Repairs—Broken lintels should be removed, repaired using post-tensioning methods, cleaned, treated with preservative and replaced (see Figure 21). Where eroded edges make this impractical, new stone must be used.

(h) Window Keystone Repairs.—Many window keystones have dropped. Old mortar repair material at the top of the stone should be removed by saw cutting and chipping. Adjacent stones should be removed to the extent necessary to gain access to the sides of the keystone (Figure 21). Then the keystone should be jacked into its original position and supported there on steel stubs inserted in the sides. Access holes would then be closed with new stones.

2. Architectural

"Restoration, used architecturally, means putting back as nearly as possible into the form it (a building) held at a particular date or period in time." [19]

The initial construction of the North Wing was completed in 1800, the South Wing in 1808 and both had an exposed sandstone finish until the structure was damaged by fire in 1814. During repairs subsequent to the fire all exposed stonework was painted. The Central (Portico) Wing was not completed until 1829 and it is assumed that the stonework was painted as part of the construction process to match the adjacent wings. The entire west central front has remained painted ever since and has been repainted many times. There may be some question whether true restoration in this case should result in an exposed sandstone surface or a painted surface. Both approaches are treated in the following discussion and are included in the cost estimate as Schemes 1 and 2, for painted sandstone, and exposed sandstone, respectively.

As a practical matter, Scheme 1 seems most attractive. Those portions of stone which were uncovered during the exploratory work proved to be badly stained and a good portion of it was of relatively poor quality. There is the possibility that a greater portion of stone will need replacement than survey of the painted surfaces would indicate, in which case the supply of East Face stone could be insufficient. Scheme 1 is preferable for these reasons and because, in this case, a painted finish seems to most faithfully fulfill accepted standards for restoration.

(a) Scheme 1—Painted Sandstone—If a painted stone surface finish were elected, the color quality of stone used for repairs would not be important. Repair methods would follow procedures outlined below for exposed stone finish, but replacement stone would not have to be Aquia Creek sandstone.[20] Equivalent surface texture could be achieved by prefabricating stones to the required dimensions. Carved stonework elements could be replaced in part by doweling in new parts when deterioration was limited, or a whole block would be used in more severe cases. Details of Figure 20 would apply.

Upon completion of repairs the joints

Footnotes at end of article.

would be sealed and the whole wall surface would be treated with preservative and painted.[21]

(b) Scheme 2—Exposed Sandstone—Paint would be removed from the existing surfaces by chemical and/or mechanical means.

A detailed inspection would then determine what stones are visually and structurally unacceptable. These would be removed by sawing, line drilling, and chipping to a depth of about 6 inches. A "new" stone [22] would then be cut to precise dimensions and inserted in the space on an epoxy mortar base and anchored with ties into the backup wall against epoxy mortar backing. The process would be repeated stone by stone, avoiding the removal of adjacent stones at the same time, or a quantity that would imperil the structural integrity of the wall.

When all faulty stone was replaced, joints would be struck flush and treated with plastics sealant. The entire surface would then be treated with preservative, a treatment which would have to be repeated at about ten-year intervals as standard maintenance.

The stored stone from the East Face (Plate 2) is generally 12" to 24" in depth. Its back portions could, therefore, be cut for face stone inserts, leaving the carved forward portion with ample depth to be used as replacement for deteriorated West Face carved work. That supply would, therefore, provide 3 to 4 times the square footage of wall that its cubage would imply.

Deteriorated balusters would be replaced in whole. Broken cornice elements would be replaced as shown in Figure 20, and the entire top surface of the entablature would be capped with flashing in fashion similar to that used on the Senate and House Buildings.

It is not suggested that stone elements, such as cornice members or column caps, should be replaced simply because a leading edge or some of the decorative carving has eroded. The Capitol is 150 years old and should give an impression of venerable age, not a crisp newness that denies its historical background.

Effective grouting will require relatively close spacing of drill holes vertically and horizontally in the upper walls. This would increase the need for the replacement stone required to obtain an unflawed surface, possibly in excess of that available in the East Face storage piles. For Scheme 2 this would mean either some proportion of artificial replacement stone, or toleration of a pock-marked appearance on a fairly regular grid. Under Scheme 1 this would be of no concern, since patch marks would be painted over.

3. Other restoration methods

Other approaches to restoring the West Wall were considered and abandoned upon evaluation. In particular, the following deserve mention:

(a) Marble Facestones—Thomas U. Walter, Architect of the United States Capitol Extension and designer of the Capitol Dome, described this proposal in 1850: "I may venture further to suggest that it would by no means be impracticable to remove all the facing of the present building and substitute marble, without interfering at all with the stability of the structure. If, therefore, the work is commenced by facing the new part with marble, the day will no doubt come when we shall have a marble Capitol upon which time can work but little change." [23] Procedures would follow a pattern similar to that for Scheme 2, except that replacement would be marble and replacement would be entire. This would be accomplished by using a checkerboard pattern of removal and replacement stone by stone. Upon completion, the building would look exactly like the existing building, except that it would have a marble surface and would look new. Details would be similar to those in Figure 20.

The concept is considered to be reconstruction rather than restoration and, it is estimated that it would cost $31,053,000.

(b) Marble Veneer—To reduce the cost of the preceding scheme an extremely placed marble veneer was evaluated. This concept would involve application directly to the existing surface of the wall following removal of projecting elements. Dimensional problems are produced which violate the principles of restoration, and the additional weight of 5,000 lbs. per foot of wall creates foundation problems. This procedure is judged a poor bargain at a high cost.

(c) Buttress Wall—In this concept a new wall would be constructed in front of and bonded to the existing wall to reinforce it. It would rest on its own foundation and be constructed of reinforced concrete faced with sandstone or marble to replicate the wall behind it.

The technique was set aside because it imposes dimensional changes to the architectural elevations which would not be simple to conceal, because it is neither "restoration" of the structure nor preservation of an historical monument, and because, structurally, an adequate, less expensive solution is available.

(d) Replacement Wall—The existing wall could be dismantled and replaced by a new wall incorporating reinforced concrete construction faced with sandstone or marble to the exact dimensions of the existing building. Again, this would mean the obliteration of the historical monument and replacement by a replica. It would also necessitate abandonment of offices along the wall for an extended period of time.

The most telling objection to this concept, however, is the complicated construction methods and tight control that would be necessary to accomplish the actual construction. A complex shoring system put in place as dismantling proceeded would require an intricate sequence of operations to prevent collapse of the work immediately involved and damage to interior spaces. Complicated construction means expensive construction. This and the hazard justify setting aside the technique.

D. Implementation

1. Structural repairs

If structural repairs are made, they should be carried out as a continuous operation proceeding from Wall 1 to Wall 7,[24] as indicated on the Projected Progress Schedule, Table 2. Walls 1 and 2 would be completed before proceeding to Wall 3, etc., so that the architectural restoration work could follow as soon as structural repair was accomplished, and a regular sequence of progress maintained. Walls 1 and 2 are chosen for initial work because fewer offices are in the South Wing adjacent to the west front wall. This would permit practical methods and procedures to be developed by the contractors and would achieve a smooth running operation before the work proceeded to the busy areas.

It is not anticipated that any rooms would have to be vacated, unless it was decided to adopt the poured slab technique for corner offices as previously described. This technique is unacceptable because its use disqualifies restoration.[25] Economy and certain structurally desirable characteristics accrue to the poured slab method of tying in the corners, but a structurally adequate alternative is available.

Working access to the walls would be via temporary ramps and bridges from a work and storage area in the southwest Capitol lawn (see Figure 1). The public would thus have unobstructed access to the Capitol and its terraces at all times.

2. Architectural restoration

Concurrent with structural repair operations a careful inspection must be conducted to establish the extent of necessary restoration and the proper sequence of operations. All dimensions necessary for shop drawings and models would be made and when structural repairs were finished the stonework operation would begin.

The experience gained by the test removal of paint, performed as part of this study, indicates that it will not be possible to completely remove the paint and paint stain without some damage to the stone. If, however, a degree of removal which results in an acceptable surface can be accomplished, restoration Scheme 2 could be adopted. Contractual agreements for the work could be written to permit a change to Scheme 2 if in the judgment of the responsible authorities the results of cleaning provide an acceptable finish.

3. Work scheduling

It is estimated that, with proper timing and phasing, the work can be accomplished in about three years with no single wall section being scaffolded for more than one year. The Projected Work Schedule, Table 2 indicates the general sequence and timing for the various operations.

The schedule shown is only one of many possible variations. Separate work operations can proceed concurrently and more than one wall can be operated upon at one time. This would be a matter of manpower and coordination; the final contract should include a network schedule. The schedule shown is presented as a reasonable approach.

A lead time of at least 6 months would be required for the preparation of plans and specifications, advertisements, and awarding of contract.

E. COST ESTIMATE

Table 3 is a tabulation of estimated quantities and costs for Schemes 1 and 2, summarized as follows:

Scheme 1—Painted Sandstone $13,700,000.

Scheme 2—Exposed Sandstone $14,500,000.

Included are amounts for replacement of all windows, repair of existing roof slabs and old terrace walls, bird proofing, delays, funds for emergency repairs, and a contingency of 15%. Unit costs include an escalation factor. A liberal amount is included to cover full-sized trial method experiments which will be necessary to establish the best procedures during the early stages of the work, as well as retention of stone artists and experts to measure and make models for special carving and repair work.

The third Commission condition stipulates that "restoration can be so described or specified as to form the basis for performance of the restoration work by competitive, lump sum, fixed price construction bid or bids". A cost plus contract with an "upset price" seems more realistic and could be obtained on a competitive basis.

FOOTNOTES

[1] Figures are not reproduced in RECORD.

[2] 1967 Ed., Sec. 7140.

[3] The M.M.= Modified Mercali Scale, is a measure of ground shaking, a value of 5 representing a shock felt by most people, with breakage of dishes, windows and plaster.

[4] Ibid., Sec. 2314.

[5] See *"Design of Foundations for Buildings"*, by S. M. Johnson and T. C. Kavanagh, pages 135 and 136.

[6] Glenn Brown, *"History of the Capitol,"* page 37.

[7] Ibid., pages 42–43.

[8] Mudd Report, (1849), *"Documentary History of the Capitol."*

[9] See Appendix A for field reports, and data developed from this work.

[10] A rubble foundation wall. See Appendix A, Section 6 for contract plans which show exact locations of grout holes and test cores.

[11] Ibid., Section 1.

[12] Including the fact that one of the face stones was granite rather than sandstone.

[13] See Specification, Appendix A, Section 6.

[14] Water: Cement, by volume.

[15] Water: Cement: Sand, by volume.

[16] See Appendix A for computations and soils data.

[17] Damaged areas are shown on Figs. 12–15, and repair details are shown on Figs. 20–21.

[18] In this case, removal of upper elements will not endanger vaulting below.

[19] Orin M. Bullock, Jr., A.I.A., *"The Restoration Manual"*, (1966)

[20] The use of East Face stone is not prevented by the fact that a painted finish is used. Its limited supply is simply removed as a factor.

[21] Painting restores the surface to a condition it enjoyed for 150 years as did the White House, recently restored in similar fashion.

[22] This material can be cut from East Front stone presently stored at two sites: The Capitol Power Plant Yard and Rock Creek Park.

[23] *Documentary History of the Capitol.*

[24] For wall designatons see Fgures 2 to 6.

[25] See page 1 of this report-Commission condition No. 2.

THE POSITION OF THE AMERICAN INSTITUTE OF ARCHITECTS ON THE PROPOSED EXTENSION OF THE WEST FRONT OF THE CAPITOL

(Mr. STRATTON asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. STRATTON. Mr. Speaker, when this House begins to debate the question of extending the west front of the Capitol we are in the area of architecture. Indeed the architect of the Capitol himself has urged this extension action.

So it is essential that when we debate this issue we have clearly before us the position of the foremost professional association of the architectural profession, the American Institute of Architects, the AIA.

They are against the extension and they have some solid reasons for their position which we would do well to consider when we debate this issue on Wednesday or Thursday.

Incidentally, the new Capitol architect, Mr. George White, is a member of this organization and shared its views prior to the time he went on the congressional payroll. After he was on the payroll, of course, he changed his mind, as the public record will show.

But, Mr. Speaker, here is the report of the AIA as well as an up-to-date statement of their views, which are in clear contrast to the newly-formed point of view of the new architect of the Capitol.

Under leave to extend my remarks, I insert the report of the AIA Task Force on the West Front issue, dated September 1, 1971.

I also include a copy of a published release by the AIA dated June 22, 1972, reaffirming their opposition to the proposed extension project:

REPORT OF THE 1971 AMERICAN INSTITUTE OF ARCHITECTS TASK FORCE ON THE WEST FRONT OF THE U.S. CAPITOL, SEPTEMBER 1, 1971

In response to a request from George M. White, FAIA, Architect of the Capitol . . . "to have The American Institute of Architects review the information and circumstances involved in the proposed extension of the West Front of the United States Capitol", the President of The American Institute of Architects, Robert F. Hastings, FAIA, appointed a review Task Force.

The AIA members appointed by President Hastings to this Task Force were: Milton L. Grigg, FAIA, Chairman; William W. Caudill, FAIA; Leon Chatelain, Jr., FAIA; Francis D. Lethbridge, FAIA; Harry M. Weese, FAIA; and Maurice Payne, AIA, Staff.

They were directed by President Hastings, "to examine AIA's position on the West Front of the Capitol now that the engineering report (the Praeger Report) has been submitted."

The full Task Force met at AIA Headquarters in Washington, D.C. on May 26 and 27, 1971, to review background material previously distributed including the Praeger-Kavanaugh-Waterbury report on "Feasibility and Cost Study for Restoration of the West Central Front of the United States Capitol". Architect White, Assistant Architect of the Capitol Mario E. Campioli, AIA, and Philip L. Roof, Executive Assistant to the Capitol Architect, met for a period of time with the Task Force and were the gracious hosts for a general tour of the Capitol building by the Task Force on the afternoon of May 26th.

Subsequent detailed inspections of the Capitol and informal meetings with the Capitol Architect were held.

TASK FORCE REPORT: RESTORE THE WEST CENTRAL FRONT OF THE U.S. CAPITOL

Having studied and analyzed the report by Praeger-Kavanaugh-Waterbury on "Feasibility and Cost Study—Restoration of the West Central Front—United States Capitol—January 1971", the AIA Task Force is unanimous in endorsement of the method of analysis, the general findings and the conclusions of the report. It offers conclusive evidence to sustain the Institute's resolution for, and belief in the practicality of restoration of the West Front in situ.

It is our opinion that the proposed restoration as recommended by the Praeger Report fulfills the five conditions for restoration as set down by Congress in Public Law 91–145:

1. That the restoration can, without undue hazard, be made safe, sound, durable and beautiful for the foreseeable future.

2. That restoration can be accomplished with no more vacation of the west central space than would be required by any extension plan.

The Praeger Report provides proper methods of restoration. The Task Force recognizes that the work could be done on a competitive, lump sum, fixed price construction bid or bids but we feel that competitive bidding for a fixed profit and overhead with the work being done on a cost basis should be strongly considered in the same way the White House restoration was accomplished.

4. It would be impossible for anyone at this stage of study to guarantee a total restoration cost. However, the Task Force felt that the Praeger Report methods and budget allowed adequate contingency.

5. The Task Force is certain that the restoration work would not exceed the projected time estimated for accomplishing the extension plan.

This Task Force recommends that the present perimeter facades of the Capitol building be declared inviolable and the surrounding grounds, bounded by First Streets, East and West, and Independence and Constitution Avenues, be declared open space, devoid of significant structures protruding above present grade levels. Extant mature tree groupings in these surrounding grounds also should be declared inviolable and sub-surface development be encouraged but confined to areas now either in grass, paving or shubbery.

PREPARE A COMPREHENSIVE PLAN FOR LONG RANGE DEVELOPMENT OF THE PROPERTIES UNDER THE JURISDICTION OF THE ARCHITECT OF THE CAPITOL AND THE SURROUNDING AREAS

The Task Force observed, that the present space usage in the Capitol is crowded, misused, or underused; that many functions now located in the Capitol have questionable need of being there; and some functions are duplicated. The Task Force was made aware of the need for additional space by Members of the House of Representatives, especially space adjacent to the House Chamber.

Present preliminary findings of the Architect of the Capitol, following a space need study of the House of Representatives, would seem to indicate that any proposed future extension of the Capitol will not begin to meet present, least of all projected, space needs.

The Task Force reaffirms the AIA's historic position that Master Planning of the Capitol must be undertaken if impetuous action by the Congress is to be avoided. This planning should include 1) an inventory space utilization of present buildings; 2) an analysis of floor area ration within the confines of the present Capitol area; 3) a study of possible new land acquisition; 4) a study with particular reference to below surface development capability, categories of use, and environmental factors.

Consideration must be given to the displacing of routine services or lower priority functions now occupying space in the Capitol to new locations.

With the realization of the Metro system, the Visitor's Center at Union Station and the emergence of new people-mover systems, all parking should be remoted and the Capitol's surrounding groups cleared of all but official business cars. New systems of shuttles, horizontal elevators and even a Metro branch should be considered. They could provide fast, automatic, safe and frequent service between all of the buildings in the Capitol complex and would make ready proximity a question of time rather than distance.

It is the recommendation of the Task Force that the Architect of the Capitol could and should request the counsel and guidance of leading architects and other design professionals. Since the future of our Capitol is of deep concern to all Americans, their gratuitous participation in the development of a comprehensive plan can be expected.

TASK FORCE OBSERVATIONS ON THE PRAEGER REPORT

Settlement

(1) Soil pressures are such that there is a 2-to-1 factor of safety.

(2) Further settlement can be expected over the next 150 years, but in order of the ½ inch of the past, which occurred at the outset.

(3) There has been no evidence of differential settlement.

Cracking

(1) Thermal movement and frost action over the years, as between the interior rubble wall and the sandstone face, has caused local failure to cut stone creating a natural pattern of vertical cracks from top to bottom approximately 30 feet apart.

This is a natural phenomenon which designed control joints obviate. The report recommends making control joints of the existing pattern of cracks. There is no reporting of settlement cracking nor out-of-plumb walls.

Erosion and spalling

(1) Sandstone weathers well when laid on bed faces for natural drainage of trapped moisture from within the wall. Improper stone cutting in some cases, but more important, the use of oil paint over the years, has trapped moisture and contributed to surface spalling. The effect is superficial and akin to accelerated weathering. Modern paints which allow the wall to breathe obviate this. The aesthetic effect is that of time making its mark. No attempt should be made to deny these minor inroads of time.

(2) Significant deterioration was noted on marble surfaces on the Olmsted terraces—a

condition that would "flash a warning" whenever future consideration is given to wearability of various stone surfaces.

Loose or cracked stones

(1) Certain stones, voussoirs, flat arches, quoins, and cornice members are in need of affixing to the backup masonry. They are visible and can be treated with modern rock bolting techniques and post tensioning.

Wall strength

(1) The facing stone is bonded to the rubble wall with alternate courses, making a physical bond uniting the wall in a series of vertical shafts separated by the aforementioned natural control joints. These walls are over 4 feet thick at the foundations. They are not overstressed, taking 236 p.s.i. maximum loading with the stone itself capable of 6000 in the case of sandstone and 14,000 for rubble fieldstone. The lime mortar is the limiting factor, but there is no reporting of vertical displacement or cracking of interior walls. It is proposed that a grout injection to fill voids in the mortar matrix and bond the exterior wall to the interior would add strength.

After paint removal and patching and further measurements, it may prove that grout injection could be limited to the lowest story or localized or could be eliminated altogether. It is not clear that so-called solidification of the wall is called for, but this task force defers to the judgment of the Praeger report.

(2) On page 10, near the conclusion of the portion of the report on the experimental wall grouting, amplification and clarification would seem desirable. The type of epoxy as a final bonding material is questioned and should be clarified to the extent that description is not found with respect to the viscosity of the material proposed. Elsewhere, it is reported that various formulations seem to be identified. Furthermore, experience elsewhere indicates that ferrous metals and certain epoxy compounds are not mutually compatible and that deterioration may occur in both materials through chemical action; hence, use of iron reinforcing rods should be evaluated.

(3) There is discussion of the thermal effect of solidification of the wall resulting from the infilling of the present cavity. This phenomenon is not discussed in great detail other than to conclude that there is to be predicted a 10% net increase in heat gain or heat loss in the solidified wall. The effect of this change in the internal structure of walls of such comparatively great mass bears closer investigation.

It is probable that it will require an interval of time, perhaps 18 months to 2 years, for the long stabilized thermal and hydro balance within the walls to become re-established, responsive to modifications resulting from the filling of the voids and the possible modification in the reverse permeability or breathing property of the wall.

Moisture

(1) It is difficult to accept the categorical statement that "condensation in the wall will not occur during the summer". The computations on Figure 22 do not appear to indicate a recognition of the lag in change of the ambient humidity and temperature of the internal wall volume and it is possibly questionable whether the conclusions shown thereon are valid without further experimental documentation.

(2) The Praeger Report does not contain a bibliography, therefore the following paper may have been available to the authors. Reference is made to *Consolidation des Monuments D'Architecture par injection dans les Maconneries*, Moscau N. Zvorikine. From this, it is seen that the Russian experiences indicate that the epoxy infilling should not be impermeable to moisture; therefore, the formulation of the material ultimately used should be investigated in light of these reported results.

It was found that the dilution of the epoxy with a solvent helped to provide better penetration and greater adhesion and, at the same time, did not produce a mass incapable of "breathing".

In the same connection, we were informed by Dr. R. M. Organ, Chief, Conservation—Analytical Laboratory, Smithsonian Institution, that Savestone is an excellent material, particularly if the manufacturers are at this time employing the Lewin Sayre patents. Acrylic plastic compounds have elsewhere been found to be very deleterious in these uses and should be avoided.

The Report suggests quite discouraging results from the several experimental methods of removing the old paint from the stone. From other sources, it has been found that the Methylene Chloride paint remover which was used, while not formulated for removal from stone surfaces, actually can be made very effective when combined with a neutral jelly to create an emulsion, keeping the mixture moist for a longer period. (Actually, in the results cited, the coated stone surfaces were covered with aluminum foil to prevent accelerated evaporation). The latter expedient might increase the effectiveness of the gel remover reported.

In this connection, it is somewhat surprising to find that the report does not cover the matter of vapor transmission more positively. It would seem desirable to investigate the advantages of providing a vapor barrier back of the plaster on exterior wall surfaces. It is possible that this will alleviate the tendency for plaster fatigue through thermal and moisture changes as well as more effectively stabilizing the moisture content of the interior of the interior of the wall volume. This vapor barrier, if found to be necessary, could be of the framed-in-place variety, thus avoiding extensive replastering.

(3) Apparently, the authors of the Report have not found conditions to indicate the desirability of horizontal moisture barriers in the base of the walls to offset the capillary action often found in walls of this mass and porous character.

Performance design

(1) The Praeger Report analyzes the structure and loadings of the West Front portion of the Capitol building and proves they are within the parameters of sound practice. The effects of static and dynamic loadings and soil pressures due to dead load, live load, wind and seismic forces, and sonic booms have been given complete attention and analysis.

Painting

(1) The continued use of oil paint in many applications 15 to 105 mils thick has caused accelerated but not severe weathering. Modern breathing paints will obviate this difficulty.

The Capitol is made of three materials: yellowish standstone (original wings), Walter's marble House and Senate extended wings, marble East Front extension and the cast iron dome. White paint on the sandstone and dome is used to unify the ensemble. This has been the style for more than 100 years. The White House is painted stone. London abounds in painted stone. The tradition of painting should continue.

RELEASE FROM AMERICAN INSTITUTE OF ARCHITECTS

The American Institute of Architects supports the provision in the Senate version of the 1973 Legislative Appropriations Act, H.R. 13955, which prohibits the use of funds for the preparation of final plans or for any construction on the West Front of the United States Capitol Building because Congress must first carefully weigh and vote on the issue of preservation. The restoration study of the West Front, as authorized by Public Law 91–145, states conclusively that restoration of the West Front is practical, economical, and desirable.

To proceed with extension of the West Front would be in complete disregard for the heritage of our country and of our national government. Only if this last remaining original facade of the West Front is restored and left visible will the continuum of the history of the United States be evident in our Capitol.

Furthermore, extension would be in expensive disregard of commonsense, long range planning for the future needs of Congress. A halt to piecemeal new construction of this nature must be called, and called now, until such time as comprehensive, long range plan is made to accommodate all the functions and facilities of Congress in the most efficient and effective locations.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows to:

Mr. SCHNEEBELI (at the request of Mr. ANDERSON of Illinois), for June 27, 28, 1972, on account of official business.

Mr. BURKE of Florida (at the request of Mr. ANDERSON of Illinois), for today and the balance of the week, on account of illness.

Mr. PEPPER (at the request of Mr. O'NEILL), for today, on account of official business.

Mr. Moss (at the request of Mr. O'NEILL), for Tuesday, June 27, through Friday, June 30, on account of hospitalization for surgery.

Mr. DENT (at the request of Mr. O'NEILL), for the week of June 26, on account of personal loss due to flood damage.

Mr. ALEXANDER (at the request of Mr. O'NEILL), for Monday, June 26, and Tuesday, June 27, on account of official business.

Mr. FREY (at the request of Mr. ANDERSON of Illinois), for today, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. ASPINALL and to revise and extend his remarks and include extraneous matter, for 15 minutes, on June 28, 1972.

Mr. STRATTON, for 60 minutes, on June 27; to revise and extend his remarks and to include extraneous matter.

(The following Members (at the request of Mr. CONOVER) and to revise and extend their remarks and include extraneous matter:)

Mr. HALPERN, for 30 minutes, today.

Mr. SHOUP, for 10 minutes, today.

Mr. ANDERSON, of Illinois, for 30 minutes, today.

Mr. CHAMBERLAIN, for 30 minutes, Thursday.

Mr. KEMP, for 5 minutes, today.

(The following Members (at the request of Mr. ASPIN) and to revise and extend their remarks and include extraneous matter:)

Mr. ASPIN, for 5 minutes, today.

Mr. REUSS, for 5 minutes, today.

Mr. ROSTENKOWSKI, for 5 minutes, today.

Mrs. ABZUG, for 5 minutes, today.

Mr. HARRINGTON, for 5 minutes, today.

Mr. GONZALEZ, for 10 minutes, today.
Mr. JACOBS, for 60 minutes, on June 27.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. DINGELL and to include extraneous matter, notwithstanding an estimate of 13½ pages and a cost of $1,890.

Mr. EVINS of Tennessee in two instances.

Mr. EVINS of Tennessee to revise and extend his remarks during general debate on H.R. 15586 and include extraneous matter.

Mr. STRATTON notwithstanding the fact that it exceeds two pages of the RECORD and the cost thereof is estimated by the Public Printer to be $945.

Mr. HÉBERT, for all Members to include extraneous material with their remarks today during general debate.

Mr. LEGGETT (at the request of Mr. ASPIN) to revise and extend his remarks and include extraneous matter during general debate on H.R. 15495, military procurement authorization.

Mr. ANDERSON of Tennessee (at the request of Mr. ASPIN) to revise and extend his remarks and include extraneous matter during general debate on H.R. 15495, military procurement authorization.

(The following Members (at the request of Mr. CONOVER) and to include extraneous matter:)

Mr. KEATING in two instances.
Mr. DERWINSKI in two instances.
Mr. ESCH.
Mr. WYATT.
Mr. SPRINGER in three instances.
Mr. SCHERLE in 10 instances.
Mr. GROSS.
Mr. WIDNALL in two instances.
Mr. BROYHILL of Virginia in two instances.
Mr. ANDERSON of Illinois in two instances.
Mr. SMITH of New York.
Mr. VANDER JAGT.
Mr. HUTCHINSON.
Mr. HOSMER in two instances.
Mr. SCHWENGEL.
Mr. KEMP in two instances.
Mr. WYMAN in two instances.
Mr. CONTE.
Mr. HORTON.
Mr. FINDLEY.
Mr. GOLDWATER.
Mr. QUIE.
Mr. KEITH.
Mr. SCHMITZ in five instances.

(The following Members (at the request of Mr. ASPIN) and to include extraneous matter:)

Mrs. HICKS of Massachusetts.
Mr. GRIFFIN.
Mr. REUSS in seven instances.
Mrs. HANSEN of Washington.
Mr. EVINS of Tennessee in two instances.
Mr. HUNGATE.
Mr. CHAPPELL.
Mr. RODINO.
Mr. BRINKLEY.
Mr. VAN DEERLIN.
Mr. SYMINGTON in two instances.
Mr. ANDERSON of Tennessee in five instances.
Mr. TAYLOR.
Mr. BADILLO.
Mr. BINGHAM in three instances.
Mr. WOLFF in two instances.
Mr. WALDIE in two instances.
Mr. DRINAN.
Mr. GETTYS.
Mr. ZABLOCKI in two instances.
Mr. ABOUREZK in five instances.
Mr. CAREY of New York.
Mr. GONZALEZ.
Mr. RARICK in three instances.
Mr. MOORHEAD in five instances.

SENATE BILLS AND JOINT RESOLUTIONS REFERRED

Bills and joint resolutions of the Senate of the following titles were taken from the Speaker's table, and, under the rule, referred as follows:

S. 1682. An act to amend title 5, United States Code, to establish and govern the Federal Executive Service, and for other purposes; to the Committee on Post Office and Civil Service.

S. 2147. An act for the relief of Marie M. Ridgely; to the Committee on the Judiciary.

S. 2753. An act for the relief of John C. Mayoros; to the Committee on the Judiciary.

S. 2822. An act for the relief of Alberto Rodriguez; to the Committee on the Judiciary.

S. 3419. An act to protect consumers against unreasonable risk of injury from haazrdous products, and for other purposes; to the Committee on Interstate and Foreign Commerce.

S. 3722. An act to provide for the establishment of a Foreign Service grievance procedure; to the Committee on Foreign Affairs.

S.J. Res. 204. Joint resolution to authorize the preparation of a history of public works in the United States; to the Committee on House Administration.

S.J. Res. 221. Joint resolution to designate Benjamin Franklin Memorial Hall at the Franklin Institute, Philadelphia, Pa., as the Benjamin Franklin National Memorial; to the Committee on Interior and Insular Affairs.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

Mr. HAYS, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 632. An act for the relief of the village of River Forest, Ill.;

H.R. 3227. An act for the relief of S. Sgt. J. C. Bell. Jr., U.S. Air Force;

H.R. 4083. An act for the relief of Thomas William Greene and Jill A. Greene;

H.R. 6820. An act for the relief of John W. Shafer, Jr.;

H.R. 10595. An act 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;

H.R. 13918. An act to provide for improved financing for the Corporation for Public Broadcasting, and for other purposes;

H.R. 14423. An act to amend the Rural Electrification Act of 1936, as amended, to enhance the ability of the Rural Telephone Bank to obtain funds for the supplementary financing program on favorable terms and conditions; and

H.J. Res. 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.

SENATE ENROLLED JOINT RESOLUTION SIGNED

The SPEAKER announced his signature to an enrolled joint resolution of the Senate of the following title:

S.J. Res. 72. Joint resolution consenting to an extension and renewal of the interstate compact to conserve oil and gas.

BILLS AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. HAYS, from the Committee on House Administration, reported that that committee did on the following days present to the President, for his approval, bills and a joint resolution of the House of the following titles:

On June 22, 1972:

H.R. 1974. An act for the relief of Mrs. Gloria Vazquez Herrera;

H.R. 2052. An act for the relief of Luz Maria Cruz, Aleman Phillips;

H.R. 2076. An act for the relief of Vladimir Rodriguez LaHera;

H.R. 4050. An act for the relief of Maria Manuala Amaral;

H.R. 6201. An act for the relief of Lesley Earle Bryan;

H.R. 6907. An act for the relief of Matyas Hunyadi;

H.R. 7088. An act to provide for the establishment of the Tinicum National Environmental Center in the Commonwealth of Pennsylvania, and for other purposes;

H.R. 7641 An act for the relief of Chung Chi Lee; and

H.R. 9552. An act to amend the cruise legislation of the Merchant Marine Act, 1936.

On June 26, 1972:

H.R. 632. An act for the relief of the village of River Forest, Ill.;

H.R. 3227. An act for the relief of S. Sgt. J. C. Bell, Jr., U.S. Air Force;

H.R. 4083. An act for the relief of Thomas William Greene and Jill A. Greene;

H.R. 6820. An act for the relief of John W. Shafer, Jr.;

H.R. 10595. An act to restore to the Custis-Lee Mansion located in the Arlington National Cemetry, 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;

H.R. 13918. An act to provide for improved financing for the Corporation for Public Broadcasting, and for other purposes;

H.R. 14423. An act to amend the Rural Electrification Act of 1936, as amended, to enhance the ability of the Rural Telephone Bank to obtain funds for the supplementary financing program on favorable terms and conditions; and

H.J. Res. 812. A 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.

ADJOURNMENT

Mr. ASPIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 55 minutes p.m.) under its previous order, the House adjourned until tomorrow, Tuesday, June 27, 1972, at 11 o'clock a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2103. A letter from the Acting Assistant Secretary of Agriculture, transmitting the annual report on the orderly liquidation of stocks of agricultural commodities held by the Commodity Credit Corporation and the expansion of markets for surplus agricultural commodities, pursuant to section 201(b) of Public Law 84–540; to the Committee on Agriculture.

2104. A letter from the Assistant Secretary of Defense (Comptroller), transmitting a report for the third quarter of fiscal year 1972 on receipts and disbursements pertaining to the disposal of surplus military supplies, equipment, and materiel, and for expenses involving the production of lumber and timber products, pursuant to section 712 of Public Law 92–204; to the Committee on Appropriations.

2105. A letter from the Secretary of the Navy, transmitting a draft of proposed legislation to amend title 10, United States Code, to increase below zone selection authorization of commissioned officers of the Regular Navy and Marine Corps and to authorize below-zone selection of certain other commissioned officers of the Navy and Marine Corps, and for other purposes; to the Committee on Armed Services.

2106. A letter from the Deputy Assistant Secretary of Defense (Installations and Housing), transmitting notice of the location, nature, and estimated cost of a facilities project proposed to be undertaken for the Naval Reserve, pursuant to 10 U.S.C. 2233 (a) (1); to the Committee on Armed Services.

2107. A letter from the Secretary of Health, Education, and Welfare, transmitting the second annual report on the administration of the black lung benefits program by the Social Security Administration, pursuant to section 426(b) Federal Coal Mine Health and Safety Act of 1969; to the Committee on Education and Labor.

2108. A letter from the Assistant Secretary of State for Congressional Relations, transmitting a report on that segment of a UH–1H helicopter and engine assembly program with the Republic of China for which the United States proposes in fiscal year 1972 to guarantee $10 million in credit to be obtained from private lending institutions, pursuant to section 42(b) of the Foreign Military Sales Act, as amended; to the Committee on Foreign Affairs.

2109. A letter from the Assistant Secretary of State for Congressional Relations, transmitting a Presidential determination indicating his intention, subject to the provisions of section 652 of the Foreign Assistance Act of 1961, as amended, to authorize the continuation of military assistance to a recipient country without regard to the provisions of section 505(d) of the act, pursuant to section 614(a) of the act; to the Committee on Foreign Affairs.

2110. A letter from the Assistant Secretary of State for Congressional Relations, transmitting Presidential Determination 72–16, authorizing the grant of military assistance to a country in Asia; to the Committee on Foreign Affairs.

2111. A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to amend the National Traffic and Motor Vehicle Safety Act of 1966 to authorize the Secretary to phase in motor vehicle safety standards by specified percentages over a period of time, and for other purposes; to the Committee on Interstate and Foreign Commerce.

2112. A letter from the Chairman, Federal Power Commission, transmitting a copy of the publication entitled "World Power Data, 1969"; to the Committee on Interstate and Foreign Commerce.

2113. A letter from the General Counsel for the National Council on Radiation Protection and Measurements, transmitting the audit report for the Council for 1971, pursuant to section 14(b) of Public Law 88–376; to the Committee on the Judiciary.

2114. A letter from the Administrator, National Aeronautics and Space Administration, transmitting a report on planned adjustments in the NASA space flight operations program as authorized by the NASA Authorization Act, 1972 and 1973; to the Committee on Science and Astronautics.

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. PERKINS: Committee on Education and Labor. H.R. 14896. A bill to amend the National School Lunch Act, as amended, to assure that adequate funds are available for the conduct of summer food service programs for children from areas in which poor economic conditions exist and from areas in which there are high concentrations of working mothers, and for other purposes related to expanding and strengthening the child nutrition programs with an amendment (Rept. No. 92–1170). Referred to the Committee of the Whole House on the State of the Union.

Mr. POAGE: Committee on Agriculture. S. 1139. An act to amend the Federal Crop Insurance Act, as amended, so as to permit certain persons under 21 years of age to obtain insurance coverage under such act (Rept. No. 92–1171). Referred to the Committee of the Whole House on the State of the Union.

Mr. POAGE: Committee on Agriculture. S. 1545. An act to amend section 378(a) of the Agricultural Adjustment Act of 1938, as amended, to remove certain limitations on the establishment of acreage allotments for other farms owned by persons whose farms have been acquired by any Federal, State, or other agency having the right of eminent domain (Rept. No. 92–1172). Referred to the Committee of the Whole House on the State of the Union.

Mr. MAHON: Committee on Appropriations. House Joint Resolution 1234. Joint resolution making continuing appropriations for the fiscal year 1973, and for other purposes (Rept. No. 92–1173). Referred to the Committee of the Whole House on the State of the Union.

Mr. STEED: Committee of Conference. Conference report on H.R. 15585 (Rept. No. 92–1174). Ordered to be printed.

Mr. WHITTEN: Committee on Appropriations. H.R. 15690. A bill making appropriations for agriculture-environmental and consumer protection programs for the fiscal year ending June 30, 1973, and for other purposes (Rept. No. 92–1175). Referred to the Committee of the Whole House on the State of the Union.

Mr. PATMAN: Committee on Banking and Currency. S. 3715. An act to amend and extend the Defense Production Act of 1950 (Rept. No. 92–1176). Referred to the Committee of the Whole House on the State of the Union.

Mr. GARMATZ: Committee of conference. Conference report on H.R. 13188 (Rept. No. 92–1177). Ordered to be printed.

Mr. GARMATZ: Committee of conference. Conference report in H.R. 8140 (Rept. No. 92–1178). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

Mrs. ABZUG:

H.R. 15674. A bill to authorize the Secretary of Health, Education, and Welfare to make grants to conduct special educational programs and activities concerning women, and for other related educational purposes; to the Committee on Education and Labor.

H.R. 15675. A bill to amend the Federal Aviation Act of 1958 and the Interstate Commerce Act in order to authorize free or reduced rate transportation for persons who are 65 years of age or older; to the Committee on Interstate and Foreign Commerce.

H.R. 15676. A bill to provide for a comprehensive program designed to strengthen the criminal justice system in the United States, to attack urban street crime, to undertake new training programs for law enforcement personnel, to improve the training, care, and rehabilitation of criminal offenders, and for other purposes; to the Committee on Ways and Means.

H.R. 15677. 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. ASHLEY:

H.R. 15678. A bill to amend the Civil Rights Act of 1964 to make it an unlawful employment practice to discriminate against individuals who are physically handicapped because of such handicap; to the Committee on Education and Labor.

By Mr. BENNETT (for himself, Mr. BOB WILSON, Mr. STRATTON, Mr. KING, Mr. RANDALL, Mr. WHITE, Mr. MOLLOHAN, Mr. SPENCE, Mr. HARRINGTON, and Mr. CONOVER):

H.R. 15679. A bill to amend section 203 of title 37, United States Code to provide additional pay for permanent professors at the U.S. Military Academy, U.S. Naval Academy, U.S. Air Force Academy, and U.S. Coast Guard Academy; to the Committee on Armed Services.

By Mr. CAMP (for himself, Mr. EDMONDSON, and Mr. STEED):

H.R. 15680. A bill to provide for the disposition of funds appropriated to pay judgments in favor of the Ponca Indians of Oklahoma and Nebraska in Indian Claims Commission dockets Nos. 322 and 324, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. FINDLEY:

H.R. 15681. A bill to amend the Communications Act of 1934 to establish orderly procedures for the consideration of applications for renewal of broadcast licenses; to the Committee on Interstate and Foreign Commerce.

By Mrs. HICKS of Massachusetts:

H.R. 15682. A bill to amend the Internal Revenue Code of 1954 to provide an additional income tax exemption for a taxpayer supporting a dependent who is mentally retarded; to the Committee on Ways and Means.

By Mr. PRICE of Illinois (for himself and Mr. ANDERSON of Illinois):

H.R. 15683. A bill granting the consent of Congress to the Midwest interstate nuclear compact, and for related purposes; to the Committee on the Judiciary.

By Mr. ROE:

H.R. 15684. A bill to provide for the compensation of innocent victims of violent crime in need; to make grants to States for the payment of such compensation; to authorize an insurance program and death and disability benefits for public safety officers, police, firemen, and members of an ambulance team or rescue squad; to provide civil remedies for victims of racketeering activities; and for other purposes; to the Committee on Ways and Means.

By Mr. ROSTENKOWSKI:

H.R. 15685. A bill to provide that daylight saving time shall be observed on a year-round basis; to the Committee on Interstate and Foreign Commerce.

By Mr. SHOUP (for himself, Mr. McCLURE, and Mr. HANSEN of Idaho):

H.R. 15686. A bill to amend chapter 2 of title 16 of the United States Code (respecting national forest) to provide a share of timber receipts to States for schools and roads; to the Committee on Agriculture.

By Mr. STEIGER of Arizona (for himself, Mr. GROSS, Mr. FISHER, Mr. CRANE, and Mr. QUILLEN):

H.R. 15687. A bill to preserve and protect the free choice of individual employees to form, join, or assist labor organizations, or to refrain from such activities; to the Committee on Education and Labor.

By Mr. VEYSEY (for himself and Mr. KEATING):

H.R. 15688. A bill to establish a Federal program to encourage the voluntary donation of pure and safe blood, to require licensing and inspection of all blood banks, and to establish a national registry of blood donors; to the Committee on Interstate and Foreign Commerce.

By Mr. WINN:

H.R. 15689. A bill to amend the Internal Revenue Code of 1954 to allow a credit against the individual income tax for tuition paid for the elementary or secondary education of dependents; to the Committee on Ways and Means.

By Mr. WHITTEN:

H.R. 15690. A bill making appropriations for agriculture-environmental and consumer protection programs for the fiscal year ending June 30, 1973, and for other purposes.

By Mr. MORGAN:

H.R. 15691. A bill to amend the Internal Revenue Code of 1954 to provide income tax simplification, reform, and relief for small business; to the Committee on Ways and Means.

By Mr. STEPHENS (for himself, Mr. BARRETT, Mr. GETTYS, Mr. CURLIN, Mr. WILLIAMS, Mrs. HECKLER of Massachusetts, Mr. REES, and Mr. ABOUREZK):

H.R. 15692. A bill to amend the Small Business Act to reduce the interest rate on Small Business Administration disaster loans; to the Committee on Banking and Currency.

By Mr. THONE:

H.R. 15693. A bill; non-point-source pollution from agricultural, rural, and developing areas; to the Committee on Public Works.

By Mr. MAHON:

H.J. Res. 1234. Joint resolution making continuing appropriations for the fiscal year 1973, and for other purposes; to the Committee on Appropriations.

By Mr. GONZALEZ:

H.J. Res 1235. Joint resolution to extend the authority of the Secretary of Housing and Urban Development with respect to interest rates on insured mortgages and to extend laws relating to housing and urban development; to the Committee on Banking and Currency.

MEMORIALS

Under clause 4 of rule XXII,

401. The SPEAKER presented a memorial of the Legislature of the State of California, relative to a veterans' hospital for northern California, which was referred to the Committee on Veterans' Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Mr. BOB WILSON presented a bill (H.R. 15694) for the relief of Rene P. Regalot, which was referred to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

SOVIET OFFICIALS VISIT MASSACHUSETTS EXHIBIT

HON. LOUISE DAY HICKS

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 26, 1972

Mrs. HICKS of Massachusetts. Mr. Speaker, we live in a time when the headlines regularly tell us about high-level international meetings and summit conferences. These are important and deserve our support.

But it is equally important that we not overlook the many other contacts that are developing between the major powers, particularly the many efforts by private firms and individuals that help to encourage trade and communications. These, too, are a path to peace and understanding.

I am proud that one of the leading firms in the Ninth Congressional District of Massachusetts, which I have the honor to represent, recently participated in such an exchange. The Computer Identics Corp. of Westwood is a leader in control systems for transportation, manufacturing, and distribution management and provided one of the most exciting exhibits at the recent Transpo 1972. That exhibit attracted the special attention of a visiting Soviet delegation, and I am proud to insert into the RECORD the following press release prepared by the Computer Identics Corp. The release follows:

TOP RUSSIAN TRANSPORTATION OFFICIALS MEET WITH MASSACHUSETTS FIRM

AUTOMATIC CAR IDENTIFICATION (ACI) TECHNOLOGY FOR RAILCAR, PIGGYBACK, AND MARINE CONTAINER CONTROL DRAWS KEEN SOVIET UNION INTEREST

WESTWOOD, MASS.—The Soviet Minister of Railroads, Boris Pavlovich Beschev, and seven of his ranking deputies visited Computer Identics Corporation's exhibit at Transpo '72 to discuss the firm's transportation and distribution control systems.

The distinguished Russian visitors were accompanied by U.S. officials C. Carroll Carter, Department of Transportation, and Alexis Tatistcheff, Department of State. Computer Identics executive John M. Hill, Jr., a veteran in Eastern European marketing, described the firm's technology to the group.

The Minister's delegation is concluding a 12-day tour of the U.S. that began in Washington at Transpo '72 with private meetings with Secretary of Transportation John A. Volpe. A highlight of the Russian's busy tour was a scheduled visit to the Illinois Central Railroad's Intermodal Exchange Facility in Chicago. The facility features the World's first fully instrumented terminal management system, designed and produced by Computer Identics Corp., and contemporary rail/piggyback techniques.

Computer Identics Corporation, Westwood, Mass., is the leading producer of Automatic Car Identification (ACI) systems and advanced optical scanning and control systems for rail, piggyback, marine, manufacturing and distribution application. ACI is the standard Association of American Railroads system used to identify, monitor and control the movement of all railcars in North America. Nearly 2 million vehicles in North America are under ACI control.

PEACEMAKERS

HON. HUBERT H. HUMPHREY

OF MINNESOTA

IN THE SENATE OF THE UNITED STATES

Monday, June 26, 1972

Mr. HUMPHREY. Mr. President, American involvement in the Vietnam war has been criticized from just about every side of the prism, seemingly with negligible effect on the Nixon administration. All the arguments have been made, but the most telling of all are those which discuss the dynamics of peace in international and human relations.

I have attempted to place the Vietnam discussion in this context. Dr. William E. Smith, minister of the North Broadway United Methodist Church in Columbus, Ohio, delivered a sermon on "How peace can be won; how we can become peacemakers." It is a very eloquent expression of what this country's assignment is now and for the future. Mr. President, for this reason, I commend the May 28 sermon of Dr. Smith to the attention of this body and insert it at this point in the Extension of Remarks.

There being no objection, the sermon was ordered to be printed in the RECORD, as follows:

PEACEMAKER

(By Dr. William E. Smith)

I want to speak today on an urgent subject of deep concern to us all: the quest for peace. Our Lord said, "Blessed are the peacemakers, for they shall be called the children of God." Love is the essential ingredient in building human relationships. "Love even your enemies," he said; "pray for those who persecute you." The style of life he advocated is the very antithesis of violence.

Yet we find ourselves involved in a long and tragic war that has recently been escalated with the mining of the harbors in North Vietnam and the bombing of its cities, a war in which over 55,000 Americans and countless Vietnamese have lost their lives, and the end is not in sight. How can peace be won; how can we *become* peacemakers?

This is a painful as well as controversial issue. We have sons who have fought and died in this war. At least one family in our parish has a son, hopefully alive, in a prison camp in North Vietnam. I have only the highest respect for those who out of a keen sense of responsibility to their nation served it with courage and bravery. My heart goes out to those who have lost loved ones in the struggle. Whatever criticism we may make of our involvement in this war in no way detracts from their bravery and personal sacrifice.

Let us also acknowledge at the outset honest differences in point of view. Several years ago a young man, newly commissioned in the