

# HOUSE OF REPRESENTATIVES—Wednesday, August 9, 1972

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

*God is our refuge and strength, a very present help in trouble.—Psalms 46: 1.*

Eternal Father, who makest Thyself known not in the whirlwind nor in the earthquake, but in the still, small voice, we now quietly and reverently bow our spirits at this altar of prayer following the faith of our Founding Fathers. Before we talk to one another, before we plan for the welfare of our country, we would first open our hearts to Thee. In the midst of the demands of this difficult day and the differences which disturb us, we would be still and know that Thou art God.

As we pray, grant unto us the wisdom and the courage to favor and to fashion legislation which expresses the glorious ideals of faith and freedom. May we who here work for our Nation be exponents of Thy laws, possess an experience of Thy love, and give expression to Thy truth. Send us forth—

To serve the present age,

Our calling to fulfill;

O may it all our powers engage

To do our Father's will.

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.

## MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Geisler, one of his secretaries.

## MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 755. An act to amend the Shipping Act, 1916, and the Intercoastal Shipping Act, 1933, to convert criminal penalties to civil penalties in certain instances, and for other purposes.

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

S. 484. An act to authorize and direct the Secretary of Agriculture to classify as wilderness the national forest lands known as the Lincoln Back Country, and parts of the Lewis and Clark and Lolo National Forests, in Montana, and for other purposes.

The message also announced that the Senate disagrees to the amendments of the House to the bill (S. 1819) entitled

"An act to amend the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 to provide for minimum Federal payments after July 1, 1972, for relocation assistance made available under federally assisted programs and for an extension of the effective date of the act," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. MUSKIE, Mr. METCALF, Mr. CHILES, Mr. BROCK, and Mr. GURNEY to be the conferees on the part of the Senate.

The message also announced that the name of the late Senator from Louisiana, Mr. Ellender, be removed as a conferee on the bill (H.R. 15586) entitled "An act 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."

The message also announced that the name of the late Senator from Louisiana, Mr. Ellender, be removed as a conferee on the bill (H.R. 15417) entitled "An act making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1973, and for other purposes."

## RESIGNATION AND APPOINTMENT AS CONFEE ON H.R. 15692, INTEREST RATE ON SMALL BUSINESS ADMINISTRATION DISASTER LOANS

The SPEAKER laid before the House the following resignation as a conferee:

AUGUST 9, 1972.

The SPEAKER,  
House of Representatives,  
Washington, D.C.

DEAR MR. SPEAKER: I hereby resign as a conferee in connection with the conference between the Senate and the House of Representatives on the bill, H.R. 15692.

Sincerely,

THOMAS L. ASHLEY.

The SPEAKER. Without objection, the resignation is accepted.

There was no objection.

The SPEAKER. The Chair appoints the gentleman from Pennsylvania (Mr. MOORHEAD) as a conferee on the disagreeing votes of the two Houses on the amendments of the Senate to the bill H.R. 15692, to fill the existing vacancy.

The Clerk will notify the Senate of the change in House conferees.

## DISASTER RELIEF SUPPLEMENTAL APPROPRIATIONS, 1973

Mr. MAHON, from the Committee on Appropriations, reported the bill (H.R.

16254) making certain disaster relief supplemental appropriations for the fiscal year 1973, and for other purposes (Rept. No. 92-1318) which was read a first and second time and, with the accompanying papers, referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

Mr. BOW reserved all points of order on the bill.

## PROVIDING FOR CONSIDERATION OF CONFERENCE REPORTS ON H.R. 15586, PUBLIC WORKS APPROPRIATIONS, 1973, AND H.R. 15097, DEPARTMENT OF TRANSPORTATION APPROPRIATIONS, 1973, ON THURSDAY, AUGUST 10, 1972

Mr. MAHON. Mr. Speaker, I ask unanimous consent that it may be in order on tomorrow, Thursday, August 10, to call up the conference reports filed last Monday on the bill (H.R. 15586) public works appropriations, 1973, and the bill (H.R. 15097) the Department of Transportation appropriations, 1973.

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

Mr. HALL. Mr. Speaker, reserving the right to object, may I ask the distinguished gentleman if this is simply for the purpose of again avoiding the rules of the House as to the requisite number of days that such a report must be printed and in the hands of Members—or at least available to them—under the Reorganization Act of 1970?

Mr. MAHON. The reports were filed on Monday. The conference reports would be eligible for consideration on Friday. For the purpose of expediting the business of the House and for the convenience of the Members it was thought that tomorrow, if the schedule would permit, it would be well to bring these conference reports to the floor 1 day earlier than the rule provides.

Mr. HALL. In other words, the answer to my question is "Yes," and the gentleman further explains that for the expediency of the House, and to expedite our business, and to go along with the leadership and perhaps avoid a session on Friday, he requests this unanimous-consent permission. Is that a fair statement?

Mr. MAHON. Well, they could be. The reports could be brought up next week, but we have a heavy schedule next week, and I do not think these are conference reports about which there will be a great deal of controversy in the House.

Mr. HALL. Be that as it may—and the gentleman's word is certainly good enough for me—the answer to my question is still "Yes." Is that not correct?

Mr. MAHON. Well, I do not like the speaker to put words in my mouth. I am trying to say precisely what we are trying to do, and I think my friend from Missouri understands.

Mr. HALL. For that purpose I would like to be answered "Yes" or "No" without—

Mr. MAHON. I do not think we should require our colleagues to answer "yes" or "no" on questions.

Mr. HALL. That is quite within the prerogative, on a unanimous-consent request, of all 435 duly elected Members. I will remember the gentleman from Texas standing down there and fanning the air with arms and oratory about the prerogatives and rights of the individual elected Members when it comes to unanimous consent and waiving points of order in a recent bill affecting appropriations. I am simply asking the same question.

Mr. MAHON. I will be glad if the gentleman will phrase the question and let me use my own words in answer.

Mr. HALL. Well, of course, it is awfully easy for me just to say two words and stop this colloquy.

Mr. MAHON. Right.

Mr. HALL. I have asked twice, and in my opinion I have not received a direct answer either time.

Mr. MAHON. I thought you had.

Mr. HALL. My only question is this: Is it not the intent of the gentleman to expedite the business of the House by asking unanimous consent in violation of the rules of the House?

Mr. MAHON. The gentleman is correct. That word is exactly correct.

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

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

There was no objection.

#### PROVIDING FOR CONSIDERATION OF CONTINUING APPROPRIATIONS JOINT RESOLUTION NEXT WEEK

Mr. MAHON. Mr. Speaker, I ask unanimous consent that it may be in order on any day after Monday of next week to consider a joint resolution making further continuing appropriations for the fiscal year 1973 beyond August 18, which is the expiration date of the present continuing resolution.

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

Mr. HALL. Mr. Speaker, reserving the right to object, may I ask the chairman of the Committee on Appropriations if it is contemplated that this will be a similar continuing resolution to the one last passed by this body?

Mr. MAHON. The resolution has been introduced and the Committee on Appropriations took action today authorizing this action. It simply provides for a continuation of the present continuing resolution except for a change in date. Of course, there is quite a bit of our appropriation business that will have been completed—at least six major bills—during the last 2 or 3 weeks prior to August 18.

Mr. HALL. So the simplistic answer to my question is again affirmative. Is that correct?

Mr. MAHON. The gentleman is correct.

Mr. HALL. Mr. Speaker, further reserving the right to object, may I ask the gentleman from Texas if he plans to have a copy of this continuing resolution in the hands of the Members before he calls it up next week?

Mr. MAHON. It is available at this time here, and it will be dropped into the hopper and I will be glad to provide any Member with a copy of the resolution at this time.

Mr. GROSS. Will the gentleman yield?

Mr. HALL. I will be glad to yield to the gentleman from Iowa.

Mr. GROSS. I ask the distinguished gentleman from Texas if this continuing resolution will give us any real clue to sine die adjournment of this dawdling session of Congress.

Mr. MAHON. The simplistic answer is probably "No," but I think—

Mr. HALL. I want to congratulate my friend from Iowa. He got a direct answer. I withdraw my reservation.

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

There was no objection.

#### APPOINTMENT OF CONFEREES ON H.R. 15580, DISTRICT OF COLUMBIA POLICE AND FIREMEN'S SALARY ACT OF 1958

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 15580), to amend the District of Columbia Police and Firemen's Salary Act of 1958 to increase salaries, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and request a conference with the Senate thereon.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina? The Chair hears none, and appoints the following conferees: Messrs. McMILLAN, CABELL, STUCKEY, NELSEN, and BROYHILL of Virginia.

#### PROGRESS MADE IN NEGOTIATIONS ON A FEDERAL-INTERSTATE COMPACT FOR THE HUDSON RIVER—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Interior and Insular Affairs:

*To the Congress of the United States:*

In accordance with Section 3, of Public Law 89-605 as amended by Public Law 91-242, I am pleased to transmit a report by the Secretary of the Interior on the progress made in negotiations on a Federal-Interstate Compact for the Hudson River.

RICHARD NIXON.

THE WHITE HOUSE, August 9, 1972.

#### 1971 ANNUAL REPORT OF THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES—(H. DOC. NO. 92-338)

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Banking and Currency and ordered to be printed with illustrations:

*To the Congress of the United States:*

The 1971 Annual Report of the Department of Housing and Urban Development is herewith transmitted to you.

RICHARD NIXON.

THE WHITE HOUSE, August 2, 1972.

#### DEMOCRATIC PARTY NEEDS NO ENEMIES

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

Mr. STEED. Mr. Speaker, the woods are full of those who criticize some Democrats, especially Members of the House, who find some difficulty in being wildly enthusiastic about the Democratic national ticket. But after the blatant insult heaped upon House Democrats at the national committee session last night, a session carried on prime time national television, this situation has not improved. With Speaker CARL ALBERT sitting on the platform, with numerous House Democratic leaders in the audience, not one House Member was recognize or introduced. Even when Senator MCGOVERN stepped in to bridge the gap his own handpicked party leaders had created in failing to recognize key Democratic Senators, the total disregard for the House continued. With this kind of planners and leaders for friends, the Democratic Party needs no enemies.

#### THE CONSTRUCTION MIRACLE IN VIETNAM

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

Mr. SIKES. Mr. Speaker, the most massive construction program ever undertaken by this or any other nation now is drawing to an end in South Vietnam. Recent announcement has been made that the construction combine known as RMK-BRJ has ended Vietnam operations after more than 10 years of outstanding service to the United States and to the cause of freedom.

This combine, made up of the Morrison-Knudsen International Co. of Boise, Idaho, Raymond International and Brown & Root of Houston, and the J. A. Jones Construction Co. of Charlotte, N.C., accomplished tasks in Southeast Asia which, because of their enormity, were considered impossible. It was the biggest construction effort in world history and,



despite all the obstacles which had to be overcome, it was accomplished in a remarkably short time.

With more than \$1.9 billion in Government contracts, the combine placed enough concrete to build a 5-foot wall around South Vietnam, laid enough asphalt to build a highway from Saigon to Paris, and built hundreds of facilities including airfields, deep-draft seaports, hospitals, bridges, radar sites, and hundreds of miles of highways, all under the most difficult conditions.

What is even more notable is that all of this was done without scandal and in keeping with the best standards of our mission in Vietnam. I like to remind my colleagues that the man who headed this giant undertaking was Bertram L. Perkins of Boise. He demonstrated some of the most effective leadership ever shown in the history of military construction projects. Bert Perkins enjoyed the confidence of coworkers and he earned the praise of our Nation's leaders for his outstanding services. Regretfully he lost his life in an automobile accident shortly after leaving his work in Vietnam and returning to his company in Boise.

Combine personnel and others who participated in this gigantic undertaking deserve the thanks of the Congress and of the American people. It has again been proven that private enterprise, when given the opportunity, can accomplish miracles.

#### CONFERENCE REPORT ON H.R. 15690, AGRICULTURE ENVIRONMENTAL AND CONSUMER PROTECTION APPROPRIATIONS, 1973

Mr. WHITTEN. Mr. Speaker, I call up the conference report on the bill (H.R. 15690) making appropriations for agriculture-environmental and consumer protection programs for the fiscal year ending June 30, 1973, and for other purposes, and ask unanimous consent that the statement of the managers be read in lieu of the report.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of August 2, 1972.)

The SPEAKER. The gentleman from Mississippi (Mr. WHITTEN) is recognized.

Mr. WHITTEN. Mr. Speaker, we are here first, today, by reason of the kindness of the leadership and of my colleague on the Committee on Appropriations. Our colleague in the Senate who is my counterpart has an engagement which requires him to leave the country late this afternoon. I appreciate very much all those cooperating so that we might bring this conference report to your attention early.

In bringing this conference report to the House, I call attention once again to the fact that this subcommittee now

has jurisdiction over quite a big segment of the national budget.

I shall not take up much time because we wrote a rather thorough report on this bill prior to when it passed the House. The other body likewise wrote a thorough report. I think all of the matters in the bill have been carefully explained.

There are several things I think it might be well to remember, for example, while we have created the Environmental Protection Agency—a comparatively new agency—as early as 1963, the Agricultural Yearbook recognized the need for paying attention to man's impact on his environment and the need for doing many of the things that are being done through that agency.

In addition, this committee handles consumer protection. Certainly all Members are aware of the efforts made by the Congress at the recommendation of this subcommittee on meat inspection and the thousand and one things that go toward giving fine food to the American consumer.

Also included in this bill is the Food and Drug Administration. The committee this year had an investigation to see what might be done to help this agency. This was reported to that agency and we went over it with Dr. Edwards and we feel the \$39.4 million increase we are making in this bill will speed up that degree of protection that that agency gives to the American people all the time.

We also have the Federal Trade Commission with its responsibilities for keeping fair competition and riding herd on many of the activities in our form of business to see that competition is fair and open.

Here, too, we had an investigation and we made our recommendations to the chairman and we had cooperation in each of those instances with the committee. Here again we saw the need to add \$2.1 million above the budget.

In the Environmental Protection Agency, we found that this new agency has not really gone through its shake-down period. We found, as we pointed out in our earlier report when the bill passed the House, that in many areas it appeared to the committee that they do not have experts who are trained to make these important decisions.

In many instances, as we there enumerated, we find substitutes required which had nothing like the degree of testing that the original has had which may be outlawed or prohibited by this agency.

In this bill by far, the greater part of the money that is provided goes to related or other activities rather than actual operation of the Department of Agriculture. In fact, the operation of the Department of Agriculture proper is \$1,247,717,200. In addition \$4,057,952,000 is chargeable in the final table to the Commodity Credit Corporation and \$895,000,000 is chargeable to our export activities under Public Law 480.

Beyond the general and widespread impact of this bill I must again point out that if we did not have agriculture and

those who are engaged in agriculture—if we did not have any food—then there would be no Environmental Protection Agency and there would be no work for it to do.

If the American people did not produce food and maintain a healthy agriculture, industry and labor would lose their best market. If it were not for the relative few, about 5 percent, and their work in the field of production for the American consumer, we would have no need for the Federal Trade Commission, because there would not be any money with which to buy. Nor would there be a need for the Food and Drug Administration because there would be no food to inspect. Behind it all is the necessity to keep that small group of agricultural producers in business so that we will have something to regulate, something to inspect, something to buy—in other words, our whole economy. It ties right back to the protection of agriculture, and while we have dealt with these other agencies and tried to take the actions that would help them best to do their job, we must not ever lose sight—and your committee has not lost sight—that it is all tied to healthy agriculture, healthy not only in terms of the economy, but to enable them to continue and improve their way of life at home on the farm and not crowded into big cities.

One of the saddest things from one point of view, and one of the most dangerous things viewed from another, is the fact that those on the farm continue to leave at the rate of 400,000 annually. If they ever all leave the farm—and there is no law yet that requires them to stay there—we are all going to feel it.

We bring you a bill that we think is well balanced and in the best interests of the country.

In many areas as you have to do in conferences, we have agreed with the other body to split differences to keep some items, to go along with other items and to reduce certain items. In order that we might be sure that nothing was done in the temper of the times and the mood of the Congress to jeopardize the food and fiber of this Nation, the conference, in my opinion, took a real sound action. I should like to read to you the last statement in our conference report:

The conferees agree that any additional expenditures which result from new obligatory authority authorized in this bill should be in addition to any outlay limitation currently or hereafter imposed on the Department of Agriculture and under no conditions should reduce current levels of expenditures for authorized programs.

In other words, the increases that circumstances required us to agree to, or perhaps required us to include in the first instance, shall not be taken out of existing levels of agricultural operations. I think that is essential; otherwise some of these consumer programs in which we all believe might in turn dry up the source of that which we consume.

Mr. Speaker, in this connection I call attention to actions of the Appropriations Committee in the Report of Public Works, page 4, the following language:

**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.

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.

I wish to point out here that the Soil Conservation Service is expected to use its appropriated funds to install measures determined necessary in the pilot program contemplated.

This is a big bill. It totals \$13,434,032,700. Though there are reservations with regard to a number of programs, a majority of the Congress, as well as the American people, have provided legislation calling for the funding which this conference report provides.

It is this bill that includes the funds to keep the farmer producing for all of us, for it attempts to see that he has adequate return for the highest quality production. It is this bill that enables consumers to spend only 16 percent of their average income for food.

It provides clean, high-quality food products through agricultural grading, meat and poultry inspection, and the activities of the Food and Drug Administration. It provides for better marketing and marketing practices and it provides for the many activities for improving the environment, including the new activities undertaken with the rural environmental assistance program.

Though this bill is above the budget most of the increases are to make available funds which will not be expended except where necessary and which if used would be repaid with interest. In fact much represents programs and funds held up from last year's appropriations.

#### TITLE I—AGRICULTURAL PROGRAMS

The committee carefully reviewed the budget proposals and additions were primarily in the areas involving cooperative efforts with the States. Of the increase \$12,500,000 was appropriated to the Extension Service to enhance its work in the proven 4-H program and to further make this program available to urban youth. The sum of \$3,500,000 was added to the cooperative State research program principally for the forestry research grant program, which has rocked along at a fairly low level for several years as our forest requirements have skyrocketed. And \$3,446,000 was added to the budget for the activities of the Animal and Plant Health Inspection Service, including \$1.4 million above the budget for the tuberculosis indemnity program clearly made necessary by a change in the Department's regulations affecting the salvage

value of infected animals. This program, too, is administered in cooperation with the States.

The most important addition to the Federal programs is represented by \$800,000 added above the budget for the information activities of the Department. As the committee stated in its report:

Through the years, the Office of Information of the Department of Agriculture has concerned itself with publication of agricultural bulletins. Its news media efforts have been largely limited to programs for those engaged in agriculture.

The committee has earmarked these funds within the appropriation for departmental administration subject to all its former limitations, but with the intent that this office work more closely with the Secretary to get the agriculture message across to the American people.

Title I appropriates a total of \$6,200,669,200. This is \$521,141,350 below the 1972 budget and \$21,040,800 above the 1973 budget request.

#### TITLE II—RURAL DEVELOPMENT

Included in this title are the loan programs of the Rural Electrification Administration. Loans—for which repayments will be made—to see that electric power keeps pace with the growth in demand for electric power and telephones in rural areas. In 1972 the Congress provided \$545,000,000 for electric loans of which \$107,000,000 was never released by the Office of Management and Budget. This action has received much attention in the Congress. This committee recommended and the House approved a loan program of \$545,000,000; \$107,000,000 above the budget, which really means the reappropriation of funds frozen last year. The Senate added \$50,000,000 above the House figure. The conference went along with the Senate figure in recognition of the large and growing backlog of applications, placing first emphasis on getting the \$545,000,000 released.

A similar backlog situation exists in the telephone loan program for which the conference added \$20,000,000, with the expectation that it, too, will be released to meet the growing demands for communications in rural areas.

A similar fundamental need exists in rural areas for new and expanding water and sewer systems. Meeting this need requires many different approaches, all leading to better quality water and water resources. The conference agreed to add \$50,000,000 more than was made available in 1972 and \$92,000,000 more than the budget request for 1973. In providing for a total program of \$150,000,000 the conference agreed with the House report stating that the Department should set up not less than 20 percent of the funds to strengthen existing systems to assure that they are expanding to take in unserved customers and to improve service in their designated service area.

The conferees further agree that where full area coverage is not presently feasible a program of individual or small group loans shall be stressed with a view to full coverage in the future. An amend-

ment will be offered making this program level subject to further authorization. An adequate authorization level has passed the House in the rural development bill (H.R. 12931).

Title II includes a total of \$1,026,436,000 for rural development programs. This is \$80,044,000 above the 1972 appropriation, and \$276,150,000 above the 1973 budget request.

#### TITLE III—ENVIRONMENTAL PROGRAMS

The major increases above the budget for environmental programs included in the bill are:

An increase of \$3 million for training grants and fellowships for the Environmental Protection Agency to restore the program to its 1972 level; \$15 million for solid waste demonstration grants as authorized by section 208 of the Resource Recovery Act; and \$3 million for demonstration of a basinwide effort to control sediment pollution in the Great Lakes under section 15 of the Federal Water Pollution Control Act.

An increase of \$85,500,000 to provide for a rural environmental assistance program of \$225,500,000 in 1973. The House managers have agreed that in the announcement of the 1973 REAP program of the Department of Agriculture not more than \$30 million shall be identified for the new pollution abatement practices and such amount as is used shall be paid from funds available to the Environmental Protection Agency.

An increase of \$13,975,000 for the environmental programs of the Soil Conservation Service. Major changes are an increase of \$5 million above the budget for conservation operations and \$8,412,000 above the budget for watershed and flood prevention operations.

In addition, two other major actions have been taken by the committee which are not reflected in the amounts covered by the bill. In order to accelerate the special Great Lakes program, the committee directed that \$100 million in water and sewer funds previously appropriated to the Department of Housing and Urban Development, and frozen by OMB, be used to fund this demonstration program. In connection with the HUD water and sewer programs, the budget had proposed using only \$200 million in 1973 of the \$500 million appropriated by Congress in 1972 and now frozen by OMB. The committee, however, directed that HUD use all \$500 million of these funds in 1973.

This title includes \$2,371,014,000 for the many programs of the Environmental Protection Agency, including \$1.9 billion for waste treatment facilities. Both the House and Senate versions of the Federal Water Pollution Control Act amendments contain a provision for the use of contract authority; therefore, it would not be necessary to appropriate any additional funds for the waste treatment construction grant program at this time. However, the committee fully recognizes the importance of this program and has recommended \$1.9 billion



be available until the new legislation becomes law.

I would like to call the attention of the House to several recommendations contained in our committee's report. We are not a legislative committee and, therefore, we are unable to provide for

such legislation; nevertheless we feel that these proposals merit serious consideration by the House.

#### COST OF ENVIRONMENTAL IMPACT STATEMENTS

Testimony before the committee has indicated that in fiscal year 1973 Federal

agencies will be required to spend approximately \$65 million to prepare environmental impact statements as required by the National Environmental Policy Act. The estimated cost by agency follows:

#### RESOURCE REQUIREMENTS FOR PROSECUTION OF NATIONAL ENVIRONMENTAL POLICY ACT (SEC. 102(2)(C))

Agency	1971	1972	1973	Agency	1971	1972	1973
Department of Agriculture.....	730,000	2,934,000	3,932,000	Department of HEW.....	450,000	450,000	450,000
Appalachian Regional Commission.....	23,000	35,000	35,000	Department of HUD.....	173,000	880,000	1,095,000
Atomic Energy Commission.....	1,376,000	6,823,000	8,194,000	Department of Interior.....	4,249,000	8,995,000	14,267,000
Department of Commerce.....	558,000	659,000	1,593,000	International Boundary and Water Commission, United States and Mexico.....	35,000	43,000	61,000
Department of Defense:				National Aeronautics and Space Administration.....	436,000	506,000	498,000
Air Force.....		87,000	115,000	National Science Foundation.....	8,000	9,000	15,000
Army.....		2,664,000	3,543,000	Tennessee Valley Authority.....	1,425,000	2,138,000	1,888,000
Army Corps of Engineers.....	4,860,000	12,330,000	19,870,000	Department of Transportation.....	1,296,000	2,972,000	4,219,000
Navy.....		3,711,000	1,478,000	Department of Treasury.....	5,000	171,000	281,000
Delaware River Basin Commission.....	25,000	98,000	223,000	Total.....	17,109,000	48,077,000	64,936,000
Environmental Protection Agency.....	1,140,000	2,028,000	2,601,000				
Federal Power Commission.....	320,000	544,000	577,000				

Note: Outlay estimates were compiled by the Office of Management and Budget from data submitted by the various agencies. The information was submitted in accordance with the April 1972

request by OMB for information on outlays associated with the cost of preparing, processing, reviewing, and commenting on environmental impact statements.

The committee is strongly opposed to the cost of preparing impact statements used as a part of the cost/benefit ratio and perhaps thereby defeat or prevent needed public works projects throughout the United States. In addition, undue delays associated with the preparation of impact statements on necessary public works projects could seriously affect the economy of our country. As we make the conversion to a peacetime economy, it is vital that we divert this extra effort to the good of our people.

The committee takes this position because of the increasing emphasis being placed on detailed impact statements. Requirements for additional information, if carried to extremes, can be a costly and time-consuming process. In order to hold requests for detailed information to only that necessary to evaluate the statement, the committee recommends that consideration be given to making EPA responsible for all or some portion of the cost of all environmental impact statements.

Therefore, the committee recommends that the Office of Management and Budget consider establishing procedures or regulations that would allow the Environmental Protection Agency to either finance or refund the cost of preparing impact statements.

#### INDEMNITY PAYMENTS FOR ECONOMIC OR PHYSICAL INJURY

The committee takes note of the action by the Administrator of the Environmental Protection Agency banning the use of DDT in this country effective December 31, 1972, except for use on green peppers, onions, and sweet potatoes in storage. In taking this action, the Administrator overrode the findings of the Federal hearing examiner, who ruled, based on the evidence at hand, that no reason existed for banning DDT.

In issuing his decision, the Administrator also urged quick passage of the pesticide legislation submitted by the administration which has been pending in Congress and stated.

The present law is completely inadequate to allow me to regulate the use of pesticides for beneficial uses on a restricted basis.

Such authority may well be used to further ban or at least restrict other essential pesticides prior to the development of satisfactory alternatives.

The committee also takes note of the fact that the Administrator's order does not affect export of DDT to other countries. However, by our action the Administrator is indirectly telling them that they should likewise ban its use. This raises the question as to whether we are following a course that will, if carried forward, allow the underdeveloped countries to develop toward our own level while we, at the same time, drift backward toward their level of health, length of life, and standard of living.

The committee is convinced that the Administrator's decision on DDT raises serious questions. DDT has been widely used throughout the world and has reportedly saved millions of human lives through increased food production and disease eradication. According to information provided to the committee, throughout the many years of use, DDT has produced no known harmful effect to human health when properly used. The decision is within the power of the Administrator though doubtless this matter will eventually have to be settled by the courts.

It is to be noted that the Administrator says that in many respects the best substitutes constitute a real hazard—so much so that he has asked the committee, and the committee has acted favorably, for a training program for the substitutes.

He plans to turn to substitutes with which we have far less experience, are readily admitted to be highly toxic, and require a far greater frequency of application for a lesser result. The committee believes that funds should be available for indemnity payments to individuals who suffer economic or physical harm from the use of Government-forced substitutes.

Therefore, the committee recommends that the Environmental Protection Agency give serious consideration to establishing an indemnity program, similar to others now in existence throughout the Federal Government.

#### TAX CREDIT FOR POLLUTION ABATEMENT COSTS

The committee is convinced that a tax credit should be made up to probably 50 percent of the cost of pollution abatement in many cases. The committee is without authority to provide for such legislation, but strongly urges both the EPA and the appropriate legislative committee to cooperate in the passage of such legislation.

While the committee did not specifically address this item in the conference report, we are convinced that the unique problems associated with the proposed sewer demonstration project at Bend, Oreg., may well be of national significance. Therefore, the committee urges the Environmental Protection Agency to carefully review this proposal in light of its possible application to similar problems of many cities across the Nation. The House concurs with the Senate report language on this item.

This title, which includes programs for environmental protection totals \$2,951,648,000, which is \$17,475,000 above the budget and \$33,337,000 below the Senate bill.

#### TITLE IV—CONSUMER PROGRAMS

The conference committee has agreed with the Senate figure of \$2,500,000,000 for the food stamp program, which is \$300,000,000 above 1972 and \$158,854,000 above the budget but has provided that the amount above the budget shall be placed in contingency reserve by the Office of Management and Budget to be released upon determination of need. The total nutrition programs funded in this bill are in excess of \$4 billion.

While the committee recognizes the value of these food programs, it is disturbed at the great amount of criticism and charges of waste and violations of regulations and even the law partially

caused by the split responsibilities for the food stamp program. The House report noted that—

This complicated program, with divided responsibility, has created an almost impossible situation where charges of violations are so numerous that the Department of Justice in most cases has not had sufficient personnel to prosecute and still meet its responsibilities with major cases. With one agency certifying eligibility and another having to administer the program, it appears that correction of abuse is impossible.

In view of this, the committee considered transferring the funds for the food stamp program to the Department of Health, Education, and Welfare, the agency which, through welfare, certifies eligibility. Then in cases of violation, eligibility can easily be withdrawn, thus putting the program on a sound basis; however, it has been decided it would be better to make this change in an orderly manner.

The committee will expect serious consideration of this proposal to transfer the

food stamp program before next year's budget is submitted to the Congress.

Although the dollar increases are not as large in absolute terms, in terms of potential impact on the average consumer the increases for the Food and Drug Administration and the Federal Trade Commission may be the most significant in the history of either agency and should help to greatly strengthen the programs of both.

The \$159,623,000 for the Food and Drug Administration will provide for an additional 1,391 personnel, a 27-percent increase over the number of people available in 1972. The \$39,365,000 increase is the largest yearly increase in the history of the agency. In fact, this increase exceeds the increases for the last 5 years combined.

When added to the \$8,000,000 provided in the 1972 second supplemental, the total funds available will provide for over 19,000 inspections of food plants in 1973,

as compared to only 8,000 in 1972. This dramatic increase should greatly reduce the problems of inadequate surveillance of food and drug plants.

The \$5,285,000 increase in the Federal Trade Commission is also the largest single-year increase in its history and is equally significant. The increase will provide for an additional 205 employees, and will permit better program planning and increased economic analysis of major concentrated industries. Attorney and support personnel, especially in regional offices, have also been increased to assure that the Commission will be able to effectively enforce compliance with past orders and to pursue new orders where justified.

Title IV provides a total of \$3,255,279,000 for consumer programs. This is \$477,897,000 above 1972, and \$167,176,500 above the budget request.

The following table shows the effect of the conference agreement in detail:

DEPARTMENT OF AGRICULTURE—ENVIRONMENTAL AND CONSUMER PROTECTION—H.R. 15690

COMPARATIVE STATEMENT OF CONFEREE RECOMMENDATIONS AND NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 1972 BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE HOUSE AND SENATE BILLS FOR 1973

Agency and title	New budget (obligational) authority enacted to date, fiscal 1972	Budget estimates of new budget (obligational) authority fiscal 1973	New budget (obligational) authority recommended in House bill 1973	New budget (obligational) authority recommended in Senate bill 1973	New budget (obligational) authority recommended by Conferees	Increase (+) or decrease (—) Conferee recommendations compared with—			
						1972	1973 budget	1973 House bill	1973 Senate bill
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
<b>TITLE I—AGRICULTURAL PROGRAMS</b>									
<b>DEPARTMENT OF AGRICULTURE</b>									
<b>Departmental Management</b>									
Office of the Secretary.....	\$9,485,000	\$10,312,000	\$11,112,000	\$10,312,000	\$11,112,000	+\$1,627,000	+\$800,000	.....	+\$800,000
Office of the Inspector General.....	14,354,000	14,519,000	14,519,000	14,519,000	14,519,000	+165,000	.....	.....	.....
Transfer from Food Stamp.....	(4,077,000)	(4,250,000)	(4,250,000)	(4,250,000)	(4,250,000)	(+173,000)	.....	.....	.....
<b>Total, Office of the Inspector General.....</b>	<b>(18,431,000)</b>	<b>(18,769,000)</b>	<b>(18,769,000)</b>	<b>(18,769,000)</b>	<b>(18,769,000)</b>	<b>(+338,000)</b>	<b>.....</b>	<b>.....</b>	<b>.....</b>
Office of the General Counsel.....	6,560,000	6,666,000	6,666,000	6,666,000	6,666,000	+106,000	.....	.....	.....
Office of Management Services.....	3,889,000	4,147,000	4,110,000	4,174,000	4,147,000	+258,000	.....	+\$37,000	.....
<b>Total, Departmental Management.....</b>	<b>34,288,000</b>	<b>36,644,000</b>	<b>36,470,000</b>	<b>35,644,000</b>	<b>36,444,000</b>	<b>+2,156,000</b>	<b>+800,000</b>	<b>+37,000</b>	<b>+800,000</b>
<b>Science and Education Programs</b>									
<b>Agricultural Research Service:</b>									
Research.....	176,746,500	177,814,000	181,922,000	201,018,400	188,036,600	+11,290,100	+10,222,600	+6,114,600	-12,981,800
Transfer from Sec. 32.....	(15,000,000)	(15,000,000)	(15,000,000)	(15,000,000)	(15,000,000)	.....	.....	.....	.....
Special fund (reappropriation).....	2,000,000	(2,000,000)	(2,000,000)	(2,000,000)	(2,000,000)	-2,000,000	.....	.....	.....
Scientific activities overseas.....	10,000,000	20,000,000	10,000,000	20,000,000	10,000,000	.....	-10,000,000	.....	-10,000,000
<b>Total, Agricultural Research Service.....</b>	<b>188,746,500</b>	<b>197,814,000</b>	<b>191,922,000</b>	<b>221,018,400</b>	<b>198,036,600</b>	<b>+9,290,100</b>	<b>+222,600</b>	<b>+6,114,600</b>	<b>-22,981,800</b>
Animal and Plant Health.....	252,514,650	285,858,000	287,404,000	295,454,000	289,304,000	+36,789,350	+3,446,000	+1,900,000	-6,150,000
Cooperative State Research Service.....	82,948,000	87,938,000	89,938,000	94,138,000	91,438,000	+8,490,000	+3,500,000	+1,500,000	-2,700,000
Extension Service.....	172,279,000	181,831,000	191,831,000	197,331,000	194,331,000	+22,052,000	+12,500,000	+2,500,000	-3,000,000
National Agricultural Library.....	4,142,750	4,226,750	4,226,750	4,226,750	4,226,750	+84,000	.....	.....	.....
<b>Total, Science and Education Programs.....</b>	<b>700,630,900</b>	<b>757,667,750</b>	<b>765,321,750</b>	<b>812,168,150</b>	<b>777,336,350</b>	<b>+76,705,450</b>	<b>+19,668,600</b>	<b>+12,014,600</b>	<b>-34,831,800</b>
<b>Agricultural Economics</b>									
Statistical Reporting Service.....	21,088,000	22,836,000	22,800,000	22,936,000	22,834,200	+1,746,200	-1,800	+34,200	-101,800
Economic Research Service.....	16,471,000	18,022,000	17,086,000	18,572,000	17,829,000	+1,558,000	-193,000	+743,000	-743,000
<b>Total, Agricultural Economics.....</b>	<b>37,559,000</b>	<b>40,858,000</b>	<b>39,886,000</b>	<b>41,508,000</b>	<b>40,663,200</b>	<b>+3,104,200</b>	<b>-194,800</b>	<b>+777,200</b>	<b>-844,800</b>
<b>Marketing Services</b>									
<b>Agricultural Marketing Service:</b>									
Marketing Services.....	32,069,000	34,174,000	34,174,000	34,210,000	34,210,000	+2,141,000	+36,000	+36,000	.....
Payments to States and Possessions.....	1,600,000	1,600,000	1,750,000	2,500,000	2,500,000	+900,000	+900,000	+750,000	.....
<b>Total, Agricultural Marketing Service.....</b>	<b>33,669,000</b>	<b>35,774,000</b>	<b>35,924,000</b>	<b>36,710,000</b>	<b>36,710,000</b>	<b>+3,041,000</b>	<b>+936,000</b>	<b>+786,000</b>	<b>.....</b>



## DEPARTMENT OF AGRICULTURE—ENVIRONMENTAL AND CONSUMER PROTECTION—H.R. 15690—Continued

## COMPARATIVE STATEMENT OF CONFEREES RECOMMENDATIONS AND NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 1972 BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE HOUSE AND SENATE BILLS FOR 1973—Continued

Agency and title	New budget (obligational) authority enacted to date, fiscal 1972	Budget estimates of new budget (obligational) authority fiscal 1973	New budget (obligational) authority recommended in House bill 1973	New budget (obligational) authority recommended in Senate bill 1973	New budget (obligational) authority recommended by Conferees	Increase (+) or decrease (—) Conferee recommendations compared with—			
						1972	1973 budget	1973 House bill	1973 Senate bill
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
Commodity Exchange Authority.....	\$2,843,000	\$2,906,000	\$2,906,000	\$2,906,000	\$2,906,000	+\$63,000			
Packers and Stockyards Administration.....	4,005,650	4,062,650	4,026,650	4,062,650	4,062,650	+57,000			
Farmer Cooperative Service.....	1,909,000	1,955,000	1,955,000	2,155,000	2,055,000	+146,000	+\$100,000	+\$100,000	—\$100,000
Total, Marketing Services.....	42,426,650	44,697,650	44,847,650	45,833,650	45,733,650	+3,307,000	+1,036,000	+886,000	—100,000
International Programs									
Foreign Agricultural Service.....	25,536,000	26,074,000	25,536,000	26,074,000	25,805,000	+269,000	—269,000	+269,000	—269,000
Transfer from Sec. 32.....	(3,117,000)	(3,117,000)	(3,117,000)	(3,117,000)	(3,117,000)	(.....)	(.....)	(.....)	(.....)
Total, Foreign Agricultural Service.....	(28,653,000)	(29,191,000)	(28,653,000)	(29,191,000)	(28,992,000)	(+269,000)	(—269,000)	(+269,000)	(—269,000)
Public Law 480.....	1,320,400,000	895,000,000	895,000,000	895,000,000	895,000,000	—425,400,000			
Total, International Programs.....	1,345,936,000	921,074,000	920,536,000	921,074,000	920,805,000	—425,131,000	—269,000	+269,000	—269,000
COMMODITY PROGRAMS									
Agricultural Stabilization and Conservation Service:									
Salaries and Expenses.....	165,039,000	169,235,000	169,235,000	169,235,000	169,235,000	+4,196,000			
Transfer from CCC.....	(77,256,000)	(78,346,000)	(78,346,000)	(78,346,000)	(78,346,000)	(+1,090,000)			
Total, Expenses, ASCS.....	(242,295,000)	(247,581,000)	(247,581,000)	(247,581,000)	(247,581,000)	(+5,286,000)			
Sugar Act program.....	86,000,000	84,500,000	84,500,000	84,500,000	84,500,000	—1,500,000			
Cropland adjustment program.....	67,100,000	52,500,000	52,500,000	52,500,000	52,500,000	—14,600,000			
Dairy and beekeeper indemnity programs.....	7,500,000	3,500,000	3,500,000	3,500,000	3,500,000	—4,000,000			
Federal Crop Insurance Corporation:									
Administrative and operating expenses.....	12,000,000	12,000,000	12,000,000	12,000,000	12,000,000				
FCIC fund (premium income).....	(3,587,000)	(3,654,000)	(3,654,000)	(3,654,000)	(3,654,000)	(+67,000)	(.....)	(.....)	(.....)
Total, administrative and operating expenses.....	(15,587,000)	(15,654,000)	(15,654,000)	(15,654,000)	(15,654,000)	(+67,000)	(.....)	(.....)	(.....)
Subscription to capital stock.....	10,000,000					—10,000,000			
Total Federal Crop Insurance Corporation.....	22,000,000	12,000,000	12,000,000	12,000,000	12,000,000	—10,000,000			
Commodity Credit Corporation:									
Reimbursement for net realized losses.....	4,213,331,000	4,057,952,000	3,832,952,000	4,057,952,000	4,057,952,000	—155,379,000		+225,000,000	
Limitation on administrative expenses.....	(40,200,000)	(39,900,000)	(39,900,000)	(39,900,000)	(39,900,000)	(—300,000)			
Total, Commodity Credit Corporation.....	4,213,331,000	4,057,952,000	3,882,952,000	4,057,952,000	4,057,952,000	—155,379,000		+225,000,000	
Total, Commodity Programs.....	4,560,970,000	4,379,687,000	4,154,687,000	4,379,687,000	4,379,687,000	—181,283,000		+225,000,000	
Total, Title I, Agricultural Programs.....	6,721,810,550	6,179,628,400	5,961,685,400	6,235,914,800	6,200,669,200	—521,141,350	+21,040,800	+238,983,800	—35,245,000
TITLE II—RURAL DEVELOPMENT									
DEPARTMENT OF AGRICULTURE									
Rural Development Service.....	250,000	500,000	250,000	500,000	400,000	+150,000	—100,000	+150,000	—100,000
Resource conservation and development.....	20,867,000	20,600,000	20,867,000	26,600,000	26,600,000	+5,733,000	+6,000,000	+5,733,000	
Rural Electrification Administration:									
Loan authorization:									
Electrification.....	545,000,000	331,000,000	438,000,000	488,000,000	488,000,000	—57,000,000	+157,000,000	+50,000,000	
Unobligated balances available.....		(107,000,000)	(107,000,000)	(107,000,000)	(107,000,000)	(+107,000,000)			
Total available.....	(545,000,000)	(438,000,000)	(545,000,000)	(595,000,000)	(595,000,000)	(+50,000,000)	(+157,000,000)	(+50,000,000)	
Telephone.....	124,100,000	125,000,000	125,000,000	145,000,000	145,000,000	+20,900,000	+20,000,000	+20,000,000	
Total, loans (authorization to spend debt receipts).....	669,100,000	456,000,000	563,000,000	633,000,000	633,000,000	—36,100,000	+177,000,000	+70,000,000	
Rural Telephone Bank.....	30,000,000	30,000,000	30,000,000	30,000,000	30,000,000				
Salaries and expenses.....	16,706,000	16,720,000	16,720,000	16,720,000	16,720,000	+14,000			
Total, Rural Electrification Administration.....	715,806,000	502,720,000	609,720,000	679,720,000	679,720,000	—36,086,000	+177,000,000	+70,000,000	
Farmers Home Administration:									
Direct loan account:									
Operating loans.....	(350,000,000)	(275,000,000)	(350,000,000)	(350,000,000)	(350,000,000)	(+75,000,000)	(.....)	(.....)	(.....)
Soil conservation loans.....	(8,700,000)	(24,000,000)	(24,000,000)	(24,000,000)	(24,000,000)	(+15,300,000)	(.....)	(.....)	(.....)
Total, direct loan account.....	(358,700,000)	(299,000,000)	(374,000,000)	(374,000,000)	(374,000,000)	(+15,300,000)	(+75,000,000)	(.....)	(.....)

Footnotes at end of table.

Agency and title	New budget (obligational) authority enacted to date, fiscal 1972	Budget estimates of new budget (obligational) authority fiscal 1973	New budget (obligational) authority recommended in House bill 1973	New budget (obligational) authority recommended in Senate bill 1973	New budget (obligational) authority recommended by Conferees	Increase (+) or decrease (—) Conferee recommendations compared with—			
						1972	1973 budget	1973 House bill	1973 Senate bill
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
<b>TITLE II—RURAL DEVELOPMENT—Continued</b>									
<b>DEPARTMENT OF AGRICULTURE—Continued</b>									
<b>Farmers Home Admin.—Con.</b>									
<b>Rural Housing Insurance Fund:</b>									
Reimbursement for interest and other losses.....	\$23,663,000	\$51,461,000	\$51,461,000	\$51,461,000	\$51,461,000	+\$27,798,000			
Direct loans.....	(10,000,000)	(10,000,000)	(10,000,000)	(10,000,000)	(10,000,000)				
Insured loans.....	(1,605,000,000)	(2,114,000,000)	(2,144,000,000)	(2,144,000,000)	(2,144,000,000)	(+539,000,000)			
<b>Total, Rural Housing Insurance Fund.....</b>	<b>(1,638,663,000)</b>	<b>(2,205,641,000)</b>	<b>(2,205,461,000)</b>	<b>(2,205,461,000)</b>	<b>(2,205,461,000)</b>	<b>(+566,798,000)</b>			
<b>Agricultural Credit Insurance Fund:</b>									
Reimbursement for interest and other losses.....	37,192,000	56,762,000	56,762,000	56,762,000	56,762,000	+19,570,000			
Insured real estate loans.....	(372,000,000)	(370,000,000)	(370,000,000)	(470,000,000)	(370,000,000)	(-2,000,000)			(-\$100,000,000)
Insured water and waste disposal loans.....	(300,000,000)	(300,000,000)	(300,000,000)	(300,000,000)	(300,000,000)				
<b>Total, Agriculture Credit Insurance Fund.....</b>	<b>(709,192,000)</b>	<b>(726,762,000)</b>	<b>(726,762,000)</b>	<b>(826,762,000)</b>	<b>(726,762,000)</b>	<b>(+17,570,000)</b>			<b>(-100,000,000)</b>
Rural water and waste disposal grants.....	44,000,000		42,000,000	142,000,000	92,000,000	+48,000,000	+92,000,000	\$+50,000,000	-50,000,000
Unobligated balance available from previous years.....	(56,000,000)	2 (58,000,000)	(58,000,000)	(58,000,000)	(58,000,000)	(+2,000,000)			
<b>Total, rural water and waste disposal grants.....</b>	<b>(100,000,000)</b>	<b>(58,000,000)</b>	<b>(100,000,000)</b>	<b>(200,000,000)</b>	<b>(150,000,000)</b>	<b>(+50,000,000)</b>	<b>(+92,000,000)</b>	<b>(+50,000,000)</b>	<b>(-50,000,000)</b>
Rural housing for domestic farm labor.....	2,500,000	2,500,000	2,500,000	7,000,000	3,750,000	+1,250,000	+1,250,000	+1,250,000	-3,250,000
Mutual and self-help housing.....	2,000,000	3,000,000	3,000,000	3,000,000	3,000,000	+1,000,000			
Salaries and expenses.....	110,114,000	112,743,000	112,743,000	117,743,000	112,743,000	+12,629,000			-5,000,000
Transfer from loan accounts.....	(2,750,000)	(1,500,000)	(1,500,000)	(1,500,000)	(1,500,000)	(-1,250,000)			
<b>Total, salaries and expenses.....</b>	<b>(102,864,000)</b>	<b>(114,243,000)</b>	<b>(114,243,000)</b>	<b>(119,243,000)</b>	<b>(114,243,000)</b>	<b>(+11,379,000)</b>			<b>(-5,000,000)</b>
<b>Total, Farmers Home Administration.....</b>	<b>209,469,000</b>	<b>226,466,000</b>	<b>268,466,000</b>	<b>377,966,000</b>	<b>319,716,000</b>	<b>+110,247,000</b>	<b>+93,250,000</b>	<b>+51,250,000</b>	<b>-58,250,000</b>
<b>INDEPENDENT AGENCIES</b>									
<b>Farm Credit Administration:</b>									
Limitation on administrative expenses.....	(5,200,000)	(5,545,000)	(5,545,000)	(5,545,000)	(5,545,000)	(+345,000)	(-----)	(-----)	(-----)
<b>Total, Title II, rural development.....</b>	<b>946,392,000</b>	<b>750,286,000</b>	<b>899,303,000</b>	<b>1,084,786,000</b>	<b>1,026,436,000</b>	<b>+80,044,000</b>	<b>+\$276,150,000</b>	<b>+127,133,000</b>	<b>-58,350,000</b>
<b>TITLE III—ENVIRONMENTAL PROGRAMS</b>									
<b>INDEPENDENT AGENCIES</b>									
<b>Council on Environmental Quality and Office of Environmental Quality.....</b>	<b>2,300,000</b>	<b>2,550,000</b>	<b>2,550,000</b>	<b>2,550,000</b>	<b>2,550,000</b>	<b>+250,000</b>			
<b>Environmental Protection Agency:</b>									
Agency and regional management.....	34,460,400	41,460,400	41,960,400		41,960,400	+7,500,000	+500,000		
Research and Development.....	168,154,018	167,223,700	185,223,700		185,223,700	+17,069,682	+18,000,000		
Abatement and Control.....	186,142,800	207,435,700	240,935,700	491,514,000	210,935,700	+24,792,900	+3,500,000	-30,000,000	-24,500,000
Enforcement.....	21,345,100	28,894,200	28,894,200		28,894,200	+7,549,100			
Facilities.....	28,000,000	1,000,000				-28,000,000	-1,000,000		
Employment savings.....	2,418,000					-2,418,000			
Construction grants.....	2,000,000,000	2,000,000,000	1,900,000,000	1,900,000,000	1,900,000,000	-100,000,000	-100,000,000		
Scientific activities overseas.....	7,000,000	7,000,000	4,000,000	4,000,000	4,000,000	-3,000,000	-3,000,000		
<b>Total, Environmental Protection Agency.....</b>	<b>2,447,520,318</b>	<b>2,453,014,000</b>	<b>2,401,014,000</b>	<b>2,395,514,000</b>	<b>2,371,014,000</b>	<b>-76,506,318</b>	<b>-82,000,000</b>	<b>-30,000,000</b>	<b>-24,500,000</b>
<b>National Commission on Materials Policy.....</b>	<b>500,000</b>	<b>1,300,000</b>	<b>1,300,000</b>	<b>1,300,000</b>	<b>1,300,000</b>	<b>+800,000</b>			
<b>DEPARTMENT OF COMMERCE</b>									
<b>National Pollution Control Council.....</b>	<b>316,059</b>	<b>323,000</b>	<b>310,000</b>	<b>323,000</b>	<b>323,000</b>	<b>+6,941</b>		<b>+13,000</b>	
<b>DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT</b>									
<b>Grants for basic water and sewer facilities.....</b>	<b>500,000,000</b>					<b>-500,000,000</b>			
Unobligated balance available from previous years.....	(200,000,000)	(500,000,000)	(500,000,000)	(500,000,000)	(500,000,000)	(+300,000,000)	(-----)	(-----)	(-----)
Less: Amounts frozen by OMB.....	(500,000,000)	(300,000,000)	(-----)	(-----)	(-----)	(+500,000,000)	(-300,000,000)	(-----)	(-----)
<b>Program.....</b>	<b>(200,000,000)</b>	<b>(200,000,000)</b>	<b>(500,000,000)</b>	<b>(500,000,000)</b>	<b>(500,000,000)</b>	<b>(+300,000,000)</b>	<b>(+300,000,000)</b>	<b>(-----)</b>	<b>(-----)</b>



## DEPARTMENT OF AGRICULTURE—ENVIRONMENTAL AND CONSUMER PROTECTION—H.R. 15690—Continued

## COMPARATIVE STATEMENT OF CONFEEE RECOMMENDATIONS AND NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 1972 BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE HOUSE AND SENATE BILLS FOR 1973—Continued

Agency and title	New budget (obligational) authority enacted to date, fiscal 1972	Budget estimates of new budget (obligational) authority fiscal 1973	New budget (obligational) authority recommended in House bill 1973	New budget (obligational) authority recommended in Senate bill 1973	New budget (obligational) authority recommended by Conferees	Increase (+) or decrease (—) Conferee recommendations compared with—			
						1972	1973 budget	1973 House bill	1973 Senate bill
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
<b>DEPARTMENT OF AGRICULTURE</b>									
Soil Conservation Service:									
Conservation operations.....	\$154,734,000	\$155,069,000	\$155,069,000	\$165,069,000	\$160,069,000	\$+5,335,000	+\$5,000,000	+\$5,000,000	—\$5,000,000
River basin surveys and in-									
vestigations.....	10,091,000	11,607,000	11,607,000	11,607,000	11,607,000	+1,516,000	-----	-----	-----
Watershed planning.....	6,740,000	7,122,000	7,122,000	8,122,000	7,622,000	+882,000	+500,000	+500,000	—500,000
Watershed and flood preven-									
tion operations.....	132,099,000	125,137,000	132,099,000	135,000,000	133,549,500	+1,450,500	+8,412,500	+1,450,500	—1,450,500
Great Plains conservation									
program.....	18,113,500	18,051,000	18,113,500	20,000,000	18,113,500	-----	+62,500	-----	—1,886,500
Total, Soil Conservation									
Service.....	321,777,500	316,986,000	324,010,500	339,798,000	330,961,000	+9,183,500	+13,975,000	+6,950,500	—8,837,000
Agricultural Stabilization and									
Conservation Service:									
Rural environmental as-									
sistance program:									
Advance authorization (con-									
tract authorization).....	195,500,000	140,000,000	195,500,000	225,500,000	225,500,000	+30,000,000	+85,500,000	+30,000,000	-----
Transfer from Environ-									
mental Protection									
Agency.....	(-----)	(-----)	(30,000,000)	(-----)	(-----)	(-----)	(-----)	(—30,000,000)	(-----)
Program level.....	(195,500,000)	(140,000,000)	(225,500,000)	(225,500,000)	(225,500,000)	(+30,000,000)	(+85,500,000)	(-----)	(-----)
Liquidation of contract									
authorization.....	(150,000,000)	(195,500,000)	(195,500,000)	(195,500,000)	(195,500,000)	(+45,500,000)	-----	-----	-----
Water Bank Act program.....	10,000,000	10,000,000	10,000,000	10,000,000	10,000,000	-----	-----	-----	-----
Emergency conservation									
measures.....	12,000,000	10,000,000	10,000,000	10,000,000	10,000,000	2,000,000	-----	-----	-----
Total, Agricultural Stabili-									
zation and Conservation									
Service.....	217,500,000	160,000,000	215,500,000	245,500,000	245,500,000	+28,000,000	+85,500,000	+30,000,000	-----
Total, Title III—Environ-									
mental programs.....	3,489,913,877	2,934,173,000	2,944,684,500	2,984,985,000	2,951,648,000	—538,265,877	+17,475,000	+6,963,500	—33,337,000
<b>TITLE IV—CONSUMER PROGRAMS</b>									
<b>INDEPENDENT AGENCIES</b>									
Office of Consumer Affairs.....	977,000	1,118,000	1,033,000	1,118,000	1,075,500	+98,500	—42,500	+42,500	—42,500
Consumer Products Information									
Coordinating Center.....	457,000	643,000	823,000	823,000	823,000	+366,000	+180,000	-----	-----
National Commission on Con-									
sumer Finance.....	625,000	(4)	320,000	413,000	365,000	—260,000	+365,000	+45,000	—48,000
<b>DEPARTMENT OF AGRICULTURE</b>									
Food and Nutrition Service:									
Child Nutrition programs.....	363,876,000	471,296,000	471,296,000	471,296,000	471,296,000	+107,420,000	-----	-----	-----
Transfer from sec. 32.....	(232,043,000)	(119,165,000)	(119,165,000)	(119,165,000)	(119,165,000)	(—112,878,000)	(-----)	(-----)	(-----)
Total, child nutrition									
programs.....	(595,919,000)	(590,461,000)	(590,461,000)	(590,461,000)	(590,461,000)	(—5,458,000)	-----	-----	-----
Special milk program.....	104,000,000	92,123,000	92,123,000	97,123,000	97,123,000	—6,877,000	+5,000,000	+5,000,000	-----
Food stamp program.....	2,200,000,000	2,341,146,000	2,341,146,000	2,500,000,000	2,500,000,000	+300,000,000	+158,854,000	+158,854,000	-----
Total, Food and Nutrition									
Service.....	2,667,876,000	2,904,565,000	2,904,565,000	3,068,419,000	3,068,419,000	+400,543,000	+163,854,000	+163,854,000	-----
<b>DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE</b>									
Food and Drug Administration:									
Food, Drug, and Product									
Safety:									
Appropriation.....	112,258,000	148,423,000	154,123,000	154,123,000	154,123,000	+41,865,000	+5,700,000	-----	-----
Prior year unobligated									
balance.....	(-----)	(-----)	(1,600,000)	(1,600,000)	(1,600,000)	(+1,600,000)	(+1,600,000)	(-----)	(-----)
Program level.....	(112,258,000)	(148,423,000)	(155,723,000)	(155,723,000)	(155,723,000)	(+43,465,000)	(+7,300,000)	(-----)	(-----)
Buildings and facilities:									
Appropriation.....	-----	5,000,000	-----	-----	-----	-----	—5,000,000	-----	-----
Prior-year unobligated									
balances.....	(3,000,000)	(-----)	(3,900,000)	(3,900,000)	(3,900,000)	(—4,100,000)	(+3,900,000)	(-----)	(-----)
Program level.....	(8,000,000)	(5,000,000)	(3,900,000)	(3,900,000)	(3,900,000)	(—4,100,000)	(—1,100,000)	(-----)	(-----)
Total, Food and Drug									
Administration:									
Appropriation.....	112,258,000	153,423,000	154,123,000	154,123,000	154,123,000	+41,865,000	+700,000	-----	-----
Prior-year unobligated									
balances.....	(8,000,000)	(-----)	(5,500,000)	(5,500,000)	(5,500,000)	(—2,500,000)	(+5,500,000)	(-----)	(-----)
Program level.....	(120,258,000)	(153,423,000)	(159,623,000)	(159,623,000)	(159,623,000)	(+39,365,000)	(+6,200,000)	(-----)	(-----)
<b>INDEPENDENT AGENCIES</b>									
Federal Trade Commission.....	25,189,000	28,354,000	30,474,000	30,474,000	30,474,000	+5,285,000	+2,120,000	-----	-----
Total, Title IV, Consumer									
programs.....	2,807,382,000	3,088,103,000	3,091,338,000	3,255,370,000	3,255,279,500	+447,897,500	+167,176,500	+163,941,500	—90,500

Footnotes at end of table.

Agency and title	New budget (obligational) authority enacted to date, fiscal 1972	Budget estimates of new budget (obligational) authority fiscal 1973	New budget (obligational) authority recommended in House bill 1973	New budget (obligational) authority recommended in Senate bill 1973	New budget (obligational) authority recommended by Conferees	Increase (+) or decrease (—) Conferee recommendations compared with—			
						1972	1973 budget	1973 House bill	1973 Senate bill
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
RECAPITULATION									
Title I—Agricultural Programs.....	\$6,721,810,550	\$6,179,628,400	\$5,961,685,400	\$6,235,914,800	\$6,200,669,200	—\$521,141,350	+\$21,040,800	+\$238,983,800	—\$35,245,600
Title II—Rural Development.....	946,392,000	750,286,000	899,303,000	1,084,786,000	1,026,436,000	+80,044,000	+276,150,000	+127,133,000	—58,350,000
Title III—Environmental Programs.....	3,489,913,877	2,934,173,000	2,944,684,500	2,984,985,000	2,951,648,000	—538,265,877	+17,475,000	+6,963,500	—33,337,000
Title IV—Consumer Programs.....	2,807,382,000	3,088,103,000	3,091,338,000	3,255,370,000	3,255,279,500	+447,897,500	+167,176,500	+163,941,500	—90,500
Total, New budget (ob- ligational authority).....	13,965,498,427	12,952,190,400	12,897,010,900	13,561,055,800	13,434,032,700	—531,465,727	+481,842,300	+537,021,800	—127,023,100
CONSISTING OF									
1. Appropriations.....	13,098,898,427	12,356,190,400	12,138,510,900	12,702,555,800	12,575,532,700	—523,365,727	+219,432,300	+437,021,800	—127,023,100
2. Reappropriations.....	2,000,000					—2,000,000			
3. Contract authorization.....	195,500,000	140,000,000	195,500,000	225,500,000	225,500,000	+30,000,000	+85,500,000	+30,000,000	
4. Authorizations to spend from debt receipts.....	669,100,000	456,000,000	563,000,000	633,000,000	633,000,000	—36,100,000	+177,000,000	+70,000,000	
MEMORANDUMS									
1. Appropriations to liquidate contract authority.....	150,000,000	195,500,000	195,500,000	195,500,000	195,500,000	+45,500,000			
2. Appropriations including ap- propriations to liquidate contract authority.....	13,248,988,427	12,551,690,400	12,334,010,900	12,898,055,800	12,771,032,700	—477,865,727	+219,342,300	+437,021,800	—127,023,100
3. Transfers from Sec. 32.....	250,160,000	137,282,000	137,282,000	137,282,000	137,282,000	—112,878,000			
4. Transfer from CCC.....	77,256,000	78,346,000	78,346,000	78,346,000	78,346,000	+1,090,000			

<sup>1</sup> The Senate approved a floor amendment which increased the "Payments for Rural Development work under Section 3(d)" by \$3,000,000 over the Committee Bill. However, the amendment failed to increase the "in all" provision. Consequently there are no funds in the Bill to carry out the increase.

<sup>2</sup> The Budget proposed to use \$42,000,000 of this amount.

<sup>3</sup> Includes \$30,000,000 to be transferred to the Rural Environmental Assistance Program.

<sup>4</sup> Because of a lack of authorizing legislation, no formal budget request was submitted. However, OMB permitted testimony in support of a \$500,000 appropriation.

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

Mr. WHITTEN. I will be glad to yield to the gentleman from Illinois.

Mr. FINDLEY. I thank the gentleman for yielding. I direct the gentleman's attention to amendment 23 on page 8. This indicates that the conference report approves almost \$200 million more in restoration of Commodity Credit Corporation resources, as contrasted with the House proposal.

Can the gentleman explain why this increase, and if this brings it up to the full reimbursement, why the House language did not seek full reimbursement?

Mr. WHITTEN. There is a difference of viewpoint as to the House and as to the Senate. In the House we were faced with certain realities of life. I, for one, have held that it is not necessary to add money to the capital reserves of this Corporation if present projection of need indicate that it is not warranted.

On the other side, they feel that the Corporation should be kept fully intact. I say to my friend from Illinois that I am one of those who, with all the things I see around me, cannot argue about having a completely solid Commodity Credit Corporation, in view of what I see in every direction I look. Here is a Corporation to which we can look in case hard times do come, and as we do get more and more urbanized.

So we yielded to the other body. In the first place, we had to, or we could not reach agreement. In the second place, money will not be drawn from the Treasury until it is used. It will not be spent until it is required under the law. So really it is a bookkeeping item and does not affect actual expenditures. It might be worth its weight in gold when

we come to a period when we might not be able to get a proper appropriation for those who need it.

Mr. FINDLEY. Can the gentleman explain whether this fully reimburses all the impairment that was occurred during the previous year?

Mr. WHITTEN. To my knowledge it does and was so represented to the committee in our hearings.

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

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

Mr. KYL. Mr. Speaker, I am not trying to judge the goodness or the badness of the Wholesome Meat Act, at this time. But since this is an appropriation conference report, I do want to call to the chairman's attention a series of incidents.

Under the Clean Meat Act the State was supposed to come up with a program which was equal to the Federal program. Thus we might expect the State would end up having a State inspection or a Federal inspection as the result of that act. What we have now is a multiple inspection system. Illustration: The State man inspects a plant. The next day a Federal inspector inspects the plant to see if the State inspector has done his job properly, in an "equal to Federal" fashion. The next day someone from the Inspector General's Office comes out to see if the Federal inspector did his job properly. Finally the General Accounting Office comes to see if the three previous individuals functioned according to law. In other words, instead of one man we have four.

In another instance the State secretary of agriculture reported he had several different Federal people in his office

at one time from a multiplicity of offices, checking up on the administration of the act.

Another small plant operator, in a very small plant, reported he had five different inspectors with five different automobiles at his plant at one time, all of them ostensibly inspecting the plant.

I would hope, I say to the gentleman, that the committee will give a little oversight to this operation, because regardless of the efficacy of this Wholesome Meat Act, the administration of it is becoming in many instances a ridiculous proposition and in other instances, it is intolerable. The operator does not know which master to serve.

Mr. WHITTEN. I thank the gentleman from Iowa. I, too, can see many problems arising in the area of meat inspection. I see some of the demands made by some of the consumer groups without any awareness of the processes which increase the cost, but the result will be in some instances that people will quit producing food, as I said earlier.

We have tried to do what we can in this area. As the gentleman knows, this is a program where if the State does not meet the standards the Federal Government steps in. I have had several other administrative problems which do deal with administration of these acts, and I think we have in the Secretary a very fine person to work with in trying to bring about a minimum of dislocation in these programs.

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

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

Mr. FINDLEY. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, as I recall the House ap-



proprietorship bill as presented to this body, was below the request of the executive branch. Of course, the President's budget request showed a total deficit of about \$25 billion, but, nevertheless, a great many of us rejoiced that the appropriation bill for Agriculture and related agencies was within what the President had asked for. I take this time merely to point out to my colleagues that here is an example of how the budget deficit keeps growing. We started out here believing we were living within the President's request at least, and we wound up with a conference report which is almost one-half billion dollars more in the red than the House version. With the President's budget \$25 billion in the red, the effect of this bill alone is to raise that to \$25.5 billion.

Mr. WHITTEN. We must remember it is not only the expenditures involved, but also there is a restoration of the Commodity Credit Corporation, which will not be needed in the coming year. I know it will not be, but it does keep the corporation intact.

Mr. Speaker, I yield to my colleague, the ranking minority Member from North Dakota (Mr. ANDREWS).

Mr. ANDREWS of North Dakota. Mr. Speaker, I should like to join the chairman in the remarks he has made and commend to the House the report of the conferees, as well as the report of the House subcommittee in the first place.

I would point out again to our colleagues that the increase over the original House version includes \$225.5 million, as has been pointed out, for reimbursement of the CCC. This is money which will have to be spent whether or not it is in this bill.

There is another \$158 million increase over the original House version for food stamps. This amount of money for food stamps has been placed in a budgetary reserve to be used only if needed in an emergency.

These two items constitute almost \$400 million, a majority of the half billion dollars we have talked about as being over the original House version.

There are increases of \$50 million for REA and \$20 million for RTA which are not grant funds but are loan funds and will be returned to the Treasury with interest.

I commend this bill to my colleagues and I urge support of the conference report.

Mr. MATSUNAGA. Mr. Speaker, the conference report on H.R. 15690 is a composite bill providing 1973 appropriations for a wide variety of programs. It is inevitable that the final version of the measure will contain so much that it is very difficult to focus on individual items, no matter how important.

However, there are relatively small sums included in H.R. 15690 for two vital programs, which I would like to bring to the attention of the House.

First, tropical and subtropical agriculture research authorized by the 1966 Food for Peace Act, and

Second, research into combating "smut," a sugarcane disease which has

invaded Hawaii and threatens other sugar-producing areas of the United States.

The \$500,000 for tropical agriculture research would begin to implement the program of research and training which Congress authorized 6 years ago when it adopted the Matsunaga amendment to the Food for Peace Act.

More than half of the world's population reside in warmer climates, and we find there large numbers of developing countries with basic problems in feeding their people.

In some of these areas research on a limited scale has already produced noteworthy results. The "Green Revolution" in cereal grains, for example, has diminished the specter of starvation. Now, it is necessary to make similar dramatic breakthroughs with regard to tropical fruits, vegetables, and livestock products. The research centers which the \$500,000 in H.R. 15690 would be used to plan would deal with these present shortcomings.

Of course, the new technologies developed at the research centers would also be usable to a certain extent in those areas of the continental United States having a warm climate.

The other item contained in the conference report is \$200,000, urgently needed to combat the spread of a devastating and fast-spreading sugarcane disease called smut. The result of smut infection is a serious reduction in sugar yield of any canefield in which smut is found.

There is no record of smut disease having been found in the United States before the recent outbreak in Hawaii. It is found, however, in many of the sugarcane-growing countries of the world.

It is possible that the spores of the disease organism arrived in Hawaii on the shoes or clothing of visitors. It is also possible that spores could soon find their way to other U.S. cane-growing areas in the same way. Thus, this disease poses a serious economic threat to the sugarcane-growing areas in Hawaii, Louisiana, Florida, and Puerto Rico.

Mr. Speaker, I urge the adoption of the conference report on H.R. 15690 so that work may be carried on in these important areas.

Mr. WHITTEN. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER pro tempore (Mr. BOLING). The question is on the conference report.

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

Mr. DEVINE. 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 pro tempore. 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 317, nays 80, not voting 35, as follows:

[Roll No. 308]

YEAS—317

Abbott	Fountain	Mills, Ark.
Abernethy	Fraser	Mills, Md.
Abourezk	Fulton	Minish
Abzug	Fuqua	Mink
Adams	Galifianakis	Mitchell
Alexander	Garmatz	Mizell
Anderson, Ill.	Gaydos	Mollohan
Anderson, Tenn.	Gettys	Monagan
Andrews, Ala.	Gialimo	Montgomery
Andrews, N. Dak.	Gibbons	Moorhead
Annunzio	Goldwater	Morgan
Arends	Gonzalez	Moss
Ashley	Goodling	Murphy, Ill.
Aspin	Grasso	Murphy, N.Y.
Aspinall	Green, Oreg.	Myers
Baker	Green, Pa.	Natcher
Baring	Griffin	Nelsen
Barrett	Griffiths	Nichols
Beigich	Gross	Nix
Belcher	Gude	Obey
Bennett	Haley	O'Hara
Bergland	Halpern	O'Konski
Bevill	Hamilton	Patman
Bieber	Hammer-	Patten
Bingham	schmidt	Pepper
Blackburn	Hanley	Perkins
Blanton	Hanna	Pettis
Boland	Hansen, Idaho	Peyser
Bolling	Hansen, Wash.	Pickle
Brademas	Harrington	Poage
Brasco	Harsha	Podell
Bray	Harvey	Poff
Brinkley	Hathaway	Preyer, N.C.
Brooks	Hawkins	Price, Ill.
Brotzman	Hays	Price, Tex.
Brown, Mich.	Hechler, W. Va.	Pryor, Ark.
Brown, Ohio	Heckler, Mass.	Pucinski
Broyhill, N.C.	Heinz	Purcell
Broyhill, Va.	Helstoski	Quile
Buchanan	Henderson	Quillen
Burke, Mass.	Hicks, Mass.	Rallsback
Burleson, Tex.	Hicks, Wash.	Randall
Burlison, Mo.	Hillis	Rangel
Burton	Hogan	Rees
Byrne, Pa.	Holifield	Reid
Byron	Horton	Reuss
Cabell	Howard	Rhodes
Caffery	Hull	Riegle
Camp	Hungate	Roberts
Carey, N.Y.	Hunt	Robison, N.Y.
Carlson	Hutchinson	Rodino
Carney	Ichord	Roe
Carter	Jacobs	Rogers
Casey, Tex.	Jarman	Roncallo
Celler	Johnson, Calif.	Rooney, Pa.
Chamberlain	Johnson, Pa.	Rosenthal
Chappell	Jones, Ala.	Rostenkowski
Chisholm	Jones, N.C.	Roush
Clark	Jones, Tenn.	Roy
Clausen,	Karth	Runnels
Don H.	Kastenmeier	Ruppe
Clay	Kazen	Ryan
Collins, Ill.	Keating	Sarbanes
Conover	Kee	Scherle
Cotter	Kemp	Schwengel
Culver	King	Scott
Curlin	Kluczynski	Sebelius
Daniel, Va.	Koch	Seiberling
Daniels, N.J.	Kuykendall	Shipley
Danielson	Kyl	Shoup
Davis, S.C.	Kyros	Sikes
de la Garza	Landrum	Sisk
Dellums	Leggett	Skubitz
Denholm	Link	Slack
Dennis	Lloyd	Smith, Iowa
Dent	Long, Md.	Snyder
Derwinski	Lujan	Springer
Diggs	McClary	Staggers
Dingell	McCollister	Stanton,
Donohue	McFall	J. William
Dorn	McKay	Stanton,
Dow	McKevitt	James V.
Downing	McMillan	Steed
Drinan	Macdonald,	Steele
Duncan	Mass.	Steiger, Ariz.
Eckhardt	Madden	Steiger, Wis.
Edwards, Calif.	Mahon	Stephens
Ellberg	Mallory	Stokes
Esch	Mann	Stratton
Evans, Colo.	Martin	Stubblefield
Evins, Tenn.	Mathias, Calif.	Sullivan
Fisher	Mathis, Ga.	Symington
Flood	Matsunaga	Talcott
Flowers	Mayne	Taylor
Foley	Mazzoli	Teague, Calif.
Ford, Gerald R.	Meeds	Teague, Tex.
Ford,	Melcher	Thompson, Ga.
William D.	Metcalfe	Thomson, Wis.
Forsythe	Michel	Thone
	Mikva	Udall
	Miller, Ohio	Ullman

Vander Jagt  
Vanik  
Vigorito  
Waggonner  
Wampler  
Whalen  
White  
Whitehurst

Whitten  
Widnall  
Wilson,  
Charles H.  
Winn  
Wright  
Wyder  
Wylie

Wyman  
Yates  
Yatron  
Young, Tex.  
Zablocki  
Zion  
Zwach

## NAYS—80

Anderson,  
Calif.  
Archer  
Ashbrook  
Bell  
Betts  
Biaggi  
Bow  
Burke, Fla.  
Byrnes, Wis.  
Cederberg  
Clancy  
Clawson, Del.  
Cleveland  
Collier  
Collins, Tex.  
Conable  
Conte  
Conyers  
Corman  
Coughlin  
Crane  
Davis, Wis.  
Delaney  
Dellenback  
Devine  
Dickinson

Dulski  
du Pont  
Edwards, Ala.  
Erlenborn  
Eshleman  
Fascell  
Findley  
Fish  
Frelinghuysen  
Frenzel  
Frey  
Grover  
Gubser  
Hall  
Hastings  
Hosmer  
Jonas  
Keith  
Landgrebe  
Latta  
Lent  
McCloskey  
McDade  
McEwen  
McKinney  
Mailliard  
Mosher

Pike  
Pirnie  
Robinson, Va.  
Rousselot  
Ruth  
St Germain  
Sandman  
Satterfield  
Saylor  
Scheuer  
Schneebell  
Shriver  
Smith, Calif.  
Smith, N.Y.  
Spence  
Terry  
Van Deerlin  
Veysey  
Waldie  
Ware  
Whalley  
Wiggins  
Williams  
Wilson, Bob  
Wolf  
Wyatt  
Young, Fla.

## NOT VOTING—35

Addabbo  
Badillo  
Blatnik  
Boggs  
Broomfield  
Colmer  
Davis, Ga.  
Dowdy  
Dwyer  
Edmondson  
Flynt  
Gallagher

Gray  
Hagan  
Hébert  
Lennon  
Long, La.  
McClure  
McCormack  
McCulloch  
McDonald,  
Mich.  
Miller, Calif.  
Minshall

Nedzi  
O'Neill  
Passman  
Pelly  
Powell  
Rarick  
Rooney, N.Y.  
Roybal  
Schmitz  
Stuckey  
Thompson, N.J.  
Tiernan

So the conference report was agreed to.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Broomfield.  
Mr. Rooney of New York with Mr. Pelly.  
Mr. Addabbo with Mr. Minshall.  
Mr. Boggs with Mr. Powell.  
Mr. O'Neill with Mr. Miller of California.  
Mr. Blatnik with Mr. Gallagher.  
Mr. Lennon with Mr. McClure.  
Mr. Thompson of New Jersey with Mrs. Dwyer.  
Mr. Tiernan with Mr. McCulloch.  
Mr. Gray with Mr. Roybal.  
Mr. McCormack with Mr. Schmitz.  
Mr. Nedzi with Mr. McDonald of Michigan.  
Mr. Passman with Mr. Hagan.  
Mr. Davis of Georgia with Mr. Colmer.  
Mr. Edmondson with Mr. Badillo.  
Mr. Flynt with Mr. Rarick.  
Mr. Stuckey with Mr. Long of Louisiana.

Messrs. MIKVA and PEYSER changed their votes from "nay" to "yea."

Mr. BYRNES of Wisconsin changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## AMENDMENTS IN DISAGREEMENT

The SPEAKER. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 1: On page 2, line 14, strike "\$11,112,000" and insert \$10,312,000."

## MOTION OFFERED BY MR. WHITTEN

Mr. WHITTEN. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. WHITTEN moves that the House recede from its disagreement to the amendment of the Senate numbered 1 and concur therein with an amendment, as follows: In lieu of the sum stricken and inserted by said amendment, insert the following: "\$11,112,000, of which \$3,464,000 shall be available for the Office of Information and."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 30: On page 28, line 11, strike "\$100,000,000" and insert "\$200,000,000".

## MOTION OFFERED BY MR. WHITTEN

Mr. WHITTEN. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. WHITTEN moves that the House recede from its disagreement to the amendment of the Senate numbered 30 and concur therein with an amendment, as follows: In lieu of the sum stricken and inserted by said amendment insert "\$150,000,000".

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 31: Page 28, line 17, insert: "Provided, That this appropriation shall be available only within the limits of amounts authorized by law for fiscal year 1973."

## MOTION OFFERED BY MR. WHITTEN

Mr. WHITTEN. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. WHITTEN moves that the House recede from its disagreement to the amendment of the Senate numbered 31 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 35: page 31, line 18, strike out:

## "RESEARCH AND DEVELOPMENT

"For research and development activities, including hire of passenger motor vehicles; hire, maintenance, and operation of aircraft; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate of GS 18; purchase of reprints; library memberships in societies or associations which issue publications to members only at a price to members lower than to subscribers who are not members; \$182,723,700, to remain available until expended: *Provided*, That this appropriation shall be available only within the limits of amounts authorized by law for fiscal year 1973.

"For an amount to provide for independent grant and contract review advisory committees for the review of the Agency's priorities to assure that such contracts and grants are awarded only to qualified research agencies or individuals, \$2,500,000."

## MOTION OFFERED BY MR. WHITTEN

Mr. WHITTEN. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. WHITTEN moves that the House recede from its disagreement to the amendment of the Senate numbered 35 and concur therein with an amendment, as follows: Restore the matter stricken by said amendment, amended to read as follows:

## "RESEARCH AND DEVELOPMENT

"For research and development activities, including hire of passenger motor vehicles; hire, maintenance, and operation of aircraft;

services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate of GS-18; purchase of reprints; library memberships in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members; \$182,723,700, to remain available until expended: *Provided*, That not later than the date set forth in section 102(c) of the joint resolution approved July 1, 1972 (Public Law 92-334), as amended, this appropriation shall be available only within the limits of amounts authorized by law for fiscal year 1973.

"For an amount to provide for independent grant and contract review advisory committees for the review of the Agency's priorities to assure that such contracts and awards are awarded only to qualified research agencies or individuals, \$2,500,000."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 36: page 32, line 10, strike out:

## "ABATEMENT AND CONTROL

"For abatement and control activities including hire of passenger motor vehicles; hire, maintenance, and operation of aircraft; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for GS-18; purchase of reprints; library memberships in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members; \$208,935,700, to remain available until expended: *Provided*, That this appropriation shall be available only within the limits of amounts authorized by law for fiscal year 1973.

"For an amount to provide for independent grant and contract review advisory committees for the review of the Agency's priorities to assure that such contracts and grants are awarded only to qualified research agencies or individuals, \$2,000,000.

"For an amount to provide for conservation and pollution abatement practices including animal waste storage and diversion facilities and disposal of solid wastes, to be transferred to the Rural Environmental Assistance Program of the Department of Agriculture for liquidation of contracts under the 1973 program \$30,000,000, to remain available until expended.

## MOTION OFFERED BY MR. WHITTEN

Mr. WHITTEN. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. WHITTEN moves that the House recede from its disagreement to the amendment of the Senate numbered 36 and concur therein with an amendment, as follows: Restore the matter stricken by said amendment, amended to read as follows:

## "ABATEMENT AND CONTROL

"For abatement and control activities, including hire of passenger motor vehicles; hire, maintenance, and operation of aircraft; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for GS-18; purchase of reprints; library memberships in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members; \$208,935,700, to remain available until expended: *Provided*, That not later than the date set forth in section 102 (c) of the joint resolution approved July 1, 1972 (Public Law 92-334), as amended, this appropriation shall be available only within the limits of amounts authorized by law for fiscal year 1973.

"For an amount to provide for independent grant and contract review advisory commit-



tees for the review of the Agency's priorities to assure that such contracts and grants are awarded only to qualified agencies or individuals, \$2,000,000.

"Not to exceed 7 per centum of any appropriation made available to the Environmental Protection Agency by this Act (except appropriations for "Construction Grants" and "Scientific Activities Overseas") may be transferred to any other such appropriation."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 48: Page 45, line 9, strike "\$2,341,146,000" and insert in lieu thereof "\$2,500,000,000."

#### MOTION OFFERED BY MR. WHITTEN

Mr. WHITTEN. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. WHITTEN moves that the House recede from its disagreement to the amendment of the Senate numbered 48 and concur therein with an amendment, as follows: In lieu of the sum stricken and inserted by said amendment, insert the following: "\$2,500,000,000, of which \$158,854,000 shall be placed in contingency reserve by the Office of Management and Budget to be released upon determination of need."

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the several motions was laid on the table.

#### GENERAL LEAVE

Mr. WHITTEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the conference report just agreed to, and that I may revise and extend my own remarks and insert certain tables on the conference report just agreed to.

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

There was no objection.

#### PROVIDING FOR THE SPEAKER TO ENTERTAIN MOTIONS TO SUSPEND THE RULES ON MONDAY, AUGUST 14, 1972

Mr. McFALL. Mr. Speaker, I ask unanimous consent that notwithstanding the provisions of clause 1, rule XXVII, it shall be in order for the speaker to entertain motions to suspend the rules on Monday, August 14, 1972.

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

There was no objection.

#### CONFERENCE REPORT ON H.R. 15417, DEPARTMENTS OF LABOR AND HEALTH, EDUCATION, AND WELFARE APPROPRIATIONS, 1973

Mr. FLOOD. Mr. Speaker, I call up the conference report on the bill (H.R. 15417) making appropriations for the

Departments of Labor and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1973, and for other purposes, and ask unanimous consent that the statement of the managers be read in lieu of the report.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of August 2, 1972.)

The SPEAKER. The gentleman from Pennsylvania (Mr. FLOOD) is recognized.

Mr. FLOOD. Mr. Speaker, I regret that we do not bring to the House a unanimous conference report. Three of the managers on the part of the House had reservations so serious that they did not sign this report. Of course, those who are opposed to it are quite capable of speaking for themselves, but, as I understand it, the major complaint is that the conference report is too high.

However, Mr. Speaker, in my opinion, the House conferees did a very good job within the range available to them. The bill that the House sent to the Senate was already about \$1¼ billion above the President's budget, in large part because of the so-called Hathaway amendment which I opposed. Then, as you all know, the Senate added considerable sums to the House-passed bill.

It was, therefore, completely out of the realm of possibility for the conferees to bring back a report anywhere near the President's budget. I do not consider it a sin to deviate from the budget, but it is quite natural that those who are opposed to large increases over the budget would be opposed to this Conference Report.

Mr. Speaker, the House bill was \$28,603,000,000 and the Senate bill was \$31,355,000,000. The conference agreement was \$30,539,000,000. This is a reduction of \$816,000,000 from the Senate bill, and an increase of \$1,936,000,000 over the House bill.

This comparison is misleading; however, since the Senate considered \$1,449,000,000 of estimates not considered by the House, mostly due to the fact that they were not submitted until after the House had acted, I think it is quite realistic to assume that the House would have allowed these estimates had they been received in time for consideration.

Assuming this, the House bill would have been \$30,052,000, and the conference agreement that is before the House now would be \$487,000,000 over the House, and \$816,000,000 under the Senate. It is this comparison on which I base the statement that the managers on the part of the House did a very good job within the range in which they could operate.

The conference report was printed as a House document and was in the CONGRESSIONAL RECORD on August 2. Thus, it has been available for a full week for Members to study. I, therefore, do not

intend to take the time of the House to go into the details of this report. I will, however, place a table in the RECORD at the end of my remarks that will go into much more detail even than that included in the conference report and the joint explanatory statement.

The two areas that account for the considerable increase over the budget are the health and medical programs and the education programs. The group of appropriations under the heading, "Health Services and Mental Health Administration," total \$2,391,000,000, which is \$163,000,000 over the House bill, \$150,000,000 under the Senate bill, and \$427,000,000 over the budget. The group of appropriations under the heading, "National Institutes of Health," total \$2,724,000,000, which is \$183,000,000 over the House, \$208,000,000 under the Senate, and \$531,000,000 over the budget. The group of appropriations under the heading, "Office of Education," total \$4,126,000,000, which is \$126,000,000 over the House, \$157,000,000 under the Senate, and \$791,000,000 over the budget. These three groups total \$1,749,000,000 more than the President's budget request, almost all of the net total of \$1,762,000,000 by which the total bill exceeds the budget.

I am sure that no one at the conference realized, until after the conference had been completed and the staff had calculated the totals, that the increase over the budget, percentage-wise, is almost exactly the same for the education programs as for the health and medical programs. The education programs are 24 percent over the President's budget, and the health and medical group is 23 percent over his budget.

So much for the dollar figures. There was more interest evidenced by Members of Congress, Governors, and many others, in amendment No. 63 than in any other amendment or group of amendments in the Senate bill. Amendment No. 63, as you will recall, Mr. Speaker, is the one that would limit the amount that could be spent for social services to \$2½ billion of the amount carried in the bill for grants to States for public assistance.

I am happy to say that the conferees did not agree to this amendment. However, they did agree to include language in the joint explanatory statement indicating their agreement that some system of fiscal restraint with regard to these programs is needed. A pertinent portion of that language reads:

The conferees expect the Department of Health, Education, and Welfare to submit to both the House and Senate Appropriations Committees no later than the commencement of the second quarter of fiscal year 1973, a comprehensive plan for a system of fiscal restraint and programmatic accountability in social services programs.

I feel confident that such a report will be submitted, and, if legislative action is needed, that the Congress will take such action to assure a system of fiscal restraint that will be more equitable than the harsh provision of placing an arbitrary limit at this time when a portion of the fiscal year to which it would apply has already passed.

Mr. Speaker, in view of the fact that there has been some discussion concerning labor opposition to this conference report, I will place in the RECORD a telegram I received today from Andrew J. Blemiller, director of the Department of Legislation of the AFL-CIO indicating

the strong support of that organization: AUGUST 9, 1972.

HON. DANIEL FLOOD,  
U.S. House of Representatives,  
Washington, D.C.:

The AFL-CIO strongly supports the Labor-HEW appropriations conference report. The increased funding of education and health programs is needed by the Nation. AFL-CIO

urges House to vote for the conference report.

Mr. Speaker, I think, under all the circumstances, that this conference report deserves the support of the House.

(Mr. FLOOD asked and was given permission to insert a table at this point in the RECORD.)

DEPARTMENTS OF LABOR AND HEALTH, EDUCATION, AND WELFARE APPROPRIATION BILL, 1973 (H.R. 15417) NEW BUDGET (OBLIGATIONAL) AUTHORITY—CONFERENCE SUMMARY  
TITLE I—DEPARTMENT OF LABOR

Agency and item	1972 comparable appropriation <sup>1</sup>	Budget estimate <sup>2</sup>	1973		Conference agreement	Conference agreement compared with—			
			House bill	Senate bill		1972	Budget 1973	House	Senate
MANPOWER ADMINISTRATION									
Salaries and expenses.....	\$36,852,000 (26,923,000)	\$37,904,000 (26,602,000)	\$37,704,000 (?)	\$37,704,000 (?)	\$37,704,000 (?)	+\$852,000	—\$200,000		
Trust fund transfer.....	(25,847,000)	(26,989,000)	(26,989,000)	(26,989,000)	(26,989,000)	(+1,142,000)			
Manpower training services.....	905,349,000 (776,717,000)	719,554,000 (875,862,000)	758,554,000 (?)	719,554,000 (?)	719,554,000 (?)	—185,795,000		—\$39,000,000	
Emergency employment assistance.....	1,000,000,000	1,250,000,000	1,250,000,000	1,250,000,000	1,250,000,000	+250,000,000			
Federal unemployment benefits and allowances.....	856,600,000	475,000,000	475,000,000	475,000,000	475,000,000	—381,600,000			
Advances to the extended unemployment compensation account.....	600,000,000	120,000,000	120,000,000	120,000,000	120,000,000	—480,000,000			
Federal grants to States for employment services.....		66,700,000	66,700,000	66,700,000	66,700,000	+66,700,000			
Limitation on grants to States for unemployment insurance and employment services.....	(832,000,000)	(800,300,000)	(820,300,000)	(800,300,000)	(800,300,000)	(—31,700,000)		(—20,000,000)	
Total, Manpower Administration.....	3,398,801,000	2,669,158,000	2,707,958,000	2,668,958,000	2,668,958,000	—729,843,000	—200,000	—39,000,000	
LABOR MANAGEMENT SERVICES ADMINISTRATION									
Salaries and expenses.....	22,568,000	25,624,000	25,202,000	25,202,000	25,202,000	+2,634,000	—422,000		
EMPLOYMENT STANDARDS ADMINISTRATION									
Salaries and expenses.....	48,935,000	49,721,000	48,889,000	49,889,000	49,139,000	+204,000	—582,000	+250,000	—\$750,000
Federal workmen's compensation benefits.....	112,000,000	81,992,000	81,992,000	81,992,000	81,992,000	—30,008,000			
Total, Employment Standards Administration.....	160,935,000	131,713,000	130,881,000	131,881,000	131,131,000	—29,804,000	—582,000	+250,000	—750,000
OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION									
Salaries and expenses.....	35,884,000	69,207,000	69,207,000	80,000,000	72,207,000	+36,323,000	+3,000,000	+3,000,000	—7,793,000
BUREAU OF LABOR STATISTICS									
Salaries and expenses.....	37,300,000	45,984,000	44,784,000	45,240,000	45,240,000	+7,940,000	—744,000	+456,000	
DEPARTMENTAL MANAGEMENT									
Salaries and expenses.....	20,619,000 (772,000)	25,406,000 (797,000)	24,156,000 (797,000)	24,196,000 (797,000)	24,196,000 (797,000)	+3,577,000 (+25,000)	—1,210,000	+40,000	
Trust fund transfer.....									
Special foreign currency program.....	100,000	309,000	100,000	309,000	100,000		—209,000		—209,000
Total, Departmental Management.....	20,719,000	25,715,000	24,256,000	24,505,000	24,296,000	+3,577,000	—1,419,000	+40,000	—209,000
Total, new budget (obligational) authority, Department of Labor.....	3,676,207,000	2,967,401,000	3,002,288,000	2,975,786,000	2,967,034,000	—709,173,000	—367,000	—35,254,000	—8,752,000

TITLE II—DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

<b>HEALTH SERVICES AND MENTAL HEALTH ADMINISTRATION</b>									
Mental health.....	611,294,000	613,823,000	743,823,000	851,525,000	783,323,000	+172,029,000	+169,500,000	+39,500,000	—68,202,000
Saint Elizabeths Hospital (Indefinite).....	27,806,000	30,664,000	30,664,000	30,664,000	30,664,000	+2,858,000			
Health services planning and development.....	467,856,000	330,187,000	462,073,000	510,573,000	489,573,000	+21,717,000	+159,386,000	+27,500,000	—21,000,000
Health services delivery.....	667,006,000	751,295,000	751,295,000	844,797,000	798,046,000	+131,040,000	+46,751,000	+46,751,000	—46,751,000
Trust fund transfer.....	(4,719,000)	(4,719,000)	(4,719,000)	(4,719,000)	(4,719,000)				
Preventive health services.....	145,104,000	157,372,000	159,872,000	223,872,000	209,372,000	+64,268,000	+52,000,000	+49,500,000	—14,500,000
National health statistics.....	16,125,000	19,264,000	18,514,000	18,514,000	18,514,000	+2,389,000	—750,000		
Retirement pay and medical benefits for commissioned officers (Indefinite).....	24,660,000	29,163,000	29,163,000	29,163,000	29,163,000	+4,503,000			
Buildings and facilities.....		19,457,000	19,457,000	19,457,000	19,457,000	+19,457,000			
Office of the Administrator.....	12,497,000	13,126,000	13,126,000	13,126,000	13,126,000	+629,000			
Medical facilities guarantee and loan fund.....	80,000,000					—80,000,000			
Total, Health Services and Mental Health Administration.....	2,052,348,000	1,964,351,000	2,227,987,000	2,541,691,000	2,391,238,000	+338,890,000	+426,887,000	+163,251,000	—150,453,000
Consisting of:									
Definite appropriations.....	1,999,882,000	1,904,524,000	2,168,160,000	2,481,864,000	2,331,411,000	+331,529,000	+426,887,000	+163,251,000	—150,453,000
Indefinite appropriations.....	52,466,000	59,827,000	59,827,000	59,827,000	59,827,000	+7,361,000			



DEPARTMENTS OF LABOR AND HEALTH, EDUCATION, AND WELFARE APPROPRIATION BILL, 1973 (H.R. 15417) NEW BUDGET (OBLIGATIONAL) AUTHORITY—  
CONFERENCE SUMMARY—Continued

Agency and item	1972 comparable appropriation <sup>1</sup>	Budget estimate <sup>2</sup>	1973		Conference agreement	Conference agreement compared with—			
			House bill	Senate bill		1972	Budget 1973	House	Senate
NATIONAL INSTITUTES OF HEALTH									
Biologics Standards.....	\$9,294,000	\$9,528,000	\$9,528,000	\$9,528,000	\$9,528,000	+\$234,000			
National Cancer Institute.....	378,885,000	432,205,000	492,205,000	492,205,000	492,205,000	+113,320,000	+\$60,000,000		
National Heart and Lung Institute.....	232,688,000	255,280,000	300,000,000	350,000,000	320,000,000	+87,312,000	+64,720,000	+\$20,000,000	-\$30,000,000
National Institute of Dental Research.....	43,404,000	44,415,000	46,991,000	54,000,000	49,795,000	+6,391,000	+5,380,000	+2,804,000	-4,205,000
National Institute of Arthritis, Metabolism, and Digestive Diseases.....	153,325,000	159,089,000	167,316,000	182,000,000	173,190,000	+19,865,000	+14,101,000	+5,874,000	-8,810,000
National Institute of Neurologi- cal Diseases and Stroke.....	116,722,000	117,877,000	130,672,000	145,000,000	136,403,000	+19,681,000	+18,526,000	+5,731,000	-8,597,000
National Institute of Allergy and Infectious Diseases.....	109,156,000	112,649,000	113,414,000	135,000,000	122,048,000	+12,892,000	+9,399,000	+8,634,000	-12,952,000
National Institute of General Medical Sciences.....	173,472,000	175,960,000	183,171,000	206,000,000	192,302,000	+18,830,000	+16,342,000	+9,131,000	-13,698,000
National Institute of Child Health and Human Development.....	116,510,000	127,244,000	130,429,000	160,000,000	142,257,000	+25,747,000	+15,013,000	+11,828,000	-17,743,000
National Eye Institute.....	37,132,000	37,384,000	38,562,000	45,000,000	41,137,000	+4,005,000	+3,753,000	+2,575,000	-3,863,000
National Institute of Environmental Health Sciences.....	26,408,000	29,013,000	30,956,000	32,000,000	31,374,000	+4,966,000	+2,361,000	+418,000	-626,000
Research resources.....	74,981,000	75,009,000	75,073,000	83,000,000	78,244,000	+3,263,000	+3,235,000	+3,171,000	-4,756,000
John E. Fogarty International Center for Advanced Study in Health Sciences.....	4,357,000	4,545,000	4,666,000	6,000,000	5,200,000	+843,000	+655,000	+534,000	-800,000
Subtotal, NIH research institutes.....	1,476,334,000	1,580,198,000	1,722,983,000	1,899,733,000	1,793,683,000	+317,349,000	+213,485,000	+70,700,000	-106,050,000
Health manpower.....	673,562,000	533,628,000	738,628,000	927,178,000	846,428,000	+172,866,000	+312,800,000	+107,800,000	-80,750,000
National Library of Medicine.....	24,127,000	28,568,000	28,568,000	29,068,000	28,818,000	+4,691,000	+250,000	+250,000	-250,000
Buildings and facilities.....	3,565,000	8,500,000	8,500,000	33,480,000	12,580,000	+9,015,000	+4,080,000	+4,080,000	-20,900,000
Office of the Director.....	11,324,000	12,042,000	12,042,000	13,042,000	12,542,000	+1,218,000	+500,000	+500,000	-500,000
Scientific activities overseas (special foreign currency program).....	25,545,000	25,619,000	25,619,000	25,619,000	25,619,000	+74,000			
Payment of sales insufficiencies and interest losses.....	4,000,000	4,000,000	4,000,000	4,000,000	4,000,000				
General research support grants.....	(55,212,000)	(54,624,000)	(60,700,000)	(60,700,000)	(60,700,000)	(+5,488,000)	(+6,076,000)		
Total, National Institutes of Health.....	2,218,457,000	2,192,555,000	2,540,340,000	2,932,120,000	2,723,670,000	+505,213,000	+531,115,000	+183,330,000	-208,450,000
OFFICE OF EDUCATION									
Elementary and secondary education.....	1,776,893,000	1,786,893,000	2,034,393,000	2,036,393,000	2,034,393,000	+257,500,000	+247,500,000		-2,000,000
School assistance in federally affected areas.....	611,880,000	430,910,000	671,405,000	749,955,000	681,405,000	+69,525,000	+250,495,000	+10,000,000	-68,550,000
Education for the handicapped.....	110,090,000	131,109,000	143,609,000	181,859,000	162,359,000	+52,269,000	+31,250,000	+18,750,000	-19,500,000
Vocational and adult education.....	540,127,000	542,127,000	643,460,000	674,768,000	659,162,000	+119,035,000	+117,035,000	+15,702,000	-15,606,000
Library resources.....	211,209,000	122,730,000	184,500,000	274,500,000	247,000,000	+35,791,000	+124,270,000	+62,500,000	-27,500,000
Educational renewal.....	(13,000,000)	(14,000,000)	( <sup>(c)</sup> )	( <sup>(c)</sup> )	( <sup>(c)</sup> )				
Educational renewal.....	168,390,000	215,500,000	219,190,000	259,240,000	238,315,000	+69,925,000	+22,815,000	+19,125,000	-20,925,000
Educational renewal.....	(155,165,000)	(147,500,000)	( <sup>(c)</sup> )	( <sup>(c)</sup> )	( <sup>(c)</sup> )				
Educational activities overseas (special foreign currency program).....	3,000,000	5,000,000	3,000,000	5,000,000	3,000,000		-2,000,000		-2,000,000
Salaries and expenses.....	64,160,000	68,360,000	68,360,000	69,360,000	68,360,000	+4,200,000			-1,000,000
Student loan insurance fund.....	12,765,000	29,047,000	29,047,000	29,047,000	29,047,000	+16,282,000			
Payment of participation sales insufficiencies.....	2,961,000	2,921,000	2,921,000	2,921,000	2,921,000	-40,000			
Civil rights education.....	19,799,000					-19,799,000			
Total, Office of Education.....	3,521,274,000	3,334,597,000	3,999,885,000	4,283,043,000	4,125,962,000	+604,688,000	+791,365,000	+126,077,000	-157,081,000
SOCIAL AND REHABILITATION SERVICE									
Grants to States for public assistance.....	12,215,134,000	13,344,704,000	13,369,704,000	13,344,704,000	13,344,704,000	+1,129,570,000		-25,000,000	
Work incentives.....	259,198,000	455,133,000	( <sup>(c)</sup> )	455,133,000	455,133,000	+195,935,000		+455,133,000	
Grants for construction and staffing of rehabilitation facilities.....	3,051,000			20,000,000		-3,051,000			-20,000,000
Grants for the developmentally disabled.....	49,540,000	44,465,000	( <sup>(c)</sup> )	102,825,000	51,250,000	+1,710,000	+6,785,000	+51,250,000	-51,575,000
Nutrition programs for the elderly.....		100,000,000	100,000,000	100,000,000	100,000,000	+100,000,000			
Research and training activities overseas (special foreign currency program).....	8,000,000	10,000,000	8,000,000	8,000,000	8,000,000		-2,000,000		
Salaries and expenses.....	44,817,000	60,215,000	60,215,000	60,215,000	60,215,000	+15,398,000			
Trust fund transfer.....	(400,000)	(600,000)	(600,000)	(600,000)	(600,000)	(+200,000)			
Total, Social and Rehabili- tation Service.....	12,579,740,000	14,014,517,000	13,537,919,000	14,090,877,000	14,019,302,000	+1,439,562,000	+4,785,000	+481,383,000	-71,575,000
SOCIAL SECURITY ADMINISTRATION									
Payments to social security trust funds.....	2,465,297,000	2,475,485,000	2,475,485,000	2,475,485,000	2,475,485,000	+10,188,000			
Special benefits for disabled coal miners.....	591,839,000	1,526,500,000	1,557,788,000	1,526,500,000	1,526,500,000	+934,661,000		+968,712,000	
Limitation on salaries and expenses.....	(1,167,394,000)	(1,256,498,000)	(1,256,498,000)	(1,256,498,000)	(1,256,498,000)	(+89,104,000)			
Limitation on construction.....	(18,194,000)	(1,000,000)	(1,000,000)	(1,000,000)	(1,000,000)	(-17,194,000)			
Total, Social Security Ad- ministration.....	3,057,136,000	4,001,985,000	3,033,273,000	4,001,985,000	4,001,985,000	+944,849,000		+968,712,000	

See footnotes at end of table.

## TITLE III—RELATED AGENCIES

Agency and item	1972 comparable appropriation <sup>1</sup>	1973				Conference agreement compared with—			
		Budget estimate <sup>2</sup>	House bill	Senate bill	Conference agreement	1972	Budget 1973	House	Senate
SPECIAL INSTITUTIONS									
American Printing House for the Blind	\$1,580,000	\$1,696,500	\$1,696,500	\$1,696,500	\$1,696,500	+\$116,500			
National Technical Institute for the Deaf	7,619,000	4,694,000	4,694,000	4,694,000	4,694,000	-2,925,000			
Model Secondary School for the Deaf	17,491,000	4,625,000	4,625,000	4,625,000	4,625,000	-12,866,000			
Gallaudet College	13,371,000	9,486,000	14,446,000	15,082,000	15,082,000	+1,711,000	+\$5,596,000	+\$636,000	
Howard University	61,341,000	58,881,000	58,881,000	58,881,000	58,881,000	-2,460,000			
Total, Special Institutions	101,402,000	79,382,500	84,342,500	84,978,500	84,978,500	-16,423,500	+5,596,000	+636,000	
OFFICE OF THE SECRETARY									
Office of Civil Rights	10,816,000	13,587,000	13,587,000	13,587,000	13,587,000	+2,771,000			
Trust fund transfer	(1,049,000)	(1,180,000)	(1,180,000)	(1,180,000)	(1,180,000)	(+131,000)			
Departmental management	52,141,000	56,893,000	56,893,000	56,893,000	56,893,000	+4,752,000			
Trust fund transfer	(5,955,000)	(6,875,000)	(6,875,000)	(6,875,000)	(6,875,000)	(+920,000)			
Total, Office of the Secretary	62,957,000	70,480,000	70,480,000	70,480,000	70,480,000	+7,523,000			
Total, new budget (obligational) authority, Department of Health, Education, and Welfare	23,593,314,000	25,657,867,500	25,494,226,500	28,005,174,500	27,417,615,500	+3,824,301,500	+1,759,748,000	+1,923,389,000	-587,559,000
Consisting of—									
Definite appropriations	23,540,848,000	25,598,040,500	25,434,399,500	27,945,347,500	27,357,788,500	+3,816,940,500	+1,759,748,000	+1,923,389,000	-587,559,000
Indefinite appropriations	52,466,000	59,827,000	59,827,000	59,827,000	59,827,000	+7,361,000			
Cabinet Committee on Opportunities for Spanish-Speaking People	890,000	1,260,000	1,260,000	1,000,000	1,000,000	+110,000	-260,000	-260,000	
Commission on Railroad Retirement	492,000	101,000	101,000	101,000	101,000	-391,000			
Federal Mediation and Conciliation Service	10,410,000	10,650,000	10,650,000	10,650,000	10,650,000	+240,000			
National Commission on Libraries and Information Science	200,000	406,000	406,000	406,000	406,000	+206,000			
National Commission on Marihuana and Drug Abuse	1,228,000	1,140,000	1,440,000	1,140,000	1,440,000	+212,000	+300,000		+300,000
National Labor Relations Board	48,468,000	50,456,000	50,456,000	50,456,000	50,456,000	+1,988,000			
National Mediation Board	2,796,000	2,888,000	2,888,000	2,888,000	2,888,000	+92,000			
Occupational Safety and Health Review Commission	1,633,000	5,979,000	5,979,000	5,979,000	5,979,000	+4,346,000			
Railroad Retirement Board: Payments for military service credits	20,757,000	21,645,000	21,645,000	21,645,000	21,645,000	+888,000			
Limitation on salaries and expenses	(19,663,000)	(19,822,000)	(19,822,000)	(19,822,000)	(19,822,000)	(+159,000)			
U.S. Soldiers' Home (trust fund appropriation): Operation and maintenance	11,583,000	11,596,000	11,596,000	12,591,000	12,591,000	+1,008,000	+995,000	+995,000	
Capital outlay	80,000	244,000	244,000	2,114,000	2,114,000	+2,034,000	+1,870,000	+1,870,000	
Corporation for Public Broadcasting	35,000,000	45,000,000	(?)	65,000,000	45,000,000	+10,000,000		+45,000,000	-20,000,000
Consisting of—									
Definite appropriations	(30,000,000)	(40,000,000)	(?)	(65,000,000)	(40,000,000)	(+10,000,000)		(+40,000,000)	(-25,000,000)
Indefinite appropriations	(5,000,000)	(5,000,000)	(?)		(5,000,000)			(+5,000,000)	(+5,000,000)
Total, new budget (obligational) authority related agencies	133,537,000	151,365,000	106,665,000	173,970,000	154,270,000	+20,733,000	+2,905,000	+47,605,000	-19,700,000
Consisting of—									
Definite appropriations	128,537,000	146,365,000	106,665,000	173,970,000	149,270,000	+20,733,000	+2,905,000	+42,605,000	-24,700,000
Indefinite appropriations	5,000,000	5,000,000			5,000,000			+5,000,000	+5,000,000

## TITLE IV—GENERAL PROVISIONS

Office of Emergency Preparedness				200,000,000					-200,000,000
Grand total, new budget (obligational) authority	27,403,058,000	28,776,633,500	28,603,179,500	31,354,930,500	30,538,919,500	+3,135,861,500	+1,762,286,000	+1,935,740,000	-816,011,000
Consisting of—									
Definite appropriations	27,345,592,000	28,711,806,500	28,543,352,500	31,295,103,500	30,474,092,500	+3,128,500,500	+1,762,286,000	+1,930,740,000	-821,011,000
Indefinite appropriations	57,466,000	64,827,000	59,827,000	59,827,000	64,827,000	+7,361,000		+5,000,000	+5,000,000

<sup>1</sup> Includes supplemental appropriations.<sup>2</sup> Includes budget amendments and other estimates totaling \$1,449,310,000 which were not considered by the House, but were considered by the Senate.<sup>3</sup> Not considered.<sup>4</sup> Budget amendment of \$968,712,000 was not considered by the House.

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

Mr. FLOOD. Mr. Speaker, I yield to the gentleman from South Dakota.

Mr. ABOUREZK. Mr. Speaker, there is much that is good in this conference report, especially in the area of health and education. Despite the threat of veto, I feel that Members of Congress have the right and the duty to make known their sense of priorities. It is a good sign that Congress is willing to spend more to improve the quality of health care and edu-

cation in this country and less to meddle in the affairs of people abroad where we have no business being in the first place. If the administration disagrees with this order of priorities, I would be more than willing to take the case to the people and let them decide what is more important.

I also know that there is a great deal of concern about the language added to the HEW-Labor appropriations bill which would prohibit use of any of the funds appropriated by this act to pay the sal-

aries of any employees of the Federal Government who inspect firms employing 15 persons or less. There has been no sharper critic of the manner in which the OSHA law has been administered than I. The examples of bureaucratic blundering that have come to my attention from South Dakota alone are grounds to call this whole law into question.

Nonetheless, my constituents and I recognize that the workingmen of America are entitled to safe working condi-



tions. This is particularly so in the case of the construction industry which is a hazardous occupation in terms of both frequency of accidents and their severity. Both management and labor in this industry recognize this fact. I think that we in Congress must also do what we can to promote industrial safety in this field.

If this language is retained, both Congress and the Department of Labor will be given 1 year's notice that this matter must be looked at closely. Ways to promote safety for America's workingmen without harassing America's small businesses and farmers must be found. I would hope that this vote will be taken as a mandate for that kind of review. We must have a close examination of the OSHA law and a report from the Department of Labor on its management of that law. We must look at ways to amend and change that law that will protect areas like the construction industry while eliminating the kind of experiences that characterized its implementation in other businesses in South Dakota.

In support of the many quality programs in education and health which this appropriation will fund and in support of a meaningful revision of the OSHA law, I support this conference report.

Mr. MICHEL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, Chairman Flood has already given you the figures that indicate why this bill is a prime candidate for a Presidential veto. We are \$958 million or 23 percent over the budget for the health items, and \$791 million, or 23.6 percent over the budget for education.

And, so far as welfare is concerned, we have left a gaping hole in the U. S. Treasury which may cost an additional \$3.5 billion or more over the budget request in payments to the States for social services.

Think about it for a moment. The estimated Federal deficit for fiscal 1973 is already \$7 billion higher than the January estimate, and here we are preparing to send the President a bill that calls for spending a cool \$5 billion or more over the budget.

And, this is only part of the problem. We still have nearly \$5 billion in budget requests that have not even been considered because the authorizations were not ready when we worked on this bill this spring. We have not funded higher education, emergency school assistance, OEO, vocational rehabilitation, and some programs for the aging. How much above the budget are we going to wind up with for these items?

Normally, conference reports are handled in a rather perfunctory manner, and there is seldom any problem in getting Members to sign the report.

Several members of our subcommittee who signed this report, however, do have some very serious reservations about the bill, and consented to sign only for the purpose of bringing it to the floor for discussion and disposition. They, of course, can speak for themselves.

I did not sign the report because I feel that this bill is so terribly out of line in

the aggregate that the President will have no recourse but to veto it.

I find myself in a rather peculiar position, though, because while I could not sign the report, even if it is defeated, I do not see how we could go back to conference and bring you a bill that the President could sign.

Chairman Flood said he thought the House conferees did a very good job within the range available to them. I would agree with several significant reservations. Your colleagues on the conference committee are to be commended for their contributions.

We dealt the best hand we could from a bad deck, and that is reflected in the fact that, if you add in the late budget estimates, the conference agreement is some \$816 million under the Senate figure, and \$487 million over the House, but, the House was nearly \$1.3 billion over the budget before we even went into the conference, so the range of the conferees was definitely restricted.

And that is why I say that even if this conference report is defeated, I do not see how we could go back and bring you a bill that would not be vetoed.

It looks to me as though we are simply going to have to go through the motions here and adopt the conference report with what I hope will be a sufficient number of votes cast against it to sustain a veto when we get one. Then, it will be our laborious task to go back again over each and every one of these line items and do the best we can to bring it into line with what can be accommodated by those who have the responsibility of keeping expenditures in line with revenues.

In looking over the specific increases in this bill again, it occurs to me that there might have been more justification for some of these huge additions to the budget request if Congress or the President had been tight-fisted in the areas of health or education in prior years. But, just the opposite is true.

For instance, the President's request for fiscal 1973 for the Health Services and Mental Health Administration was some 52 percent over the comparable 1969 appropriation. For the National Institutes of Health it was 56 percent more. Those items had been increased by one-third last year and by more than 17 percent the year before.

Within those two appropriation items, between fiscal 1969 and 1972, Congress and the President increased mental health funding by some 75 percent, and health services delivery—including health centers and crippled children's services—by 44 percent.

Preventive health services have been more than doubled since 1969, and health services planning and delivery—including research and regional medical programs—have been increased some 50 percent.

The National Cancer Institute budget has been increased more than 100 percent, and the Heart and Lung Institute some 40 percent, with further sizable increases requested in the budget for fiscal 1973.

The President's budget request for the

education items in this bill was 25 percent over the comparable 1969 level, and this does not even include higher education or the separate request this year for a billion dollar program of emergency school assistance for elementary and secondary education.

Within the education appropriation, impacted area aid—that granddaddy of boondoggles—was increased 18 percent between fiscal 1969 and 1972.

The Elementary and Secondary Education Act funds, most of which go through title I for educationally deprived children, have grown by about one-third.

Vocational and adult education funds have nearly doubled, and the appropriation for education for the handicapped has increased nearly 50 percent.

The programs now carried under the heading "Educational Renewal" have grown more than 100 percent since 1969, with further sizable increases requested in the budget for fiscal 1973.

Now, perhaps some will react to this with a "so what—that is all in the past, and what have you done for us lately?"

Others may say "you have not done enough—it does not meet the need." Either reaction would be wide of the mark, for the point is that health and education programs have not been neglected and are not being short-changed by either the legislative or the administrative branch.

And, as far as need is concerned, we could drain the Treasury dry and still not meet the needs in this country. If the administration has not done enough, then this Congress has not done enough by way of providing new tax revenues to pay for the doing, and I do not see any of the numerous candidates for public office around here falling all over themselves to increase taxes.

Now, let us just take a look at some of the specific increases that push this bill so far out of line with the budget.

The mental health appropriation is \$169.5 million over the budget request. One of the major increases—\$63 million—is for the alcoholism grant program. We all recognize the seriousness of alcoholism, but there are limits to the rate that a program can expand and still operate effectively. This bill would represent almost a 1,000 percent funding increase for this program in just 2 years.

An additional \$60 million would go for construction and staffing of community mental health centers—a worthy objective, certainly, but can a 40 percent increase over the budget be justified?

The bulk of the \$159 million add-on for health services planning and development is for hospital construction programs. We have had a running debate on this one, but the fact of the matter is that we have a loan guarantee program now through which much more construction can be supported by each Federal dollar. But, it is not as attractive, because it is not free money, as in the grant programs. The question is whether those health institutions that are capable of generating the resources for repayment should be asked to assume a greater part of the health facilities construction bur-

den. As of July 31, HEW had received requests for 78 loan guarantees, and awards have been made to 31 of the applicants, with a total loan value of \$241 million. The budget requested enough in Federal guarantees to support more than \$600 million worth of construction loans, but despite this fact, this bill would continue to fund this program through direct grants costing more than \$197 million.

Much of the extra \$47 million for health services delivery is added to programs already expanded in the budget request, as is the case with the additional \$52 million for preventive health services.

The President has given the Nation his clear and unequivocal commitment to ask for all the funds that can be put to effective use in the fight against cancer, yet an unrequested \$60 million is included in this bill for the National Cancer Institute. The budget request for the Institute this year is \$432 million, \$53 million over the 1972 level and nearly \$200 million over 1971.

In like manner, the National Heart and Lung Institute would receive some \$65 million over the budget request.

In the education area, the \$247.5 million addition to the budget request for elementary and secondary education ignores the administration's request for a billion dollar emergency school assistance program, a portion of which would be used for the same purposes.

And, I have expressed my feelings here many times as to the inequities of the impact aid program. But, now, hidden down in that \$250 million add-on to the budget for impact aid, we have a seemingly insignificant little \$10 million item that may just blast you out of your chair in a year or two. This is the public housing provision—the "C" students—funded in this bill for the first time. Do not blink your eyes, or you may open them to find a \$200, \$300, or \$400 million item here in a year or two.

I would be willing to wager that nine out of 10 Members of this House supporting the Hathaway amendment had no idea that secreted away in that amendment was this money for public housing. The whole program itself is bad enough without opening up this new boondoggle. This was badly conceived in the first place and we only compound the felony by making this initial token appropriation. Those of you who are receiving legitimate impacted aid funds for military personnel in your district surely ought to see the inherent dangers in our getting off onto this tangent.

There is a \$117 million add-on for vocational and adult education. As I mentioned earlier, this appropriation has nearly doubled since 1969, and now some serious questions have been raised as to how well these programs are really meeting current needs. The administration requested \$55 million in new money this year in several programs to test new approaches to career education, yet here we are increasing the old ones as well.

Now, let me turn to two very controversial items—OSHA in the Department of Labor and social services.

Members will recall our having adopted a limitation here in the House excluding employers from OSHA who had 25 employees or less. The Senate bill carried a similar limitation excluding employers with 15 or fewer employees. Your conferees agreed on the lower figure, but I think the important thing to remember here is this is only a limitation on an appropriations bill and if it is to be vetoed, we will undoubtedly be operating for an extended period of time under the continuing resolution, so this limitation will have no effect in the foreseeable future, and your small employers who have been so concerned about this thing should be made aware that they still have to comply with the law as it is presently written, with no modification or exclusion, as we wrote into this appropriation bill originally.

I think it is fair to state, however, that in any reworking of this bill, there will probably be some kind of limitation for Members of both bodies were simply reflecting the grave concern of their people back home.

Now, let me turn to this festering problem of social services.

The social services program is authorized by the Social Security Act (49 Stat. 620) and finances numerous forms of assistance to recipients of aid to families with dependent children—AFDC—and persons who qualify for welfare in the aged, blind or disabled adult categories.

Between 1956 and 1967 Congress approved three major amendments to the Social Security Act. The 1962 and 1967 amendments set forth the basic purpose of public assistance social services in very broad terms as provided in this language: "Services to a family or any member thereof for the purpose of preserving, rehabilitating, reuniting or strengthening the family, and such other services as will assist members of a family to attain or retain capability for the maximum self-support and personal independence." Furthermore, such services may be provided not only to current welfare recipients but, since 1965 to former or potential recipients as well.

The 1967 amendments authorized 75 to 25 percent Federal-State matching for State and local costs of providing these social services, specified in an approved State plan, to public assistance recipients and former recipients.

Also approved in 1967 was a purchase-of-service provision, providing that State welfare agencies could purchase services from other public or private agencies, and quality for the 75- to 25-percent matching reimbursement rate.

You do not have to stretch your imagination very far to see that practically the entire gamut of services provided by State and localities for their citizens—including vocational rehabilitation, job training and counseling, child care, foster care, family planning, family counseling and referral, protective services for dependent persons, mental health and mental retardation services, community health services, homemaker services, nonformal or compensatory education,

and information and referral services of all sorts—could qualify under the amendments.

Federal costs for the social services program are skyrocketing as States are finding new ways to qualify for reimbursement. Outlays amounted to about \$354 million in 1969. By 1970, they had risen to \$522 million and they reached \$750 million in fiscal year 1971.

Although the HEW budget estimated fiscal 1972 costs at \$1,710 million, it is possible that they could reach \$3.5 billion or higher with no limitation as written into the Senate bill.

Costs for fiscal 1973 are currently estimated by HEW at \$2,162 million—May estimate—but recent State projections indicate a possible \$4.8 billion cost figure.

This program is simply out of control, and remember that in this conference report is an overall figure of \$13.3 billion in grants to the States for public assistance.

There is an almost complete lack of accountability in the present system. We do not know how the money is being spent, nor how effective the funds are in reducing dependency.

For instance, I find that on the purchase of services provision, there is no accountability requirement whatsoever, so there is no way to tell if the people who are supposed to be receiving the services are actually getting them.

We find that States can contract away their responsibilities to other State or private agencies without those other agencies being subject to the same standards as the State welfare department.

We also find that some contracts did not require any progress reports by the contractors, and some failed to specify who has title to equipment or supplies purchased under the contract.

Contracts are not awarded on a competitive basis, with no documentation available to determine whether or not the negotiated amounts were reasonable.

An investigation will disclose open-end contracts with provision for funding increases without any corresponding change in the number of people served or the time period covered by the contract.

There are contracts calling for lump-sum payments with no minimum performance requirements.

Many cases can be cited where ineligible clients are served because the contractor has been given the responsibility of determining eligibility, and has used very liberal standards; and on top of that, families with excessive income receiving services because the contractor did not verify or update the income information it had on those families.

It is very clear to me that many States are using purchased services as a means of multiplying funds. And it looks as though about 80 percent of the increase in this whole social services item for fiscal 1973 will be in purchased services.

This is the only service program not subject to congressional control, accountability, and limitation. It is so wide open that about the only real limit on it is the ingenuity of the States in identifying social programs which meet the



broad requirements of the law, and in finding ways to fit them within the Federal regulations.

It is possible now for the States to finance almost anything under this system. For example, one State financed a half million dollar TV documentary with social services money.

In another State, social service funds have gone into the State highway department.

In one State program funds are going for advice on personal grooming to potential parolees from the State prisons.

Another State is financing a prekindergarten education program with these funds.

And the list goes on and on. In many States as much as 80 percent of their Federal funding under this program is going for refinancing of what were formerly State-financed services. State welfare departments, who are supposed to exercise control over these expenditures, are becoming little more than fiscal conduits. Some States have even gone so far as to formally appropriate private funds—like UGF, and so forth—so they will qualify for Federal matching money.

A big part of the problem, too, is that there is no formula for insuring an equitable distribution of social services money among the States. What we have done is open up a wild chariot race among the States for Federal funds, with the strongest and most aggressive getting the lion's share.

You have Alaska, for example, spending nearly \$1,400 per welfare recipient for social services, compared with \$242 in New York, \$237 in Florida, \$35 in Texas, and \$7 in Mississippi.

And, of course, that is why we have this tremendous pressure against a limitation of any kind. Because every State wants an equal chance to get a piece of the action.

But, that is just exactly why we must get a handle on this thing, because this is a race that has no finish line—it just goes on and on with the only real limit being the size of the U.S. Treasury. I have taken the floor several times now in recent weeks to point out the manner in which the Federal Government is being taken to the cleaners by the States. Whether you are for or against revenue sharing, you have it here—in spades—and none of us in this Chamber has any opportunity whatsoever to determine how this is spent.

We are nullifying our own budget decisions, our own priorities by allowing this to continue, because the social service programs become the place where programs can be financed that are not successful in competing for Federal dollars in other Federal programs.

At this juncture, I am happy to yield to the gentleman from Maryland.

Mr. LONG of Maryland. I think the gentleman came close to answering the question that I wanted to ask.

All of these things are presented to us in terms, of course, which evoke our sympathies. We have sympathy for the blind and for the crippled and so on and we want to help them. But I get the im-

pression that this is a program which really does not so much help these people whom we want to help as it does to divert sums into all kinds of programs which we have no intention of helping and no way of controlling.

Mr. MICHEL. The gentleman is absolutely correct. As I indicated, it is just completely wide open.

Mr. LONG of Maryland. It is back-door revenue sharing.

Mr. MICHEL. And we have no control whatsoever. You know, when we sat in that conference and I heard these members pleading, "Surely you have got \$10 million or \$20- or \$30 million for something like crippled children, or aid to this group or that group," and you are fighting for a compromise on a figure, before you know it, you are opening up the back door here, and you are letting \$3½ billion go out of here, and we do not even have one nickel's worth to say about how it is to be spent. It is unconscionable; it is just terrible.

Mr. LONG of Maryland. This is back-door revenue sharing.

Mr. MICHEL. It surely is.

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

Mr. MICHEL. I would be happy to yield to the gentleman from Texas, my chairman.

Mr. MAHON. Mr. Speaker, I commend the gentleman from Illinois for making a very interesting and helpful statement. I also commend the chairman of the subcommittee, the gentleman from Pennsylvania, (Mr. Flood), for the statement he has made.

The gentleman from Illinois has pointed out very clearly that the President, himself, in his budget has asked for increases all along the line.

The President, in his recent special message of July 26, proposed that the Government spend some \$18.4 billion more in the current fiscal year than the Government spent in the fiscal year 1972 just recently closed. The problem on the pending bill is that Congress is adding so much beyond the budget estimates that it is adding to an already aggravated fiscal situation. As recently as June 5, the executive branch reestimated the budget deficit for the current fiscal year—at \$27 billion on the unified basis and at \$37.8 billion on the more significant Federal funds basis.

At this stage on the pending bill, as a member of the conference committee faced with the very practical necessity of getting a vital appropriation bill out of conference and sent to the President, I know of nothing to do other than vote for the conference report. The bill total is too high under present circumstances.

I opposed the \$364 million Hathaway amendment in the House. I supported the lower House amounts in the conference. The House conferees did their best to scale this bill down. But to get a conference report, the House conferees had to compromise with the Senate. We did the best we reasonably could under difficult circumstances.

Mr. Speaker, I commend the gentleman from Pennsylvania and the gentleman from Illinois for bringing into the

discussion on this conference report certain vitally important facts that should be surfaced before the House of Representatives and the American people.

Mr. MICHEL. I thank my chairman for his comments. I think we certainly want to make it clear here that much as we think our recommendations as a subcommittee to the full Committee of the Whole House on the State of the Union are pretty good ones, we do not foreclose Members from making amendments to our bill. However, I hope we will learn one thing, if we have not learned something from all of this procedure by the time it runs its course, and that is that this package amendment routine has just got to go. It does not augur well for the future in expressing the will of this House and its individual Members on some really very important items. Lumping them all together in this package kind of thing that runs into unconscionable hundreds of millions of dollars is the wrong way of doing business. I hope Members will speak out against this kind of thing whenever it rears its ugly head and vote that kind of proposition down. Members should offer individual amendments on items they are specifically interested in and know something about. That is the way this body ought to enact legislation.

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

Mr. MICHEL. I will be happy to yield to the gentleman from Ohio (Mr. Bow).

Mr. BOW. I thank the gentleman for yielding. I would like to commend him for the very excellent attempt he has made here today in pointing out the reasons why this conference report should be voted down. The gentleman has gone into detail after detail; many standing alone would be sufficient. Where we have here a conference report with \$1,726,000,000 over the budget, I would urge that the gentleman be followed and that this conference report be voted down.

It seems to me that a vote for this conference report is a vote for higher taxes, and that is something I am sure we do not want.

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

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

Mr. MICHEL. I will be happy to yield to the gentleman from Illinois.

Mr. ANDERSON of Illinois. Mr. Speaker, I, too, would like to join the distinguished chairman of the Appropriations Committee and the others who have spoken this afternoon, and applaud the gentleman from Illinois for the very excellent statement he has just made.

It just has occurred to me that the details he has provided this House on the open-ended nature of the funding of these very social services programs under the various titles of the Social Security Act—those facts alone provide sufficient documentation to support a vote against this conference report, and I think that regardless of party or regardless of how worthwhile we may feel, and we do feel, many of the items in this bill are, the matters to which he has addressed himself this afternoon are of

such consequence that I think there is only one clear vote, and that is against this conference report.

When the President formally embraced the full-employment budget concept, and by implication deficit spending during periods of economic slack, in his budget message of 1971, he was widely acclaimed by many who had been persistent critics of Republican economic policies; his position was widely praised as a major step forward toward effective and enlightened economic management policies. I strongly supported the President's position and the concept of the full-employment budget, and think we can see today in the vigorously recovering economy the fruits of the stimulative fiscal policy that followed from it.

But this afternoon I want to remind you that there is another side to the full-employment budget coin. And that is when the economy begins to move rapidly down the road to recovery and full utilization of resources the happy days of spending more than we take in come to an end. As I am sure all of my colleagues recall, the essence of the full-employment budget concept is to peg expenditures to the approximate level of revenues at full employment. In times of economic slack and recession this allows for a considerable Federal budget deficit. But as the economy moves toward full employment, the gap between actual revenues and hypothetical full-employment revenues diminishes and eventually disappears. And if the economy is to be managed responsibly, if new demand-pull inflationary pressures are not to be unleashed, the budget deficit must shrink correspondingly.

Now obviously, the economy has not yet recovered completely and there is still considerable room for expansion of economic activity. But it is also the case that we are in the midst of a strong recovery: last quarter real GNP rose at the nearly unprecedented rate of 9 percent; in the last year total civilian employment has risen by almost 3 million; since last August the index of industrial production has climbed 20 percent; and in contrast to the almost static level of new investment spending last year, businesses expect to increase investment outlays by almost 15 percent during 1972. There are, of course, many other indicators that could be cited to demonstrate the strong expansionary path on which the economy is moving; but the fundamental point is this: by the end of this fiscal year we will no longer be just in the early stages of recovery, but rather will be nearing the approach to full employment. And at that point it is essential that fiscal policy not get out of control. For if it does, it is almost guaranteed that this Nation will be destined for a repeat of the whole agonizing process of first an overheated economy, and then the subsequent need for deflation, that began under the reckless fiscal policies of the Johnson administration in 1967-68. Nobody, I am sure, wants to go through that again.

Yet if we allow the potential \$5 billion overrun of the President's budget that is contained in this Labor-HEW

appropriations bill to go into effect, I am afraid that this is exactly what we are heading for. According to the latest estimates the gap between full-employment revenues and actual revenues during fiscal year 1973 will be in the range of \$20 to \$25 billion, and in adherence to the full-employment concept, the President's budget allows for a deficit of about that magnitude. Yet by adding \$5 billion today on top of the social security increase, the overwithholding that will have to be refunded next spring, appropriations increases that have already been enacted, and potential further expenditure increases resulting from enactment of pending legislation like the water pollution control amendments, by doing these things we are asking for, indeed probably guaranteeing, a Federal deficit in the range of \$35 to \$40 billion for fiscal year 1973.

And such a development would mean two things which fly squarely in the face of the full-employment budget concept that has been such a comfort to some advocates of big spending during the last 2 years: we would incur a full-employment deficit, not just a Federal budget deficit, of about \$15 billion, and instead of moving in a decreasing direction that deficit would be increasing. Now there is only one other period during the recent past in which you had that kind of situation—a growing deficit at a time of rapid economic expansion—and that was during late 1967 and the first half of 1968. At that point the economy was moving toward full capacity, yet the Johnson administration incurred full-employment deficits of almost \$15 billion. And you know the result well: the economy quickly became overheated and the worst inflation this country has experienced since World War II was touched off—an inflation that only 4 years later have we been able to get under control.

So to repeat, when the economy is recovering rapidly, as it is now, and when it begins to approach full employment, as it will be toward the end of this fiscal year, you simply cannot incur a large full-employment deficit; and even more essential, you can not be in a position in which the size of that deficit is increasing. Yet by approving this bill, along with the other budget overruns that I have mentioned previously, we run the risk of a \$15 billion full-employment deficit, and perhaps a \$35 to \$40 billion Federal deficit that is almost guaranteed to touch off a new round of runaway inflation, and undo the difficult and painful progress that we have made since last August in stabilizing prices and wages.

Mr. Speaker, if every penny of funds appropriated by this bill was absolutely essential, the considerations I have just outlined would not carry so much weight this afternoon. Certainly, the threat posed by the kind of deficit I have mentioned would be just as great; but if these appropriations were also absolutely essential, we would simply have to take it upon ourselves to find other areas in which offsetting reductions could be made.

Yet in looking over the increases called for by this measure, I find it difficult to draw such a conclusion.

You have already heard much about the dangers posed by the conference deletion of the \$2.5 billion limit on the open-ended social services appropriations, and it would serve no useful purpose to dwell on it further. I can only observe that when you have a program growing at a geometric rate, or with expenditures nearly doubling every year, a program over which there is little accountability or Federal control, and concerning which there is an almost complete lack of knowledge as to the purposes for which millions are being spent, then I think it is very difficult indeed to say that these expenditures are absolutely essential and that solutions to our great national problems are vitally dependent upon them.

But even if we look at the \$1.7 billion overrun in the remainder of the bill, I am not firmly persuaded that every increase called for by the conference is beyond question. The conference report for instance, calls for an addition to the President's budget for mental health of almost \$170 million. Now no one would deny the importance of these programs or suggest that they should bear the entire burden of fiscal responsibility and budgetary restraint. But let me point out that during the Nixon administration—since fiscal year 1969—expenditures for these programs have increased by more than 83 percent, or three times more rapidly than the budget as a whole. So the record is clear that this administration has made strong efforts in the mental health area; and it is also clear that there is a limit as to how fast you can expand programs like these and still retain their effectiveness. Thus, in light of the need for budgetary restraint, and in light of the fact that there will always be greater demands on the budget than can possibly be satisfied, there is some question in my mind as to the need for the large increase recommended by the conference in this area.

Much of the same can be said for a number of similar programs. For example, in the area of preventive health programs, the \$157 million requested by the administration is increased by an additional \$52 million. Yet even at the level requested by the administration, program expenditures for preventive health will have doubled since fiscal year 1971—just 2 years ago.

Or to take a final example, the conference report increases institutional aid under the Health Profession Assistance Act by nearly \$58 million or 22 percent above the President's request. Yet again, the fact is that expenditures will have increased by more than 111 percent since 1971 for that program, even at the funding level proposed by the administration.

Mr. Speaker, if we were starving these programs, if there were sufficient revenues to finance the endless series of demands on the budget, and if the fiscal situation were different than it is today, all of these appropriations increases might be justifiable. But the fact is, none



of these conditions actually pertain. Many of these programs have already experienced rapid increases in funding during the last few years; others need to be phased out or changed as the President has proposed, for instance, in the case of the Hill-Burton program; and in the final analysis the revenues just are not there to finance them no matter how worthy they may appear in the abstract.

So in light of the fiscal considerations I mentioned at the outset, and in light of the thus far unproven need for all of these additional appropriations I think I have no choice but to vote no on this appropriations bill, and would urge my colleagues to do likewise.

Mr. MICHEL. I thank the gentleman.

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

Mr. MICHEL. I will be happy to yield to the gentleman from California.

Mr. ROUSSELOT. I wish to compliment the gentleman for pointing out today many of the so-called sacred cow areas where the Congress has "overappropriated" and overspent hard earned taxpayers' dollars. Members individually may be misled into believing that if they oppose either part of this appropriation legislation or the whole bill, even though it is billions of dollars over what the budget is supposed to be, that they will be voting against education or they will be voting against health services. As the gentleman from Illinois has shown today, that implication is unfair and incorrect. A local government unit or a local private institution has to live within given budget restrictions. Why should this Congress not have to act under like restrictions?

We have gone mad here in this House in not being willing to stand up to some of these so-called sacred cow institutions. We have allowed ourselves to be cowed into the position of overspending to escape the reputation of being against "education" or "health care." When are we going to consider the taxpayer who must pay for this?

By increasing this huge U.S. debt and continuing this wild spending spree, we could well put this country into the kind of disastrous shape that, say, Germany was during the twenties. If this country does not, as our distinguished chairman (Mr. MAHON) has said and the distinguished gentleman (Mr. MITCHELL) has said, begin to face up to its responsibilities, we will find ourselves in increasing difficulty. We are voting our taxpayers into a hole, and every Member eventually is going to be held accountable for this kind of irresponsible action.

Mr. Speaker, I compliment the gentleman for his remarks.

Mr. MICHEL. Mr. Speaker, I thank the gentleman from California for his kind remarks. He is a very valuable Member of the House, and I could not applaud him more highly for the remarks he has just made.

Mr. SMITH of Iowa. Mr. Speaker, will the gentleman yield?

Mr. MICHEL. I yield to the gentleman from Iowa, my colleague, a member on the subcommittee who has some ideas of his own, and who worked very hard to try

to reach a reasonable compromise. I think the gentleman would agree, too, that we had a bad deck to start with.

Mr. SMITH of Iowa. I thank the gentleman for yielding.

Mr. Speaker, some say we should vote the conference report down, but the parliamentary situation is such that if we were to go to conference, we could not come back with a bill that would coincide with the gentleman's ideas anyway. Is that not correct?

Mr. MICHEL. Correct. I tried to make that clear in my opening remarks. Certainly it is clear what this Member's views are, because I did not sign the conference report, but what I was trying to do in asking Members to vote against it is to gain a sufficient number of votes against it to insure that a veto would be sustained.

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

Mr. MICHEL. I yield to the gentleman from Wisconsin.

Mr. STEIGER of Wisconsin. Mr. Speaker, I associate myself with the remarks of the gentleman in the well, and I rise in opposition to the conference report.

Mr. Speaker, I rise in opposition to the adoption of the Labor-HEW appropriations conference report. As the debate today has clearly pointed out, the \$1.76 billion in increases over the President's budget requests are neither prudent, nor are they, in my judgment, in the best interests of the taxpayers and the Nation.

I am also deeply disturbed by the approach of the legislation in the area of occupational safety and health. Safety and health hazards are not simply a factor of the size of a business or the number of employees. A more constructive approach to the legitimate concerns that have been raised by small businessmen lies in the area of providing technical assistance to those who request help in how the standards apply to their operations. I will be introducing in the immediate future an amendment to the Williams-Steiger Occupational Safety and Health Act of 1970 that will allow the Department of Labor to provide on-site consultation in a responsible and effective way. I am confident that this is the approach that should prevail in the Congress to deal with this important matter.

For these reasons, I hope the conference report will be defeated. I do so with some reluctance because I was particularly pleased with the provisions adopted concerning the National Institute for Arthritis, Metabolism, and Digestive Diseases (NIAMD). The conference report provides for a needed increase in funds and personnel in the area of diabetes research, and includes the language of the Senate report calling for the initiation of four to six regional research centers throughout the Nation. It also calls for a report of the progress made in these matters to be presented at next year's appropriations hearings.

My colleagues may remember the debate on the floor of the House on May 3, 1972, concerning diabetes re-

search. At that time, the gentleman from Michigan (Mr. VANDER JAGT) offered an amendment to elevate the level of research on diabetes within the Institute. He was joined in this effort by Minority Leader FORD, the gentleman from Florida (Mr. FREY), and myself. The amendment was withdrawn on the assurances of the distinguished chairman of the Interstate and Foreign Commerce Committee (Mr. STAGGERS) that hearings would be held on this problem. I strongly feel that these provisions in the Labor-HEW appropriations bill are another solid step in the right direction, and I hope that they will be included in any further legislation considered by this body.

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

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

Mr. GROSS. Mr. Speaker, I join in commending the gentleman on his excellent presentation of his opposition to the conference report.

Mr. Speaker, when the bill was before the House, the gentleman from Pennsylvania (Mr. FLOOD) gave us some figures indicating that the total funding for these purposes would be in the neighborhood of more than \$100 billion. Is it true that this bill, involved with deficiencies of the supplementaries, plus the social security trust fund would be in the neighborhood of \$100 billion?

Mr. MICHEL. As the chairman has pointed out, it is the biggest bill we have to contend with, over and above the defense bill, when we take into account the social security trust fund. It is now at an overall level of \$96 billion but then as I indicated, we have not funded higher education and emergency school assistance and OEO and vocational rehabilitation and some programs for the aging, and that will take it well over \$100 billion. This is a whopping big bill.

(Mr. FINDLEY asked and was given permission to revise and extend his remarks at this point in the Record.)

Mr. FINDLEY. Mr. Speaker, H.R. 15417 as reported by the conference committee includes a provision which has the effect of exempting employers with 15 or fewer employees from enforcement of the Occupational Safety and Health Act for 1 year. This provision resulted from floor amendments in both the House and Senate which reflected the deep concern of a majority of Representatives and Senators over the treatment of small business under OSHA. The House amendment provided:

None of the funds appropriated by this Act shall be expended to pay the salaries of any employees of the Federal Government who inspect firms employing twenty-five persons or less for compliance with the Occupational Safety and Health Act of 1970.

An identical amendment was rejected by the narrow margin of only three votes in the Senate. Senator CURTIS then offered an amendment, which differed only in that it specified firms employing 15 persons or less, and this amendment was approved by the Senate. The conference committee has adopted the number of "15 or fewer" employees.

As the author of the amendment, it

was my intention that the term "firms" as it appears in the provision be used in the broadest sense as a term applicable to any type of employer in any type of business or manufacturing establishment regardless of his association or affiliation with larger entities, whether they be corporate, partnership or other.

The debate during consideration of my amendment supports this interpretation. Discussion focused exclusively upon the number of employees of businessmen who should be subject to OSHA inspection. The supporters of the amendment mentioned a wide variety of small businesses which have faced severe difficulties in attempting to comply with the requirements of OSHA, including automobile dealers, farmers, body shops, homebuilders, wash plants, barber shops, grocery stores, sheet metal and roofing companies, petroleum marketers, country grain elevators, service stations, plumbing and heating companies, paint shops, and boat yards. It was my intention, and that of those Congressmen who mentioned the above businesses, that they be excluded for 1 year if the number of employees in each business establishment is 15 or fewer. The problems arose because of the small size of the business establishment involved and the relief sought should be extended equally to those small businessmen who are affected.

Both the supporters and opponents of the provision in both Houses used the terms "firms," "employers," "businesses," "operators," and "establishments" interchangeably indicating a common understanding that the provision is not concerned with the nature of the business involved or its relationship with other businesses. There was no discussion relating to whether the exemption should be based on any other factor than size.

Debate on the provision centered around the question of whether there should be any exemption on the basis of size, and if so where the cutoff should be. As one supporter of the provision acknowledged, the figure 25 was chosen because the "figure of 25 employees is one commonly used in Federal legislation to denote small businesses and is a reasonable one." Opponents estimated that placing the cutoff at 25 would exempt 90 percent of the firms now covered by OSHA. This estimate seems clearly based on the assumption that all employers with 25 or fewer employees would be exempt. Opposition based on the large number of employers which would be exempt appears to have been the determining factor in the Senate defeat of the amendment setting the cutoff at 25, and an amendment setting the cutoff at 15 was later approved.

Mr. Speaker, I make these comments at this time in order to help clarify the intent of Congress in enacting this 1-year moratorium on OSHA inspections of small businessmen. It is my firm belief that it is the intention of the Congress that the most inclusive definition possible be given to the term "firms." And I know it is also the hope of the Congress that the rules and regulations

which have been drawn up pursuant to the Occupational Safety and Health Act will be reviewed carefully to eliminate all unnecessary burdensome aspects.

Mr. FLOOD. Mr. Speaker, I yield to the gentleman from Kansas (Mr. SHRIVER).

Mr. SHRIVER. Mr. Speaker, I have a question concerning conference item No. 70 which you might clear up. The language in question provides that appropriations to special institutions, such as Howard, Lighthouse for the Blind, and Model Secondary School for the Deaf, be treated as lump-sum grants.

My question is, "Will this language effect in any way the existing contracts between the Secretary of HEW and Gallaudet College for the Deaf and NTID which were required in the provisions of Public Law 89-694 and Public Law 89-36 for the purpose of supervising the establishment of our programs for deaf education?" As you will recall, Mr. Speaker, HEW is now supervising the establishment of our mandated programs for these two institutions.

Mr. FLOOD. I can say to the gentleman that the purpose of this language is to allow the special institutions to account for their funds on the same basis that other colleges and universities across the Nation, who receive federally appropriated funds, do. It is not our intention to contravene preexisting contracts which were undertaken by HEW at our direction to supervise our mandated program for MSSD and NTID. This language does not affect the contracts between HEW and NTID and Gallaudet College for MSSD.

Mr. SHRIVER. I thank the gentleman.

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

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

Mr. CONTE. I thank the gentleman from Pennsylvania. I certainly feel that the gentleman from Illinois made a very presentable case, but we worked long and hard in the committee. We thought we brought out a good bill here.

I voted against the Hathaway amendment when it was offered on the floor.

I might say that the chairman and the committee have worked hard in the conference, laboriously hour after hour and day after day. I do not like everything in this bill, but it is the best we could get, therefore I am voting for the conference report.

Mr. Speaker, I rise in support of the conference report on the fiscal 1973 Labor-HEW appropriations bill. The bill represents literally thousands of hours of work on the part of both the House and Senate subcommittee members and I would hope my colleagues will endorse our efforts. I believe the House conferees did a commendable job in eliminating \$816 million of the Senate increases which were written into its version of the bill.

There is no need to catalog all the many important programs for which funds are contained in this measure. These were discussed in sufficient detail

during floor consideration in June. Suffice it to point out that this bill contains funds for such important activities as mental health; alcoholism and drug abuse programs; disease prevention; assistance to our hard-pressed medical and nursing schools; elementary, secondary, and vocational education; libraries and instructional equipment.

These programs affect the lives of millions of people in a vital and immediate way.

There are those who claim that this bill which contains \$30.5 billion in controllable expenditures is unconscionably high. I reject that assertion. The administration is requesting over \$85 billion in defense spending for fiscal 1973. Is 35 percent of that figure too much to spend on the health, education and working conditions of our citizens?

There are those who claim that adding \$1.7 billion to the administration's budget request, which this bill admittedly does, is irresponsible. Yet the administration itself has added some \$4 billion to its defense program requests since the beginning of this year. Moreover the Federal Government provides billions of dollars each year in the form of direct and indirect subsidies to private industries. Weighed in balance, is a \$1.7-billion increase for the welfare of the public an irresponsible action? I think not.

I urge the House to adopt the conference report on H.R. 15417 by an overwhelming margin.

Thank you, Mr. Speaker.

Mr. VEYSEY. Mr. Speaker, the House has before it today a bill intended to continue and expand important social and educational programs. Unfortunately, the pressures to "look good while doing good" seem to have triumphed at the expense of responsible action to deal with our real needs.

The schools, colleges, and hospitals in my district urgently need the funds the President requested for this bill. But election-year politics have pressured the other body into promising much more than we can deliver. President Nixon requested a \$28.77 billion Labor-HEW appropriation this year; nearly \$8 billion more than we spent in this area just 2 years ago. The proposed budget includes major increases for mental health, health research, elementary and secondary education, vocational education, jobs for welfare recipients, and social security programs.

The House of Representatives added new funds for disadvantaged children, bilingual education, impact aid, and vocational education. I think these increases were justified. I supported them and will continue to support them.

But the tendency to pile promises higher and deeper brings to us today a bill nearly \$2 billion more than the President requested. And this bill does not include the massive costs of the new Higher Education Act, \$2 billion; the new 20-percent social security increase, \$3.7 billion; the new desegregation aid bills, \$2 billion; and the new vocational rehabilitation and aging bills—all of



which would properly be funded in a Labor-HEW appropriation bill.

Title IV of the Social Security Act, the "social services" section is included, however, and, as recent newspaper articles have demonstrated, this program alone is expected to end up overrunning the budget up to \$3.5 billion more.

The dollar figures glitter before us, but what we are really facing is the probability of a veto, a long delay, and a tax increase if we pass this bill. My friends in education know how much a veto costs them in time and effectiveness and therefore I am confident they will understand why I will not support this conference report.

The only way we will get the funds educators desperately need is to send the President a responsible bill. The one before us is not.

Mr. Speaker, for the benefit of my colleagues I would like to include some background material on the budget figures and recent investigations that underlie my decision on this bill.

THE SECRETARY OF  
HEALTH, EDUCATION, AND WELFARE,  
Washington, D.C., August 7, 1972.

HON. VICTOR V. VEYSEY,  
House of Representatives,  
Washington, D.C.

DEAR MR. VEYSEY: The HEW part of the FY 73 Labor and HEW Appropriation Conference Report is \$1.8 billion over the Administration's budget request and falls to limit the rapidly increasing and uncontrolled spending under Title IV of the Social Security Act. The Federal deficit would be seriously enlarged by enactment of this bill, an analysis of which is enclosed.

It is anticipated that the Conference Report on the FY 73 Labor and HEW Appropriation Bill will reach the Floor of the House of Representatives next Tuesday, August 8. I urge you to vote against the Conference Report when it comes before you.

With best regards,

Sincerely,

ELLIOT RICHARDSON,  
Secretary.

#### FACTS ABOUT LABOR-HEW APPROPRIATION BILL—H.R. 15417

##### 1. THE FIGURES

1972 appropriation	\$27,403,058,000
1973 appropriation:	
President's budget	28,776,633,000
Conference action	30,538,919,000
Excess over budget	+1,762,286,000
1973 President's request compared to House, Senate, and conference action	
President's original request	\$27,344,351,000
Presidential amendments resulting from new legislation	+1,432,282,000
President's request, as amended	28,776,633,000
Congressional increases:	
House increase	+1,269,856,000
Senate increase over House	+1,308,441,000
Senate bill	31,354,930,000
Less: Conference Action	-816,011,000
Conference bill	30,538,919,000
Net increase of conference over President's amended request	+1,762,286,000

(Dollars in millions)

	1971 comparable	1972 comparable	1973 President's budget	1973 Conference bill
Department of Labor	\$1,342	\$3,676	\$2,967	\$2,967
Department of Health, Education, and Welfare:				
Health:				
Mental health	412	639	645	814
Other health delivery and services	1,111	1,413	1,320	1,577
Health manpower	429	674	534	846
Health research	1,253	1,544	1,659	1,878
Subtotal, Health	3,205	4,270	4,158	5,115
Education:				
Elementary and secondary education	1,723	1,777	1,787	2,033
School assistance in federally affected areas	550	612	431	681

	1971 comparable	1972 comparable	1973 President's budget	1973 Conference bill
Vocational and adult education	\$484	\$540	\$542	\$659
Other education	467	592	575	752
Subtotal, Education	3,224	3,521	3,335	4,126
Social and Rehabilitation Service:				
Public assistance	9,682	12,215	13,345	13,345
WIN	98	259	455	455
Other SRS	74	106	215	219
Subtotal, SRS	9,854	12,580	14,015	14,019
Social Security Administration	2,942	3,057	4,002	4,002
Other DHEW	131	164	149	155
Total, DHEW	19,356	23,592	25,659	27,417
Related agencies	85	134	151	154
Grand total, Labor-HEW bill	20,783	27,403	28,777	30,538

<sup>1</sup> Includes special institutions (e.g., Howard University and Gallaudet College) and the Office of the Secretary.

#### [From the Washington Post, Aug. 7, 1972] BACK DOOR REVENUE SHARING—AND ON A BIG SCALE

(By Jodie Allen)

While debate rages in the halls of the Congress and the administration over revenue sharing and welfare relief for hard-pressed states and localities, a multi-billion dollar program of fiscal relief for states is quietly being implemented under a little noticed provision of the Federal welfare law which provides federal matching for state expenditures on "social services" for needy persons. A recent action by the Senate-House Conferees on the 1973 HEW appropriation bill on August 2 seems to assure that almost

\$4 billion for "social services" will be added to the President's budget with little debate and with virtually no public attention.

Program increases of this magnitude are usually front page news, particularly in an administration highly concerned over the prospect of a record-breaking budget deficit. The reason for this strange turn of events lies in the peculiar history and characteristics of the social service program.

There are three features of the social service authority which explain its unique potential for breaking the federal bank. The first is that the language of the social service provisions, as modified by a series of liberalizing amendments during the 1960s, is remarkably broad. The services covered include any

In summary, the Conference bill would appropriate \$30.5 billion for programs of the Departments of Labor and Health, Education, and Welfare, and related agencies. This is nearly \$1.8 billion higher than the President's budget request. This increase is entirely in the HEW portion of the bill.

#### 2. THIS IS NOT THE WHOLE STORY ON HEW APPROPRIATIONS

A. There remains \$4.7 billion requested last January—but not yet considered by Congress and not included in this bill because of lack of timely authorizations—for higher education, emergency school assistance, economic opportunity programs, vocational rehabilitation, and programs for the aging. Only time will tell what final Congressional action produces by way of budget overruns for these items.

B. The dollar totals carried in the bill do not show an increase for so-called social services for welfare recipients that will have the effect of increasing Federal matching in 1973 by as much as \$3.5 billion over the President's request. This is a hidden time bomb. The Senate bill attempted to put a ceiling on social service expenditures which would have reduced this hidden overrun by \$2.3 billion. The Conference rejected the Senate proposal, thus setting the stage for a 1973 supplemental of as much as \$3.5 billion.

C. The Conference bill ignores the President's appeal to restrain Federal spending. The appropriations recommended would aggravate the Federal deficit which must be brought under control. In a special message of July 26, the President said that the estimated 1973 deficit is already \$7 billion higher than the January estimate. He also said: "Let there be no misunderstanding: If bills come to my desk calling for excessive spending which threaten the Federal budget, I will veto them."

"services to a family or any member thereof for the purpose of preserving, rehabilitating, reuniting or strengthening the family, and such other services as will assist members of a family to attain or retain capability for the maximum self-support and personal independence." Furthermore such services may be provided not only to current welfare recipients but, since 1965 to former or potential recipients as well.

Without even stretching the imagination it would seem that practically the entire gamut of services provided by state and localities for their citizens—including vocational rehabilitation, job training and counselling, child care, foster care, family planning, family counselling and referral, protec-

tive services for dependent persons, mental health and mental retardation services, community health services, homemaker services, nonformal or compensatory education, and information and referral services of all sorts—might easily be justified at least in part as deserving of federal support under the amendments. In fact the only services specifically excluded from support are public school education and institutional care and the only additional limitation appears to be a vaguely worded caveat in a HEW memorandum to the states that they must "significantly expand" not merely re-fund existing services. And to make it all easier, since 1967 the law has allowed the states not only to provide such services themselves but to purchase such services from other public and private agencies with federal support.

The second striking feature is that the terms of the federal support are extremely attractive. For every \$25 the states or localities proffer for these services the Feds will supply another \$75. The Talmadge amendments of 1971 went this one better and allowed 90 federal dollars for every 10 state or local dollars if the services provided were such as to enhance the employability of current, former or potential welfare recipients. (This largesse should be compared the relatively miserly 50 per cent matching which is all most large states can receive on actual cash grants to recipients.)

Last and best there is the "open-end" financing provision—which means exactly what it sounds like. Unlike most federal authorizations for which a fixed amount is appropriated by Congress each year, the social service fund is essentially a bottomless pit. As is the case for public assistance cash payments, whatever amount of money states and localities express willingness and ability to spend for social services in a given year, the federal government must stand ready to match at \$3 or more for 1.

Given these generous provisions, the only thing that is hard to understand about the social service program is why it is not already the largest domestic program in the federal budget. In fact most states were slow to recognize the potential of the social service program. In 1964 only \$75 million in federal dollars went to social services. By 1963 the federal cost had risen to the still modest level of \$230 million and by 1969, even after a one year increase of 59 per cent the federal share was still only \$366 million. A few sharp state officials however were beginning to catch on. One state, California, had by 1970 managed to corner almost 40 per cent of the total service budget of \$500 million for that year largely through the cleverness of a consultant to the California State Assembly, Tom Joe. In a fascinating article in the June 17, 1972, issue of the "National Journal," John Iglehart has traced the subsequent involvement of the ingenious Mr. Joe who, as part of the entourage accompanying former HEW Secretary Finch to Washington from California, has subsequently stayed on at HEW. There, in an informal capacity, he has spread the glad tidings of largesse to other less favored states—to the ultimate discomfort of the administration.

For discomforted indeed are HEW budget managers. From a sleepy little sub-billion dollar program, social services has in the last several months skyrocketed with a multi-billion dollar flare likely to eclipse in importance both the much heralded revenue sharing proposals now being debated in the Senate Finance Committee and the now beleaguered welfare reform package with its promise of some \$2 billion in state welfare savings.

Picking up the thread of our chronology we find that by fiscal year 1971 the federal share of social service expenditures had climbed to almost \$700 million with the Congress ignoring a request by the administration in its budget for that year to impose a 10 per cent ceiling on expenditure increases

over the previous year (a request repeated and again denied in the administration FY 72 budget). In FY 72 social services again surprise everyone by outstripping the original administration estimate of \$838 million by at least another \$450 million and, by some estimates by perhaps, as much as \$750 million. In either case the federal government is thus already spending at the rate of over \$1.3 billion a year on social services—an amount almost twice that expended in the previous year and already larger than the administration's \$1.2 billion request for the upcoming fiscal year, 1973.

But that discrepancy must be counted as minor. For while the Congress has been considering the HEW request, the states have quietly been revising drastically their estimates of federal dollars required in FY 73. In May to the consternation of HEW officials a new estimate of \$2.2 billion, almost twice the administration's 1973 budget request of \$1.2 billion, was computed. The Senate Appropriations Committee, alerted to the danger added to the HEW appropriation bill a ceiling of \$2.5 billion on social service expenditures. But pressure from governors and state officials anxious to cash in on the bounty proved too strong and, with virtually no public attention, the limitation was dropped in the Conference Committee despite assertions in the conference report issued on August 2 that the conferees "agreed with the basic premises of the Senate amendment: (1) to insure fiscal control over a program which is presently increasing at an alarming rate and (2) to insure that funds are disbursed prudently and effectively."

But the conferees literally didn't know the half of the matter. For by the end of June the states had set their sights far higher than a mere \$2.2 billion—in fact having doubled the estimate once, they decided to do it again this time submitting a total FY 73 request of almost \$5 billion, a quadrupling in expenditures over the previous year to an amount equal to the much publicized revenue sharing program. And there is unanimous agreement on the Hill and in HEW that that estimate is probably too low.

Fortunately it is not necessary to question the efficacy or relative utility of social services in order to question the desirability of this turn of events. It is fortunate in that no one seems to have any clear idea of what the money is being spent on.

But apart from the merits of social services per se three things are abundantly clear:

1. A huge sum of taxpayer money is being distributed among states in a quixotic fashion unrelated either to relative need or to the ability and willingness of states to use the money constructively.

2. It is not possible for states and local governments to achieve a four-fold expansion in services of any kind in one year (on top of a doubling the previous year) and particularly not in services of a type for which no clearly successful record of performance has yet been demonstrated, even on a modest scale.

3. Even if the money is in fact expended for the purposes intended, serious imbalances are occurring within state expenditures patterns between social service activities for low income populations and other forms of assistance and service both to this population and to other groups in the population.

To illustrate these points one need only look at a few states. In 1971 Mississippi spent about \$950,000 on social services. Its estimated expenditures for 1972 increased by 88 per cent to \$1.8 million. In 1973 Mississippi now estimates it will spend some \$460 million on social services, over 250 times the amount it spent the previous year.

Two other comparisons are equally interesting. If Mississippi's social service bene-

fits were spent entirely on welfare recipients, it would turn out that Mississippi would be spending some \$1,625 per welfare recipient on social services, or about \$6,500 per year on a family of four (a number familiar to the National Welfare Rights Organization). Apart from the striking generosity of this allotment it is interesting to compare this expenditure with the maximum welfare cash grant which such a family if it had no other income could receive in Mississippi. That amount is \$720. And lastly it is interesting to observe that if, as is likely, most of the \$460 million in federal dollars is used simply to support existing state and local services in Mississippi, this amount alone will account for over half of the current total Mississippi state budget.

Other examples abound. Maryland's estimated expenditures will grow from a 1971 level of \$15 million to an estimated level of almost \$420 million in 1973. At this point Maryland will be spending some \$1,650 per welfare recipient or about \$6,600 for a family of four. Georgia plans to expand its program from a 1971 level of \$12 million to a 1973 level of over \$220 million. New York will expand from \$67 million 1971 to \$850 million, Illinois from \$24 million to over \$180 million. Faced with an unplanned increase in the President's budget of at least \$3.6 billion and the frightening potential of even more staggering increases to come (the estimates are from \$6 to 8 billion in the next fiscal year) there appears to be little that the administration can or, perhaps, wants to do to stem the flowing tide. To "close the end" on social services would require legislative action and, as has already been demonstrated by the recent action of the appropriation conferees, such action is unlikely to be forthcoming, particularly in an election year, given the opposition to such a change that would be generated by enthusiastic state and local officials who have suddenly discovered that there is indeed a pot of gold at the end of the federal rainbow.

There is also the difficult problem of devising a formula which, at once, distributes the fund among the states in at least some vague relationship to need and current fiscal effort; maintains each of the states at least at their current level of expenditures and probably allows some increase (a practical necessity to ensure acceptance of any formula); and, at the same time sets a reasonable dollar limit on the total budget.

Despite the practical and political difficulties involved, however, it is clear that something constructive must be done, not simply to control a runaway program, but to insure that the monies are distributed equitably among states and that real and needed public services are produced in the process. Surely some more rational basis must exist for distributing several billion dollars of taxpayer money than one depending upon the relative ambition and ingenuity of a few state and federal officials.

Mr. RYAN. Mr. Speaker, I urge the passage of the conference report on H.R. 15417, appropriating funds for fiscal year 1973 for the Departments of Labor and Health, Education, and Welfare.

No section of the entire Federal budget deals more directly with the well-being of every citizen than does the legislation now before us. The more than \$30 billion which it provides fund essential programs in employment, manpower training, health, and education—programs that constitute the very guts of our struggle to turn around our Nation's priorities.

There is a long list of specific items in this legislation which, given time, I would like to discuss in detail. However, I would like to make special note of one pro-



gram in particular—the Federal assault against childhood lead poisoning, for which this bill provides \$14 million.

Undoubtedly, there are some who feel that lead poisoning is a small thing—a little horror compared to the war in Southeast Asia or the fact that many of our urban centers resemble the barren craters of the moon. But as Jack Newfield has written, this "little horror" of lead poisoning in a very special prism through which we can see with piercing clarity, a rainbow of the much larger horrors that plague our society: Racism, decaying cities, inadequate health care, demented priorities.

Sometimes it is called the "silent epidemic," sometimes it is referred to as "ghetto malaria." But no matter what it is called, the fact remains that childhood lead poisoning continues needlessly to plague the children of America. Each year thousands of young children are afflicted by this dread disease. The exact number of youngsters poisoned remains unknown, for there are still far too few programs to screen children for this disease. Even so, the Department of Health, Education, and Welfare has estimated that each year some 400,000 children are subjected to lead-based paint poisoning.

As a result, some 16,000 youngsters require treatment. An additional 3,200 suffer moderate to severe brain damage. And 800 are so severely afflicted that they require institutionalization for the remainder of their lives.

And for another 200 children there is no future at all—not even the empty existence of a lifetime of hospital care—for they will die as a result of thiscrippler of young children. Two hundred children a year.

In the words of HEW's Bureau of Community Environmental Management, what this adds up to is a "disease more prevalent than polio before the advent of the Salk vaccine."

But the real tragedy is that the disease of childhood lead poisoning is totally manmade and totally preventable. It is not some rare malady waiting for a miracle cure. It exists only because we let it exist.

Three years ago I introduced legislation to begin a Federal program to come to grips with thiscrippler and killer of young children. Subsequently, Senator KENNEDY introduced companion legislation in the Senate. Finally, after 2 years of intensive effort, with the special aid of our distinguished colleague from Pennsylvania (Mr. BARRETT) our Lead-Based Paint Poisoning Prevention Act was signed into law on January 13, 1971. In enacting this law, President Nixon committed this Nation to a massive assault to eradicate the plight of childhood lead poisoning. That commitment remains unfulfilled.

Much of the reason for this is as simple as it is intolerable: The victims of lead poisoning are the poor and disadvantaged youngsters of our inner cities, destined to live in slum housing, without enough to eat, and without adequate medical care. They are America's forgotten children, her invisible children. And the attitude of this administration toward these youngsters has been one of

cruel and callous disregard. This unconscionable neglect can only be measured in the unnecessary suffering of thousands of young children.

For far too long, this Government has been allowed to close its eyes to the plight of these children. It is imperative that the Congress now sustain a comprehensive and meaningful program which will safeguard their health from this dread disease.

In good part the reason that lead poisoning continues to be a national peril is that neither the Congress nor the administration has been willing to provide sufficient funding to meet the menace of lead-based paint poisoning. Despite the fact that the Lead-Based Paint Poisoning Prevention Act authorized \$30 million for fiscal years 1971 and 1972, the Nixon administration steadfastly refused to request any money to fund this act for fiscal year 1971 and only after great pressure from myself and other concerned citizens did it belatedly submit an amended budget request for \$2 million for fiscal year 1972. The Congress—with great credit to the distinguished chairman, Mr. FLOOB, and the members of the subcommittee which helped shape the legislation now before us—recognized the total insufficiency of this request. But still it provided only \$7.5 million in appropriations for fiscal year 1972—still woefully inadequate to meet the need. For fiscal year 1973, the fiscal year which is the subject of the conference report now before us, the administration requested \$9.5 million. Fortunately both the House and Senate committees recognized the inadequacy of that request and the bill which we are now considering has a total of \$14 million for fiscal year 1973.

While I commend the conferees for not being constrained by the administration's totally insufficient budget request, I do not believe that \$14 million is yet anywhere near sufficient. For fiscal year 1972, which ended on June 30, the regional health directors of HEW had received—as of May 5, 1972—61 grant applications from communities totalling about \$16 million. This means that actual grant requests—with 2 months of the fiscal year still remaining—exceeded by more than 100 percent the available funds. And certainly the amount of requests would have been much greater but for the discouragement potential applicants received upon finding how little moneys were available and how dilatory the administration was being in releasing funds. I understand, for instance, the city of Philadelphia had originally planned to apply for \$3 million in grant aid, but in light of the little funding available revised that request to \$700,000.

Clearly, all factors indicate that grant requests for fiscal year 1973 will far, far exceed the \$14 million provided in the conference report.

The most compelling testimony to the need for far greater funds was registered, perhaps, by the administration itself. At page 428 of the House Appropriations Subcommittee's hearings, part 3, an administration statement acknowledges that—

An expenditure of \$25 million would support a program for approximately 60 percent of the children at risk.

Thus, even an appropriation almost twice that provided by H.R. 15417 would still leave 40 percent of the children, who risk lead poisoning, unscreened and untreated.

And at page 473 of the same volume, another administration statement acknowledges that, given the administration's request of \$9.5 million, which is only \$4.5 million less than that provided in the bill before us, only "40 percent of the estimated high risk population will be under surveillance as a result of the screening programs."

The figures are clear. We are simply consigning children to total lack of screening for lead poisoning, and care, if they in fact have this dread disease.

On the first day of this session of the 92d Congress, I introduced legislation (H.R. 12466) to extend and expand the Lead-Based Paint Poisoning Prevention Act. And I am pleased to note that subsequently, Senator Kennedy introduced companion legislation (S. 3080) in the other body.

It is my firm belief that passage of this legislation is an integral part of the program which we must launch to eradicate the plight of lead based paint poisoning from the face of this country. This legislation provides the bare minimum in funding necessary to carry out the program under the Lead-Based Paint Poisoning Prevention Act—\$50 million for fiscal year 1973 and each fiscal year thereafter. I am pleased to note that this legislation—amended to make it even more potent—has already passed the Senate. My bill has been reported out by the Subcommittee on Housing to the full House Banking and Currency Committee, with much credit going to that subcommittee's distinguished chairman, Mr. BARRETT, a gentleman who has consistently been in the forefront of the battle against this tragiccrippler and killer of young children. Hopefully this legislation will soon reach the House floor, so that we can begin to truly combat this dread disease.

I would like to note that 65 members of the House have joined with me in cosponsoring legislation to greatly increase the lead poisoning authorization. I believe that both bipartisan nature and widely differing geographic representation of these cosponsors indicates the growing awareness throughout this Nation that childhood lead poisoning must be eliminated and that the Federal Government must lead the way in that effort.

Edmund Burke once remarked that all that is necessary for the forces of evil to win the world is for enough good men to do nothing. So it is with lead poisoning. Either we embark upon a meaningful effort to eradicate this disease or we fail. The devastating menace of childhood lead poisoning will not fade away by our ignoring it.

Mr. HARRINGTON. Mr. Speaker, I intend to vote for the Labor-HEW appropriations conference report, but I am very disturbed by one section of the bill.

On one hand, it contains badly needed money for health and education and so-

cial welfare programs, programs essential for a decent life in America. The bill continues our commitment to improving medical aid by encouraging construction of facilities and providing grants to institutions and individuals engaged in the training of doctors, nurses, dentists, and related health professions. The bill continues our commitment to raising the quality of education through direct aid to school systems and schools of higher learning, as well as scholarships for students, and special innovative programs. The bill continues our belief that every American is entitled to a decent living when he or she is unable to work. It provides money for the aged, for the disabled, for the veteran, for the unemployed.

But amendments 8 and 9, Mr. Speaker, are pernicious, regressive measures that would negate the effects of the Occupational Safety and Health Act by exempting business who employ less than 15 workers.

Two years ago, this House passed that act by an overwhelming vote of 309 to 60. It intended that every American worker be protected from unsafe working conditions. It realized that an average of 55 workers a day were being killed on the job. It realized that more than 2.2 million people were injured annually on the job. It realized that a yearly average of 390,000 workers reported occupational diseases, such as lung cancer, asbestosis, and heart disease, with thousands of cases unreported.

Now, the Congress would exclude approximately 15 million workers from safety rules and inspections provided for under the Occupational Safety Act.

These amendments are wrong, but I will vote for the bill because under House rules it cannot be amended and, I would not deny the benefits under the education, health, and social welfare provisions to the many millions of citizens who need the chance those programs provide to break out from the viciousness of poverty, illiteracy, ill health, and unemployment.

The President has threatened to veto this appropriations bill not because it exempts so many workers from safety standards but because he claims it allocates too much money. I would hope that the Congress would override any veto, realizing that if the President spent less money on wasteful defense budgets that help to finance stupid, immoral wars, and spent more money on trying to improve the quality of human life, his budget would eventually balance.

H.R. 15417 is not a great bill, but it is better than any administration alternative, and I reluctantly reiterate my support for it.

Mr. ROSTENKOWSKI. Mr. Speaker, today I rise in support of the conference report on H.R. 15417, the Labor and Health, Education, and Welfare appropriations request for fiscal year 1973. Incorporated in this report is a \$269.9 million request for maternal and child health care.

Mr. Speaker, on June 24, 1972, I introduced a bill which would amend title V of the Social Security Act to extend for 1 year the period within which cer-

tain special project grants, namely, maternal and child health care, could be made. This bill (H.R. 9410) was signed into law by the President on July 10, 1972, and it provides the necessary authorization for this particular health care appropriation.

At this time I would like to congratulate the members of the appropriations conference committee for their concern and awareness in the area of maternal and child health care. The proposed increase of \$18 million over last year's funding for this program represents a significant step for infant health care in the United States.

For too long now, our national pediatric health care programs have fallen short of the demand. In both urban and rural areas alike, our children have been grossly neglected by the overall national health scheme. Only recently have we begun to fund special programs to insure all of our children the basic right to preventive, as well as corrective medical services.

Mr. Speaker, I strongly urge the full support of all of my distinguished colleagues for this conference report.

Mr. BADILLO. Mr. Speaker, I rise in support of this urgently needed legislation and urge that we adopt this conference report without delay.

I am very gratified that the House and Senate conferees have had the wisdom and foresight to increase the appropriations for bilingual education by \$15 million beyond that originally appropriated by the House in June. I am especially pleased as this is the amount by which I sought to amend the original bill.

As I have observed on countless occasions, the bilingual education program has been seriously underfunded from its inception. Only a very small percentage of the estimated 5 million children who are considered to be in need of special bilingual education have been reached. Although the need is far more critical today than when the bilingual education program was initiated some 5 years ago, the administration requested hardly more than 30 percent of the amount authorized for such programs.

Therefore, it is appropriate that the Congress take the initiative—in the absence of any leadership from the administration—in renewing our commitment to providing meaningful bilingual/bicultural education and in seeing to it that there are sufficient funds to implement these programs. While the total amount is still less than half of the \$135 million authorization, it will still enable the Office of Education to expand bilingual programs to locations now denied this aid or where there are only a limited number of programs. By increasing title VII—ESEA—appropriations by \$15 million, to a level of \$60 million, it has been estimated that 110 new projects can be initiated and approximately 90,000 more children—almost double the present number—can be reached. These additional funds will be particularly important in enabling the Office of Education to achieve a greater degree of balance in the allocation of title VII moneys without having to shortchange certain areas.

Furthermore, significantly increased funds are desperately required if the needs of Spanish-speaking and other foreign language-speaking children are to be met and if these youngsters are to be afforded full and equal educational opportunities.

Mr. Speaker, in calling upon our colleagues to support this and certain other increases agreed to by the conferees, I also want to express my very grave concern over some speculation that this measure may be vetoed. Such an ill-conceived move can only do irreparable damage to countless educational, social welfare, job training, employment, and manpower programs. While the conference report is higher than the President's budget request, it is only because the administration has failed to take substantive action to reorder its own distorted program priorities and to furnish any semblance of leadership. A veto of this critical money bill would be wholly unjustified and I would urge the President and his advisers to very carefully reconsider any possible moves in this direction.

Mr. ROGERS. Mr. Speaker, after working for many months on various pieces of health legislation, both I and the members of the Subcommittee on Public Health and Environment were pleased to see the Appropriations Subcommittee on Health give health legislation proper funding levels.

When the House passed the Labor-HEW appropriations bill, I voted for it because of the need to improve the health of Americans.

But now we are about to vote on the conference report on this appropriation which includes considerably more money than the House approved in areas in which I believe the House adequately funded. For example a single item in this conference report—benefits for coal miners—is the cause for a \$1 billion increase over the level which the House approved.

Increases resulting from a conference are to be expected as the natural result of honest compromise.

In reading the report, I find that the increases are not the result of even increases for worthy programs, but instead the total figure is boosted radically by this one item.

Despite the merits which I feel are contained in almost all other portions of this bill, the extreme increase of \$1 billion forces me to vote against the conference report. I certainly feel that the health funding figures as agreed to in the conference are appropriate and I support the agreements reached in conference on this portion of the bill.

I think this is another example of how the vast bureaucratic maze of HEW is thwarting the Congress opportunity to draw clear-cut decisions on pressing important domestic issues.

Despite the overall benefits that would be realized by major portions of this bill, we find ourselves voting up or down without being able to correct ourselves on specific items. Additionally this points up the need for a separate Department of Health. Only by separating all health



programs from this giant bureaucratic maze can we move forward.

Mrs. GREEN of Oregon. Mr. Speaker, I agree with many of the statements made by the gentleman from Illinois (Mr. MICHEL). Adding this additional \$2 billion does not necessarily improve the health, education, or welfare of the American people.

Fewer categorical programs with high administrative costs might well be one way we could get more of the dollars and more of the help to the intended beneficiaries. But, Mr. Speaker, a higher degree of accountability also must be demanded from the Office of Education.

For the past 2 years I have been conducting a study of contracts and grants administered by the U.S. Office of Education—OE—and on selected programs within the Department of Health, Education and Welfare—HEW—because I believe we must not let the headlines of defense misspending dull our senses. We must be made aware that the Pentagon is not the only place where Federal mismanagement occurs. In fact, in my investigation of OE and HEW I have found mismanagement that rivals and in many cases exceeds the reports of slipshod management of Defense.

Unfortunately attention has not focused on the administration of Federal social and educational programs, because their noble goals have shielded from outside examination and adverse public criticism the Federal bureaucracies responsible for their administration. My position has been that waste of our tax dollars in the social sector is more heinous than waste in defense, where our goals are obviously of a less noble nature.

Former Secretary of Defense Robert McNamara once stated that competition among defense firms for Government contracts saved the Government 25 percent over the price of noncompetitive contracts. The Defense Department today, according to the latest figures available, has let 43.7 percent of the total worth of all its contracts on a competitive basis. The Office of Education, on the other hand, let many millions of dollars in contracts and grants between July 1, 1971, and April 30, 1972, of which only 10.5 percent went through the competitive process. Without competitive bidding in 90 percent of their transactions, OE has cleared the way for numerous ill-conceived and over-priced projects which have been negotiated quickly and quietly. On the receiving end of these agreements are the consultants, think tanks, university based groups and other research organizations, many of them on the rebound from Federal cutbacks in the "hard sciences."

The 90 percent lack of competitive procurement mentioned previously includes all of OE's so-called discretionary contracts and grants for the first 10 months of fiscal 1972. Discretionary awards encompass all of the education laws we have passed which give the Office of Education some say over the administration of programs. On the other end of the scale are the nondiscretionary programs where the money is usually allocated to the States for their administration.

In recent hearings I conducted on OE's contracting activities, I asked the agency's top officials for the total number of "live" contracts and grants which require some kind of Federal stewardship. The figure these officials gave at the hearings was 50,000. That's 50,000 contracts and grants, either this year or continuing from past years, all requiring some kind of monitoring by OE. To this monumental task, the OE officials added, they have assigned a contracts and grants staff of 51 strong.

With the no-priority given contracts and grants management, it is no wonder that good management and useful educational research have been elusive goals for the Office of Education. I am particularly irked because at a time when local school districts are scraping for thousands of dollars, OE at the Federal level allows millions of educational dollars to fall between the cracks. To explain what I mean by bad management and useless educational projects, let me give a small sampling of the "lemons" in OE's files. These are not necessarily the worst projects, in fact, one OE official recently confided to me that I have just begun to scratch the surface.

The National Reading Center. After 2 years and \$3 million of OE's money, the center has produced: a stack of press releases and reports 18 inches high; two national surveys on the extent of illiteracy—and a third one on its way—1,000 people who are supposed to train a corps of volunteer reading tutors; and, one and a half million milk cartons carrying messages designed to encourage children to read.

The Center was first funded in August 1970 by OE's discretionary money under the Cooperative Research Act. Congress intended the act, as its title implies, to fund educational research. Instead, the Center's well paid staff set themselves up in Washington, D.C., office space that put all congressional offices to shame. After the Center had allegedly misspent \$305,300 of their first year's budget, OE finally caught up with them, followed shortly thereafter by the General Accounting Office.

What the OE auditors found was an executive director of the Center who was making \$50,000 a year—\$14,000 more than the Commissioner of Education—\$113,300 for public relations expenditures, and \$176,900 for architects' fees and redecorating expenses. After months of negotiations, OE quietly agreed to collect only one-third the alleged misexpenditures of \$305,300 that OE, itself, had outlined in its original audit. Not only is OE unwilling to enforce its own audit report, it also maintains there is a need to continue the Reading Center. The Commissioner of Education has taken the position that the Nation needs something such as the National Reading Center to stimulate involvement of the private sector in ending the Nation's illiteracy. Meanwhile, the Office of Education has its own program, called Right to Read, also directed at the Nation's illiteracy problem.

The \$3 million already poured down a hole in funding the National Reading Center, if placed in Multnomah County

could have nearly quadrupled the \$800,000 we recently had to take out of our library budget where funds actually go for reading. The \$1.5 million Portland must take out of our school budget to cut teaching slots—including remedial reading teachers—has been the average annual budget of the National Reading Center. As we keep cutting our library and education budgets, the National Reading Center keeps grinding out press releases, holding useless conferences, and turning out reports which are never read.

A \$198,759 contract with System Development Corp., to conduct a set of "traveling reading seminars." Of all places, OE dipped into discretionary funds under the Vocational Education Act of 1963 to fund this project. The idea behind this contract was for OE to drum up local support for its right to read program.

System Development Corp.—this think tank is an offshoot of Rand Corp.—held conferences in eight cities around the country where Federal officials came and klatched with local officials over what could be done to improve the Nation's reading skills. After the chatting sessions were over, System Development produced a 269-page report which, in its bulk, contains page after page on the minute arrangements that went into the sessions. On educational grounds, the report is useless.

Actually, OE was supposed to get, for its money, seminars in 10 cities. But after the contract was let, SDC submitted a "potential cost overrun in the amount of \$40,029." So OE cut the number of seminars from 10 to 8. There is considerable question whether there was need for any of these talkathons or if, in fact, they served any constructive purpose.

In Multnomah County the nearly \$200,000 spent on this contract could have helped finance the operation of Edgefield Lodge. The facility is the only publicly supported one in the State for emotionally "disturbed children." Instead, the money for traveling reading seminars supported a myriad number of conferences, seminars, and discussion groups, all with the associated expenditures of travel, hall rentals, and staff reports—three of the conferences lasted 2 days.

NEDC fund, in cooperation with the National Economic Growth and Reconstruction Organization. This project was supposed to be for drug rehabilitation, \$300,000 worth. In this instance, the Office of Education was so anxious to spend the \$300,000 before July 1 that it sent a letter on June 23 offering the organization \$15,000 in Federal money even before it had received from the organization a satisfactory work statement required by OE regulations. Fortunately, the money was never spent. Why? Not because of OE's acumen, but because the letter OE sent the organization was returned with "addressee unknown" and "moved, left no forwarding address."

The reason OE was so anxious to get rid of \$300,000 is that it was faced with its annual, enigmatic problem known as "end of year fiscal rush." This is compulsion of a Federal agency to spend by

June 30 all of the funds Congress has appropriated for it in a given fiscal year. Each year this rush results in incomprehensible mountains of paperwork—where correct contracting procedures are discarded out of expediency—during 2 weeks in mid-June.

A grant of \$198,000 to an organization for the study of the needs of American Indian school libraries. This could have been a worthy goal had OE officials known of any special unmet needs of Indian school libraries. But the contracting officials were again hurrying at the end of the fiscal year. Shortly after OE awarded the grant, the organization turned around and subcontracted \$124,000 out of the \$198,000 total to a university to do most of the work, a bald admission that the organization had little competence in the field. Ironically, OE gave me the file on this grant because they considered it to be a "model" of OE administration. An OE official later told me that after searching OE for "model" contracts and grants for 2 days this project and four others—just as bad if not worse—were the best they could produce.

I had hoped that the hearings I conducted in April and May would provide an incentive for the Office of Education and its parent, the Department of Health, Education, and Welfare to improve their contracts and grants administration. Since then, I have witnessed gestures in the direction of reform, but nothing more.

What is even more disconcerting is that before OE and HEW accomplish any reform, we must witness the creation of the latest idea for a new cornucopia of educational research and development—the National Institute of Education (NIE). The recently enacted legislation promises that over the next 3 years we are going to plug \$550 million additional into the same research organizations, think tanks, consultants, and other, which the Office of Education has managed to keep solvent under 105 existing Federal education programs.

Imagine what the \$550 million spent on NIE could do at the local level. In comparison to the NIE authorization, the following cuts we face in our Portland school budget appear minuscule: \$100,000 from career education; \$110,000 out of supplementary programs for disadvantaged children and community school programs; \$129,000 from summer school; \$144,000 out of our counseling program.

It does not make much sense to dramatically increase the funding for educational research and development when existing Federal research programs are being badly mismanaged. And why create new programs for research at the Federal level when school districts can barely buy erasers and chalk, let alone the latest educational materials produced through research?

We must begin an effort to divert Federal money misspent and mismanaged at the Federal level to the local level where the need is greatest. Our Federal education programs have become too numerous and complicated to administer in Washington. We must

consolidate these programs, eliminate the bad ones, and direct more aid directly to States and localities.

Mr. BADILLO. Mr. Speaker, I rise in support of this urgently needed legislation and urge that we adopt this conference report without delay.

I am very gratified that the House and Senate conferees have had the wisdom and foresight to increase the appropriations for bilingual education by \$15 million beyond that originally appropriated by the House in June. I am especially pleased as this is the amount by which I sought to amend the original bill.

As I have observed on countless occasions, the bilingual education program has been seriously underfunded from its inception. Only a very small percentage of the estimated 5 million children who are considered to be in need of special bilingual education have been reached. Although the need is far more critical today than when the bilingual education program was initiated some 5 years ago, the administration requested hardly more than 30 percent of the amount authorized for such programs.

Therefore, it is appropriate that the Congress take the initiative—in the absence of any leadership from the administration—in renewing our commitment to providing meaningful bilingual/bicultural education and is seeing to it that there are sufficient funds to implement these programs. While the total amount is still less than half of the \$135 million authorization, it will still enable the Office of Education to expand bilingual programs to locations now denied this aid or where there are only a limited number of programs. By increasing title VII (ESEA) appropriations by \$15 million, to a level of \$60 million, it has been estimated that 110 new projects can be initiated and approximately 90,000 more children—almost double the present number—can be reached. These additional funds will be particularly important in enabling the Office of Education to achieve a greater degree of balance in the allocation of title VII moneys without having to short-change certain areas. Furthermore, significantly increased funds are desperately required if the needs of Spanish-speaking and other foreign language-speaking children are to be met and if these youngsters are to be afforded full and equal educational opportunities.

Mr. Speaker, in calling upon our colleagues to support this and certain other increases agreed to by the conferees, I also want to express my very grave concern over some speculation that this measure may be vetoed. Such an ill-conceived move can only do irreparable damage to countless educational, social welfare, job training, employment and manpower programs. While the conference report is higher than the President's budget request, it is only because the administration has failed to take substantive action to reorder its own distorted program priorities and to furnish any semblance of leadership. A veto of this critical money bill would be wholly unjustified and I would urge the President and his advisers to very carefully reconsider any possible moves in this direction.

Mr. VANDER JAGT. Mr. Speaker, while I oppose adoption of the conference report on appropriations for the Departments of Labor, and Health, Education, and Welfare, I want to express my strong support for the provisions included therein that would expand Federal research activities in the field of diabetes.

The conferees retained language adopted by the Senate Appropriations Committee calling upon the National Institute of Arthritis, Metabolism, and Digestive Diseases to utilize an increase in its funding to initiate four to six regional diabetes research centers throughout the Nation. The Senate committee expects to receive a report on the development of this program in next year's hearings.

Members of the House of Representatives may recall that during the debate of May 3, 1972, on legislation renaming this component of NIH, Congressman GERALD R. FORD, WILLIAM A. STEIGER, and LOUIS FREY, JR., joined me in urging expansion of research on diabetes within the Institute. Upon receiving the assurances of Chairman STAGGERS of the Committee on Interstate and Foreign Commerce that comprehensive hearings would be held on Federal research efforts on this disease, I withdrew an amendment that I had offered aimed at this objective.

Mr. Speaker, I look forward to this extensive congressional inquiry, and urge that it be convened at the earliest opportunity. And I am very pleased that the need for further Federal activities in this field has been recognized by members of the appropriations committees. The regional diabetes research centers would represent a major step forward, and would bring new hope to millions of Americans afflicted with this disease.

Mr. KOCH. Mr. Speaker, today we are voting on the Labor-HEW appropriations bill (H.R. 15417), which some have said President Nixon will veto. It therefore becomes even more essential that Congress now indicate its overwhelming support for the health, education, welfare, and labor programs embodied in this bill—programs which Congress has spent considerable time debating and authorizing.

Earlier in the legislative process, I supported the Hathaway Quality Education Amendments, which are included in the present bill and which made important increases in the administration's funding request for the Office of Education's disadvantaged children, title I programs and its school libraries, vocational education, and adult education programs. Without such a real commitment to the educational needs of our country's children, we will not even begin to provide every child an equal educational opportunity so that he or she can share in the future of this country.

Similarly, if the funding levels provided in this bill for health manpower training, medical facilities construction, and biomedical research are not enacted into law or are rejected by a Presidential veto, the American public will be denied the benefits of improved health delivery programs, additional medically trained personnel, and potentially lifesaving medical research. Inadequate funding of



health programs now will lead to greater expenses for disability, welfare, medicare, and medicaid later. I consider the improvement and extension of our health-care system to be one of the most important priorities we have, and I am appalled at the callous threats of a veto.

One program in particular which will have a better chance for receiving Federal funding because of these increased appropriations is the Laboratory for Experimental Medicine and Surgery in Primates—LEMSIP. This laboratory has functioned since 1965 as an interuniversity facility connected with the Associated Medical Schools of New York and New Jersey and under the administration of the New York University Medical Center, and has proved to be a valuable facility for medical research. This laboratory's continuance is now in jeopardy; and though it has so far operated without significant Federal funding, it now requires Federal funding to assure that its quality contributions to medical research will continue. I hope that Federal financial assistance for LEMSIP will be forthcoming shortly.

The President complains that H.R. 15417 appropriates \$1.9 billion over his budget request. These increases in funds were made in several important areas—in particular, for health and mental services and for the National Institutes of Health—\$126 million of the total increase was in education, including \$15 million for bilingual education, \$19 million for education of the handicapped, \$63 million in reenacted programs in NDEA title III, and \$20 million for State adult and vocational education programs.

If the administration is really intent on reducing the level of the national debt, it ought to begin first in paring down its overwhelming military expenditures. How can the President conceivably veto the constructive programs incorporated in this bill—programs which will improve, enrich, and extend the lives of American citizens—and at the same time request this year an additional \$3.25 billion for the destruction of life and property in Vietnam?

I support H.R. 15417, and I hope the Congress will register by its vote its determination to see this bill enacted into law.

Mr. CLEVELAND. Mr. Speaker, I rise in opposition to the conference report on the Labor-HEW appropriations bill. I do so with reluctance, because included in it are funds for many desirable programs.

When this appropriations bill first came before the House, I voted for the so-called Hathaway amendment, which added \$364 million for certain educational programs. These included vocational and adult education, libraries, impacted aid, and title I ESEA for disadvantaged children, areas of the greatest need. Then I voted for final passage of the House version of the appropriations bill, although it was more than \$1.2 billion above President Nixon's budget request. This was a considerable increase but despite the need for fiscal restraint, I felt these programs were important.

The Senate, however, then proceeded to add another \$1.3 billion. The bill as it

emerged from the conference committee contained over \$500 million more than the House version and over \$1.8 billion more than the President requested. It is not as if we are not spending very much on these programs. The President has increased his budget request for Labor-HEW by \$8 billion since 1971.

#### NEW REVELATIONS

An important additional consideration is the recent revelation that the States have discovered a program in this bill which gives them a blank check to spend as much as they want for loosely defined "social services" for welfare recipients. The cost of this program has increased by 280 percent in the last 2 fiscal years and although there is no way to tell how much it will increase this coming year, estimates are that this single program may exceed its budget by as much as \$3.6 billion. In 1969 it cost the Federal Government \$354 million; in 1971, \$750 million; in 1972, is estimated to cost about \$2 billion, and for next year more than \$4 billion.

As the Washington Post recently pointed out, if the money were all being spent wisely on programs that actually lifted families out of poverty, the States could justify this great outpouring. But there are no Federal controls or standards on the quality of the State programs that it finances. It even appears that the Federal authorities do not know with any precision on what it is being spent. A situation like this is not only expensive, it is a runaway threat to fiscal restraint. Estimates indicate that a supplemental request of at least \$2 billion more will be necessary to cover these now uncontrollable expenditures.

#### FISCAL RESTRAINT

Up to this point, Congress has in fact exercised considerable budget restraint. Appropriations bills have been under budget requests in four of eight cases and up less than 1 percent in two of those remaining. Only two have been substantially over the amounts requested and Labor-HEW is by far the most. This record is commendable, and necessary if we are not to undermine President Nixon's efforts to get our economy moving forward without massive and destructive inflation. It would be regrettable for the House to now throw this record to the wind, and approve this conference report.

Mr. McKEVITT. Mr. Speaker, I do not oppose funds for education just as I do not oppose motherhood, the flag, or apple pie.

However, I must vote against the conference report on the Labor-HEW appropriations bill. Those of us who oppose this conference report will be criticized. This vote will be an issue in some political campaigns. However, facts are facts and the truth is truth even though there are times when the latter hurts.

Fiscal responsibility is more than a cliché—more than just a catchword. It is vital to the economic security of this Nation. The total budget, which includes education as only one of its multitude of segments, has to be kept in the confines of the budget. The same goes for defense spending; the same holds true for every area of the Federal Govern-

ment, especially at a time when we are attempting to curb inflation.

The Labor-HEW appropriation bill approved by the House increased the administration's amended fiscal 1973 request by \$1.27 billion. Additional increases agreed upon by the conference committee added \$492 million, bringing the total appropriations increase to \$1.76 billion. We are not talking about peanuts. We are talking about an increase over the budget of \$1.76 billion. Where does this money come from? The already overburdened taxpayer. That is where it comes from. It does not come from some "money tree," it does not come from the Bureau of Printing and Engraving which simply prints more money. It comes from the taxpayer. Those are the people we are supposed to be representing. Those are the people who pick up the tab. Those are the people "where the buck stops" and where it begins.

Mr. Speaker, I could go on to list the various segments of this bill, where the increases are flagrantly above budget and committee recommendations. However, there is no need to go into such detail.

On occasion, I have voted for increases in spending. Those votes have been cast in good conscience and in areas of vital social concern.

But this conference report is different. I do not make any accusations. I do not point a finger at anyone. But in this instance I see increases included for the sake of politics and with little thought on how the money will be spent, administered or eventually used.

The President has also made it clear that he will veto any bill which exceeds his budget estimates excessively. This bill was \$1.2 billion over the budget when it cleared the House. It is nearly \$1.8 billion over as it comes out of conference. A veto seems certain.

The bill holds out empty hopes. I simply believe we should "go back to the drawing board" on this appropriations bill and come up with something more realistic and responsible.

Mr. FLOOD. Mr. Speaker, I have no further requests for time, and I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER. The question is on the conference report.

Mr. MICHEL. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 240, nays 167, not voting 25, as follows:

[Roll No. 309]

YEAS—240

Abourezk	Aspinall	Brademas
Abzug	Badillo	Brasco
Adams	Baring	Brooks
Addabbo	Barrett	Buchanan
Alexander	Begich	Burke, Mass.
Anderson	Bell	Burton
Calif.	Bergland	Byrne, Pa.
Anderson	Bevill	Caffery
Tenn.	Blaggi	Carey, N.Y.
Andrews, Ala.	Blester	Carney
Andrews	Bingham	Carter
N. Dak.	Blanton	Casey, Tex.
Annunzio	Boggs	Celler
Ashley	Boland	Chamberlain
Aspin	Bolling	Chisholm

Clark  
Clay  
Collins, Ill.  
Conte  
Conyers  
Corman  
Cotter  
Coughlin  
Culver  
Curlin  
Daniels, N.J.  
Danielson  
Davis, S.C.  
de la Garza  
Delaney  
Dellums  
Denholm  
Dent  
Diggs  
Dingell  
Donohue  
Dow  
Drinan  
Dulski  
Dwyer  
Eckhardt  
Edwards, Calif.  
Ellberg  
Esch  
Evans, Colo.  
Evins, Tenn.  
Fasell  
Flood  
Flowers  
Foley  
Ford  
William D.  
Forsythe  
Fraser  
Fulton  
Fuqua  
Galifianakis  
Garmatz  
Gaydos  
Gialmo  
Gibbons  
Gonzalez  
Grasso  
Gray  
Green, Pa.  
Griffiths  
Gude  
Halpern  
Hamilton  
Hammer-  
schmidt  
Hanley  
Hanna  
Hansen, Wash.  
Harrington  
Harvey  
Hathaway  
Hawkins  
Hays  
Hechler, W. Va.  
Heckler, Mass.  
Heinz  
Helstoski

## NAYS—167

Abbitt  
Abernethy  
Anderson, Ill.  
Archer  
Arends  
Ashbrook  
Baker  
Belcher  
Bennett  
Betts  
Blackburn  
Bow  
Bray  
Brinkley  
Brotzman  
Brown, Mich.  
Brown, Ohio  
Broyhill, N.C.  
Broyhill, Va.  
Burke, Fla.  
Burleson, Tex.  
Burlison, Mo.  
Byrnes, Wis.  
Byron  
Cabell  
Camp  
Carlson  
Cederberg  
Chappell  
Clancy  
Clausen,  
Don H.  
Clawson, Del.  
Cleveland

Henderson  
Hicks, Mass.  
Hicks, Wash.  
Hillis  
Hollifield  
Horton  
Howard  
Hull  
Hungate  
Jacobs  
Johnson, Calif.  
Jones, Ala.  
Jones, N.C.  
Jones, Tenn.  
Kastenmeier  
Kazen  
Kee  
Kluczynski  
Koch  
Kyros  
Leggett  
Link  
Long, Md.  
McClary  
McCluskey  
McDade  
McFall  
McKay  
McMillan  
Macdonald,  
Mass.  
Madden  
Mahon  
Malliard  
Matsunaga  
Mazzoli  
Meeds  
Melcher  
Metcalfe  
Mikva  
Mills, Ark.  
Mink  
Mitchell  
Mollohan  
Monagan  
Moorhead  
Morgan  
Mosher  
Moss  
Murphy, Ill.  
Murphy, N.Y.  
Myers  
Natcher  
Nichols  
Nix  
Obey  
O'Hara  
O'Konski  
O'Neill  
Patman  
Patten  
Pepper  
Perkins  
Peyser  
Pickle  
Pike  
Poage

Podell  
Preyer, N.C.  
Price, Ill.  
Pryor, Ark.  
Pucinski  
Purcell  
Rallsback  
Rangel  
Rees  
Reid  
Reuss  
Riegle  
Rodino  
Roe  
Roncalio  
Rooney, Pa.  
Rosenthal  
Rostenkowski  
Roush  
Roy  
Roybal  
Runnels  
Ryan  
St Germain  
Sarbanes  
Scheuer  
Schwengel  
Seiberling  
Shipley  
Shriver  
Sisk  
Slack  
Smith, Iowa  
Staggers  
Stanton  
James V.  
Steed  
Steele  
Stephens  
Stokes  
Stratton  
Stubblefield  
Sullivan  
Symington  
Taylor  
Thomson, Wis.  
Udall  
Ullman  
Van Deerlin  
Vanik  
Vigorito  
Waldie  
Whalen  
White  
Whitten  
Widnall  
Wilson, Bob  
Wilson,  
Charles H.  
Wolf  
Wright  
Wyatt  
Yates  
Yatron  
Young, Tex.  
Zablocki  
Zwack

Mann  
Martin  
Mathias, Calif.  
Mathis, Ga.  
Mayne  
Michel  
Miller, Ohio  
Mills, Md.  
Mizell  
Montgomery  
Nelsen  
Pettis  
Pirnie  
Poff  
Powell  
Price, Tex.  
Quile  
Quillen  
Randall  
Rhodes  
Roberts  
Robinson, Va.  
Robison, N.Y.

## NOT VOTING—25

Blatnik  
Broomfield  
Davis, Ga.  
Dowdy  
Edmondson  
Flynt  
Gallagher  
Hagan  
Hebert

Lennon  
Long, La.  
McClure  
McCormack  
McDonald,  
Mich.  
Miller, Calif.  
Minshall  
Nedzi

Talcott  
Teague, Calif.  
Teague, Tex.  
Terry  
Thompson, Ga.  
Thone  
Vander Jagt  
Veysey  
Waggonner  
Wampler  
Ware  
Whalley  
Whitehurst  
Wiggins  
Williams  
Winn  
Wydler  
Wyllie  
Wyman  
Young, Fla.  
Zion

Senate amendment numbered 19: page 11, line 1, strike out "\$751,295,000" and insert "\$844,797,000."

## MOTION OFFERED BY MR. FLOOD

Mr. FLOOD. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. Flood moves that the House recede from its disagreement to the amendment of the Senate numbered 19 and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment, insert "\$798,046,000."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment numbered 21: page 12, line 3, after "317" insert "318."

## MOTION OFFERED BY MR. FLOOD

Mr. FLOOD. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. Flood moves that the House recede from its disagreement to the amendment of the Senate numbered 21 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment numbered 24: page 13, line 12, strike out "\$159,872,000" and insert "\$223,872,000."

## MOTION OFFERED BY MR. FLOOD

Mr. FLOOD. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. Flood moves that the House recede from its disagreement to the amendment of the Senate numbered 24 and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment, insert "\$209,372,000."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment numbered 51: page 22, line 18, insert:

## ELEMENTARY AND SECONDARY EDUCATION

"For carrying out, to the extent not otherwise provided, title I (\$1,810,000,000), title III (\$171,393,000), and title V, parts A and C (\$55,000,000), of the Elementary and Secondary Education Act, \$2,036,393,000: *Provided*, That the aggregate amounts made available to each State under title I-A for grants to local education agencies within that State shall not be less than such amounts as were made available for that purpose for fiscal year 1972: *Provided further*, That the requirements of section 307(e) of Public Law 89-10 as amended shall be satisfied when the combined fiscal effort of the local education agency and the State for the preceding fiscal year was not less than such combined fiscal effort in the second preceding fiscal year."

## MOTION OFFERED BY MR. FLOOD

Mr. FLOOD. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. Flood moves that the House recede from its disagreement to the amendment of the Senate numbered 51 and concur therein with an amendment, as follows: In lieu of the matter inserted by said amendment, insert the following:

## "ELEMENTARY AND SECONDARY EDUCATION

"For carrying out, to the extent not otherwise provided, title I (\$1,810,000,000), title

So the conference report was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Rooney of New York for, with Mr. Hébert against.

Mr. Thompson of New Jersey for, with Mr. Rarick against.

Mr. Blatnik for, with Mr. Pelly against.

Mr. Tiernan for, with Mr. Schmitz against.

Until further notice:

Mr. Nedzi with Mr. Broomfield.

Mr. Flynt with Mr. McClure.

Mr. McCormack with Mr. McDonald of Michigan.

Mr. Passman with Mr. Minshall.

Mr. Stuckey with Mr. Miller of California.

Mr. Edmondson with Mr. Lennon.

Mr. Davis of Georgia with Mr. Long of Louisiana.

Mr. Hagan with Mr. Gallagher.

Mr. ROBERTS changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## AMENDMENTS IN DISAGREEMENT

The SPEAKER. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 3: page 2, line 16, insert: "Provided, That the amounts appropriated herein for title II, parts A and B of the Manpower Development and Training Act of 1962, as amended, for expenses of the Private Sector On-the-Job Training and the Special Targeting programs authorized under that title shall not be subject to the apportionment of benefits provisions of section 301 of the Manpower Development and Training Act."

## MOTION OFFERED BY MR. FLOOD

Mr. FLOOD. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. Flood moves that the House recede from its disagreement to the amendment of the Senate numbered 3 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Grover  
Gubser  
Haley  
Hall  
Hansen, Idaho  
Harsha  
Hastings  
Hogan  
Hosmer  
Hunt  
Hutchinson  
Ichord  
Jarman  
Johnson, Pa.  
Jonas  
Karth  
Keating  
Keith  
Kemp  
King  
Kuykendall  
Kyl  
Landgrebe  
Landrum  
Latta  
Lent  
Lloyd  
Lujan  
McCollister  
McCulloch  
McEwen  
McKevitt  
McKinney  
Mallary



III (\$171,393,000), and title V, parts A and C (\$53,000,000), of the Elementary and Secondary Education Act, \$2,034,393,000: *Provided*, That the aggregate amounts made available to each State under title I-A for grants to local education agencies within that State shall not be less than such amounts as were made available for that purpose for fiscal year 1972: *Provided further*, That the requirements of section 307 (e) of Public Law 89-10 as amended shall be satisfied when the combined fiscal effort of the local education agency and the State for the preceding fiscal year was not less than such combined fiscal effort in the second preceding fiscal year."

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment numbered 52: page 23, line 7, insert:

**"SCHOOL ASSISTANCE IN FEDERALLY AFFECTED AREAS**

"For carrying out title I of the Act of September 30, 1950, as amended (20 U.S.C., ch. 13), and the Act of September 23, 1950, as amended (20 U.S.C., ch. 19), \$749,955,000, of which \$704,045,000, including \$41,450,000 for amounts payable under section 6 and \$40,000,000 for complying with section 403(1) (C) shall be for the maintenance and operation of schools as authorized by said title I of the Act of September 3, 1950, as amended and \$45,910,000, which shall remain available until expended, shall be only for providing school facilities as authorized by section 5 and subsections 14(a) and 14(b) of said Act of September 23, 1950: *Provided*, That none of the funds contained herein shall be available to pay any local educational agency in excess of 84 per centum of the amounts to which such agency would otherwise be entitled pursuant to section 3(b) of title I: *Provided further*, That none of the funds contained herein shall be available to pay any local educational agency in excess of 90 per centum of the amounts to which such agency would otherwise be entitled pursuant to section 3(a) of said title I if the number of children in average daily attendance in schools of that agency eligible under said section 3(a) is less than 25 per centum of the total number of children in such schools."

**MOTION OFFERED BY MR. FLOOD**

Mr. FLOOD. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. Flood moves that the House recede from its disagreement to the amendment of the Senate numbered 52 and concur therein with an amendment, as follows: In lieu of the matter inserted by said amendment, insert the following:

**"SCHOOL ASSISTANCE IN FEDERALLY AFFECTED AREAS**

"For carrying out title I of the Act of September 30, 1950, as amended (20 U.S.C., ch. 13), and the Act of September 23, 1950, as amended (20 U.S.C., ch. 19), \$681,405,000, of which \$645,495,000, including \$41,450,000 for amounts payable under section 6 and \$10,000,000 for complying with section 403 (1) (C) shall be for the maintenance and operation of schools as authorized by said title I of the Act of September 3, 1950, as amended, and \$35,910,000, which shall remain available until expended, shall be only for providing school facilities as authorized by section 5 and subsections 14(a) and 14(b) of said Act of September 23, 1950: *Provided*, That none of the funds contained herein shall be available to pay any local educational agency in excess of 77 per centum of the amounts to which such agency would otherwise be entitled pursuant to section 3(b) of title I: *Provided further*, That none of the funds contained herein

shall be available to pay any local educational agency in excess of 90 per centum of the amounts to which such agency would otherwise be entitled pursuant to section 3(a) of said title I if the number of children in average daily attendance in schools of that agency eligible under said section 3(a) is less than 25 per centum of the total number of children in such schools."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 54: page 24, line 11, insert:

**"VOCATIONAL AND ADULT EDUCATION**

"For carrying out, to the extent not otherwise provided, section 102(b) (\$29,898,000), parts B and C (\$454,682,000), D, F (\$38,322,000), G (\$29,500,000), H (\$10,524,000), and I of the Vocational Education Act of 1963, as amended (20 U.S.C. 1241-1391), and the Adult Education Act of 1966 (20 U.S.C. ch. 30) (\$75,000,000), \$674,768,000, including \$24,000,000 for exemplary programs under part D of said 1963 Act of which 50 per centum shall remain available until expended and 50 per centum shall remain available through June 30, 1974, and not to exceed \$28,000,000 for research and training under part C of said 1963 Act: *Provided*, That grants to each State under the Adult Education Act shall not be less than grants made to such State agencies in fiscal year 1971: *Provided further*, That grants to each State under the Vocational Education Act shall not be less than grants made to such States in fiscal year 1972."

**MOTION OFFERED BY MR. FLOOD**

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

The Clerk read as follows:

Mr. Flood moves that the House recede from its disagreement to the amendment of the Senate numbered 54 and concur therein with an amendment, as follows: In lieu of the matter inserted by said amendment, insert the following:

**"VOCATIONAL AND ADULT EDUCATION**

"For carrying out, to the extent not otherwise provided, section 102(b) (\$29,898,000), parts B and C (\$449,682,000), D, F (\$38,322,000), G (\$24,500,000), H (\$10,524,000), and I of the Vocational Education Act of 1963, as amended (20 U.S.C. 1241-1391), and the Adult Education Act of 1966 (20 U.S.C. ch. 30) (\$75,000,000), \$659,162,000, including \$20,000,000 for exemplary programs under part D of said 1963 Act of which 50 per centum shall remain available until expended and 50 per centum shall remain available through June 30, 1974, and not to exceed \$23,000,000 for research and training under part C of said 1963 Act: *Provided*, That grants to each State under the Adult Education Act shall not be less than grants made to such State agencies in fiscal year 1971: *Provided further*, That grants to each State under the Vocational Education Act shall not be less than grants made to such States in fiscal year 1972."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 64: Page 29, line 1, insert:

**"WORK INCENTIVES**

"For carrying out a work incentive program, as authorized by part C of title IV of the Social Security Act, including registration of individuals for such program, and for related child care and other supportive services, as authorized by section 402(a) (19) (G) of the Act, including transfer to the Secretary of Labor, as authorized by sec-

tion 431 of the Act, and \$150,000 for transfer to the appropriation for 'Departmental management', \$455,133,000, which shall be the maximum amount available for transfer to the Secretary of Labor and to which the States may become entitled pursuant to section 403(d) of such Act, for these purposes for the current fiscal year."

**MOTION OFFERED BY MR. FLOOD**

Mr. FLOOD. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. Flood moves that the House recede from its disagreement to the amendment of the Senate numbered 64 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate Amendment No. 66: Page 29, line 21, insert:

**"GRANTS FOR THE DEVELOPMENTALLY DISABLED**

"For carrying out, except as otherwise provided, sections 301 and 303 of the Public Health Service Act, parts B, C, and D of the Developmental Disabilities Services and Facilities Construction Act and the Vocational Rehabilitation Act contingent upon enactment into law of authorizing legislation, \$102,825,000, of which \$65,000,000 shall be for grants under part C of the Developmental Disabilities Services and Facilities Construction Act, to remain available until June 30, 1975: *Provided*, That grants made from these funds after June 30, 1973, will be for construction only as specified in section 132(a) (3) of such Act; \$14,250,000 for grants under part B of the Developmental Disabilities Services and Facilities Construction Act, to remain available until expended: *Provided further*, That there may be transferred to this appropriation from the appropriation 'Mental Health' an amount not to exceed the sum of the allotment adjustment, made by the Secretary pursuant to section 202(c) of the Community Mental Health Centers Act."

**MOTION OFFERED BY MR. FLOOD**

Mr. FLOOD. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. Flood moves that the House recede from its disagreement to the amendment of the Senate numbered 66 and concur therein with an amendment, as follows: In lieu of the matter inserted by said amendment, insert the following:

**"GRANTS FOR THE DEVELOPMENTALLY DISABLED**

"For carrying out, except as otherwise provided, sections 301 and 303 of the Public Health Service Act, and parts B, C, and D of the Developmental Disabilities Services and Facilities Construction Act, \$51,250,000, of which \$32,500,000 shall be for grants under part C of the Developmental Disabilities Services and Facilities Construction Act, to remain available until June 30, 1975, and \$9,250,000 shall be for grants under part B of the Developmental Disabilities Services and Facilities Construction Act, to remain available until expended: *Provided*, That grants made under part C of the Developmental Disabilities Services and Facilities Construction Act after June 30, 1973, shall be for construction only as specified in section 132(a) (3) of such Act: *Provided further*, That there may be transferred to this appropriation from the appropriation 'Mental Health' an amount not to exceed the sum of the allotment adjustment, made by the Secretary pursuant to section 202(c) of the Community Mental Health Centers Act."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate Amendment No. 68: Page 31, line 25, strike out "\$557,788,000" and insert "\$1,526,500,000, to remain available until expended."

MOTION OFFERED BY MR. FLOOD

Mr. FLOOD. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. FLOOD moves that the House recede from its disagreement to the amendment of the Senate numbered 68 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate Amendment No. 70: Page 38, line 2, after the word "College" insert; "shall be awarded to these institutions in the form of lump-sum grants and expenditures made therefrom."

MOTION OFFERED BY MR. FLOOD

Mr. FLOOD. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. FLOOD moves that the House recede from its disagreement to the amendment of the Senate numbered 70 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate Amendment No. 76: Page 45, line 6, insert:

"PAYMENT TO THE CORPORATION FOR PUBLIC BROADCASTING

"To enable the Secretary of the Treasury to make payment to the Corporation for Public Broadcasting, as authorized by section 396(k)(2) of the Communications Act of 1934, as amended, for expenses of the Corporation, \$65,000,000, to remain available until expended: *Provided*, That this appropriation shall be available only upon the enactment into law of authorizing legislation."

MOTION OFFERED BY MR. FLOOD

Mr. FLOOD. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. FLOOD moves that the House recede from its disagreement to the amendment of the Senate numbered 76 and concur therein with an amendment, as follows: In lieu of the matter inserted by said amendment, insert the following:

"PAYMENT TO THE CORPORATION FOR PUBLIC BROADCASTING

"To enable the Department of Health, Education, and Welfare to make payment to the Corporation for Public Broadcasting, as authorized by section 396(k)(1) of the Communications Act of 1934, for expenses of the Corporation, \$40,000,000, to remain available until expended: *Provided*, That in addition, there is appropriated in accordance with the authorization contained in section 396(k)(2) of such Act, to remain available until expended, amounts equal to the amount of total grants, donations, requests or other contributions (including money and the fair market value of any property) from non-Federal sources received by the Corporation during the current fiscal year, but not to exceed a total of \$5,000,000."

The SPEAKER. The gentleman from Pennsylvania (Mr. Flood) is recognized.

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

Mr. FLOOD. I yield to my friend, the gentleman from Iowa.

Mr. GROSS. This appropriation for public broadcasting has not been authorized; is that correct?

Mr. FLOOD. It conforms exactly with the bill that is coming up.

Mr. GROSS. That may well be. But it has not been authorized.

Mr. FLOOD. That is correct and that is why we are bringing it to the House for a separate vote.

Mr. GROSS. In other words, the authorizing bill is presently pending before the House; is that not correct?

Mr. FLOOD. Yes, that is right.

Mr. GROSS. Therefore, if we approve of this amendment here this afternoon, we will be engaging in a futile gesture relative to consideration of the public broadcasting bill; is that not correct?

Mr. FLOOD. My opinion is that the legislative bill will pass without any doubt at all. I have no doubt about it.

Mr. GROSS. The fact of the matter is that adoption of the gentleman's motion will nullify the authorizing process in the House of Representatives.

Mr. FLOOD. If the President signs this bill?

Mr. GROSS. Let us assume that he will.

Mr. FLOOD. I suppose he might.

Mr. GROSS. I think he will probably veto it, but if he does—

Mr. FLOOD. Then your question is academic.

Mr. GROSS. But there is reason to believe the President will sign the bill.

Mr. FLOOD. I am not a member of the palace guard; I do not know.

Mr. GROSS. So by virtue of the motion presently offered by the gentleman, the House will have nullified the authorizing procedure with respect to the Public Broadcasting Act.

Mr. FLOOD. I do not like the word "nullify." I do not think it really fits this situation.

Mr. GROSS. That is the effect of it.

Mr. FLOOD. That is a matter of opinion.

Mr. MICHEL. Mr. Speaker, will my chairman yield?

Mr. FLOOD. Yes, I yield, of course, to the gentleman from Illinois.

Mr. MICHEL. I think the word "nullify" is a little bit strong.

Mr. FLOOD. It is very strong.

Mr. MICHEL. As a matter of fact, the authorizing legislation will have some conditions over which we have no control whatsoever. We just simply thought that here in the interest of time and efficiency and, as a matter of fact, in trying to save the taxpayers a few dollars by appropriating in this method, we would stand a much better chance of having it limited to a level of \$45 million, rather than \$60 or \$70 million.

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

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

Mr. GROSS. By what logic does the gentleman say the Appropriations Committee is saving the taxpayers several millions of dollars?

Mr. FLOOD. I did not say that.

Mr. GROSS. If the House had an opportunity to consider the authorizing

bill, it might save more money than you are perhaps proposing to save here.

The SPEAKER. The question is on the motion offered by the gentleman from Pennsylvania (Mr. Flood).

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 373, nays 27, not voting 32, as follows:

[Roll No. 310]

YEAS—373

Abernethy	Clay	Hammer-
Abourezk	Cleveland	schmidt
Abzug	Collins, Ill.	Hanley
Adams	Colmer	Hanna
Addabbo	Conable	Hansen, Idaho
Alexander	Conover	Hansen, Wash.
Anderson,	Conte	Harrington
Calif.	Conyers	Harsha
Anderson, Ill.	Corman	Harvey
Anderson,	Cotter	Hastings
Tenn.	Coughlin	Hathaway
Andrews, Ala.	Culver	Hechler, W. Va.
Andrews,	Curlin	Heckler, Mass.
N. Dak.	Daniels, N.J.	Heinz
Annunzio	Danielson	Helstoski
Archer	Davis, S.C.	Henderson
Arends	Davis, Wis.	Hicks, Mass.
Ashley	de la Garza	Hicks, Wash.
Aspin	Delaney	Hillis
Aspinall	Dellenback	Hollifield
Badillo	Dellums	Horton
Baker	Denholm	Hosmer
Barrett	Dennis	Howard
Begich	Dent	Hull
Belcher	Dickinson	Hungate
Bell	Diggs	Hunt
Bennett	Dingell	Hutchinson
Bergland	Donohue	Jacobs
Bevill	Dorn	Jarman
Biaggi	Dow	Johnson, Calif.
Blester	Drinan	Johnson, Pa.
Bingham	Dulski	Jonas
Blanton	Duncan	Jones, Ala.
Blatnik	du Pont	Jones, N.C.
Boggs	Dwyer	Jones, Tenn.
Boland	Eckhardt	Karht
Bolling	Edwards, Ala.	Kastenmeter
Bow	Edwards, Calif.	Kazen
Brademas	Ellberg	Keating
Brasco	Erlenborn	Kee
Bray	Esch	Keith
Brinkley	Eshleman	Kemp
Brooks	Evans, Colo.	King
Brotzman	Fascell	Kluczynski
Brown, Mich.	Fish	Koch
Brown, Ohio	Fisher	Kyl
Broyhill, N.C.	Flood	Kyros
Broyhill, Va.	Flowers	Landrum
Buchanan	Foley	Latta
Burke, Fla.	Ford, Gerald R.	Leggett
Burke, Mass.	Forsythe	Lent
Burlison, Mo.	Fountain	Link
Burton	Fraser	Lloyd
Byrne, Pa.	Frelinghuysen	Lujan
Byrnes, Wis.	Frenzel	McClary
Byron	Fulton	McCloskey
Cabell	Fuqua	McClure
Caffery	Galifianakis	McCollister
Camp	Garmatz	McCulloch
Carey, N.Y.	Gaydos	McDade
Carlson	Gettys	McEwen
Carney	Gialmo	McFall
Carter	Gibbons	McKay
Casey, Tex.	Gonzalez	McKevitt
Cederberg	Grasso	McKinney
Celler	Green, Oreg.	McMillan
Chamberlain	Green, Pa.	Macdonald,
Chappell	Griffin	Mass.
Chisholm	Griffiths	Madden
Clancy	Grover	Mahon
Clark	Gubser	Mailliard
Clausen,	Gude	Mallory
Don H.	Halpern	Mann
Clawson, Del.	Hamilton	Martin



Mathias, Calif.	Randall	Steiger, Ariz.
Matsunaga	Rangel	Steiger, Wis.
Mayne	Rees	Stevens
Mazzoli	Reid	Stokes
Meeds	Reuss	Stratton
Melcher	Rhodes	Stubblefield
Metcalfe	Riegle	Sullivan
Michel	Roberts	Symington
Mikva	Robinson, Va.	Talcott
Miller, Ohio	Robison, N.Y.	Taylor
Mills, Ark.	Rodino	Teague, Calif.
Mills, Md.	Roe	Teague, Tex.
Minish	Rogers	Terry
Mink	Roncallo	Thompson, Ga.
Mitchell	Rooney, Pa.	Thompson, N.J.
Mizell	Rosenthal	Thomson, Wis.
Mollohan	Rostenkowski	Thone
Monagan	Roush	Udall
Montgomery	Roy	Ullman
Moorhead	Roybal	Van Derlin
Morgan	Runnels	Vander Jagt
Mosher	Ruth	Vanik
Moss	Ryan	Vigorito
Murphy, Ill.	St Germain	Waggonner
Murphy, N.Y.	Sandman	Waldie
Myers	Sarbanes	Wampler
Natcher	Satterfield	Ware
Nelsen	Saylor	Whalen
Nichols	Scherle	Whalley
Nix	Scheuer	White
Obey	Schneebell	Whitehurst
O'Hara	Schwengel	Whitten
O'Konski	Scott	Widnall
O'Neill	Sebelius	Wiggins
Patman	Seiberling	Williams
Patten	Shipley	Wilson, Bob
Pepper	Shoup	Wilson,
Perkins	Shriver	Charles H.
Pettis	Sikes	Winn
Peyser	Sisk	Wolff
Pickle	Skubitz	Wright
Pike	Slack	Wyatt
Pirnie	Smith, Iowa	Wydler
Podell	Smith, N.Y.	Wylie
Poff	Snyder	Wyman
Freyer, N.C.	Spence	Yates
Price, Ill.	Springer	Yatron
Price, Tex.	Staggers	Young, Fla.
Pryor, Ark.	Stanton,	Young, Tex.
Pucinski	J. William	Zablocki
Purcell	Stanton,	Zion
Quie	James V.	Zwack
Quillen	Steed	
Rallsback	Steele	

## NAYS—27

Abbott	Derwinski	Hays
Ashbrook	Devine	Hogan
Baring	Downing	Landgrebe
Betts	Findley	Long, Md.
Burleson, Tex.	Goldwater	Mathis, Ga.
Collier	Goodling	Poage
Collins, Tex.	Gross	Powell
Crane	Haley	Rousselot
Daniel, Va.	Hall	Smith, Calif.

## NOT VOTING—32

Blackburn	Hagan	Nedzi
Broomfield	Hawkins	Passman
Davis, Ga.	Hébert	Pelly
Dowdy	Ichord	Rarick
Edmondson	Kuykendall	Rooney, N.Y.
Evins, Tenn.	Lennon	Ruppe
Flynt	Long, La.	Schmitz
Ford,	McCormack	Stuckey
William D.	McDonald,	Tiernan
Frey	Mich.	Veysey
Gallagher	Miller, Calif.	
Gray	Minshall	

So the motion was agreed to.

The Clerk announced the following pairs:

Mr. Rooney of New York with Mr. Broomfield.

Mr. Hébert with Mr. Pelly.

Mr. McCormack with Mr. Blackburn.

Mr. Tiernan with Mr. Kuykendall.

Mr. Stuckey with Mr. Ruppe.

Mr. Hawkins with Mr. Schmitz.

Mr. Davis of Georgia with Mr. Veysey.

Mr. Evins of Tennessee with Mr. McDonald

of Michigan.

Mr. Flynt with Mr. Minshall.

Mr. William D. Ford with Mr. Frey.

Mr. Gray with Mr. Rarick.

Mr. Nedzi with Mr. Gallagher.

Mr. Hagan with Mr. Edmondson.

Mr. Lennon with Mr. Ichord.

Mr. Passman with Mr. Miller of California.

Mr. DOW changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

A motion to reconsider the votes by which action was taken on the several motions was laid on the table.

## GENERAL LEAVE

Mr. FLOOD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the conference report just agreed to, and to include extraneous matter.

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

There was no objection.

# PROVIDING FOR CONSIDERATION OF H.R. 15927, TEMPORARY INCREASE IN RAILROAD RETIREMENT ANNUITIES

Mr. DELANEY. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1085 and ask for its immediate consideration.

The Clerk read the resolution as follows:

## H. RES. 1085

*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. 15927) to amend the Railroad Retirement Act of 1937 to provide a temporary 20 per centum increase in annuities, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. DELANEY. Mr. Speaker, I yield 30 minutes to the gentleman from California (Mr. SMITH), pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 1085 provides an open rule with 1 hour of general debate for consideration of H.R. 15927, the purpose of which is to provide a temporary increase in railroad retirement annuities.

Annuity holders will receive a temporary 20-percent increase in retirement benefits effective with respect to annuities accruing after August 1972, to terminate June 30, 1973. Temporary increases which were enacted in 1970 and 1971 have the same termination date.

The Commission on Railroad Retirement which was created to make a study of the system and its financing is presently in the process of preparing its re-

port and recommendations. When the report is completed and properly evaluated, permanent legislation will be introduced. In the meantime, the railroad annuitants are entitled to some relief from the rising costs of living.

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

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

Mr. Speaker, I concur in the remarks made by the gentleman from New York (Mr. DELANEY) in explanation of the rule. We had this bill, H.R. 15927, on the suspension list for Monday, but we did not reach it, so we granted a rule yesterday, House Resolution 1085.

The bill will increase by 20 percent the retirement benefits until June 30, 1973. I remember when I presented these increases a couple of times before we were concerned that this fund eventually may become depleted, because there are not as many railroad employees now working to take care of the approximately 700,000 retired people. There has been some suggestion made that we should wait until this Commission reports—and I understand their report is either at the printer or is being submitted to the printer at the present time—so we can have permanent legislation rather than this temporary legislation.

There are some problems, there are some minority reports, and some amendments will be offered, but as far as the rule is concerned, I urge its adoption.

Mr. DELANEY. Mr. Speaker, I move the previous question on the resolution. The resolution was agreed to.

A motion to reconsider was laid on the table.

# PERMISSION FOR COMMITTEE ON RULES TO FILE A PRIVILEGED RESOLUTION UNTIL MIDNIGHT TOMORROW

Mr. DELANEY. Mr. Speaker, in the name of the Committee on Rules, I ask unanimous consent that the Committee on Rules may have until midnight tomorrow night to file a privileged resolution.

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

There was no objection.

# TEMPORARY INCREASE IN RAILROAD RETIREMENT ANNUITIES

Mr. STAGGERS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 15927) to amend the Railroad Retirement Act of 1937 to provide a temporary 20-percent increase in annuities, and for other purposes.

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

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 con-

sideration of the bill H.R. 15927, with Mr. GREEN of Pennsylvania 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 West Virginia (Mr. STAGGERS) will be recognized for 30 minutes; and the gentleman from Illinois (Mr. SPRINGER) will be recognized for 30 minutes.

The Chair recognizes the gentleman from West Virginia.

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

Mr. Chairman and Members of the House, this is a very simple bill. It will provide a temporary increase in railroad retirement benefits, to conform to the social security amendments adopted on June 30, when social security benefits were raised 20 percent.

The railroad retirees and their spouses and widows are in the same fix as those men and women who are under social security. Prices have gone up for them. They certainly are in the same fix as beneficiaries of social security. They need additional benefits now.

When Congress provided a temporary increase in 1970, we realized we would have to have some revisions in the Railroad Retirement Act. We set up a Commission of five Members—two from management, two from labor, and one from the general public appointed by the President—to resolve this issue. We asked them to report back to the House by July 1, 1971. They came to the committee and said they had not had time enough, so we provided for an extension of a year, which made the reporting date July 1, 1972.

I understand their report has been made, but it has not come to the House yet. It is at the printer's.

There has been a suggestion that probably we should wait for the report and then act. This will be impossible, due to the closing of this Congress. I do not know how soon that report might come to the Congress. After that it would be necessary to get legislation through the House, through the Senate, and to have it signed, for the people to get their benefits, and that probably would run into the middle of next year.

I do not believe it would be fair to a lot of people I know, and I dare say to a lot of people Members know in their districts, to deny them a 20-percent raise in railroad retirement benefits just because we do not have the Commission report to act on now. I do not believe that would be right.

This is a temporary raise, something which we have done twice before. All three temporary raises are to expire July 1, 1973.

We know full well that the Congress must act before July 1, 1973, on a permanent plan to finance the fund.

The fund at the present time has some \$4.6 billion in it. This temporary raise will cost \$11 million on an actuarial basis. That is all the temporary increase will cost.

I cannot see any fairness at all to not enacting this into law right now.

I do not think I could face some of the

people from my hometown or others who ask me why they are not treated like the social security people are, and they will not be treated that way if we do not act now.

The social security benefit increase takes effect on September 1.

We hope if we enact this bill today, it will be enacted just as it is now by the Senate immediately, and every one of those on railroad retirement will get an increase in their checks on the same date the social security beneficiaries get theirs.

There were amendments offered in the committee to raise the assessments against the railroads and against the workers on the railroads to pay for this. It was voted down overwhelmingly in the committee.

This is only a temporary bill, as I have said. It will go out of effect, according to law, on July 1 of next year. So we know we will have to act before that time.

I believe every Member of this Congress sitting in this House listening to me will agree that those widows and those on pensions now deserve an increase in that pension right now and not next year. It would be an injustice to try to wait for the recommendations of the Commission. We set that Commission up and we asked them to report back on July 1 of last year. They asked us for more time and said they did not have enough time. They asked for another year, until July 1 of this year. We gave them the additional year, and they have made a report. It is a big report, as I understand it, with different recommendations in it. This House ought to have the benefit of those recommendations when the experts citing them have taken the time to do it. We should not say either today or later in the future that we will raise the assessments on the railroads and on those who work on the railroads willy-nilly and by a certain sum without hearings and without the advice of the body of experts that we set up to give us the advice.

That is the essence of the bill. It is a simple one and is only temporary. It goes on until July 1 of next year and goes out of business by law at that time. There will have to be other laws enacted to keep it in effect. We have \$4.6 billion in the fund now. I think with that explanation we ought to enact this bill immediately.

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

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

Mr. PEPPER. I want to commend the able gentleman for bringing this bill forward to the House. It is a meritorious bill and certainly it seems to be fair that the people on the railroad retirement system should receive the same increase in their annuities as those who are on social security are receiving by action of the Congress which was approved by the President. Again I want to commend the distinguished chairman and assure him of my support.

Mr. STAGGERS. I thank the gentleman.

Mr. SAYLOR. Will the gentleman yield to me?

Mr. STAGGERS. I am glad to yield to the gentleman from Pennsylvania.

Mr. SAYLOR. First I would like to commend the committee for bringing this bill out. I think it is proper. I happen to be one of those who believe it should have been permanent instead of temporary.

However, I am disturbed by figures which I see on page 7 of your report, which show the amount of money that you say is in the fund. If I remember correctly, you said there were about \$4.6 billion in the fund and the cost of this bill would only be \$11 million. Yet when you get to the first paragraph on page 7 it says:

The actuarial surplus shown in the table above is equivalent to 1.48 percent of future taxable payroll if the temporary increases are allowed to expire. If the increases are not allowed to expire, there would be an actuarial deficiency of 6.70 percent of taxable payroll which would result in exhaustion of the funds of the railroad retirement program in a relatively short time.

How can the \$11-million increase in costs have such a substantial effect?

Mr. STAGGERS. I would like to explain that to the gentleman in this way. As you say, the report says "In a relatively short time." Well, we can reconcile that fact with the fact that it will be depleted if these increases were to go into effect and be made permanent, but by law they go out of existence on July 1 of next year. We also know that without these in effect the fund would not only be sound, but the money would be pouring into it at a fairly good rate, \$87.5 million each year.

As I say, these will go out of effect next July 1, and at that time we will have to enact a law here and take a position on it.

I would further say that in mentioning the \$11 million, that on a long-term basis the cost would be \$11 million per year, representing interest on the amount paid out of the fund from September 1 of this year to next July 1. On a short-term basis it would be at the rate of about \$250 million for that period.

Further, I might say to the gentleman that under the social security bill as we passed it in June 30, one-third of all of the railroad retirees in America benefit under the Railroad Retirement Act as a result of the social security increase. So all we are talking about are the two thirds who will not receive a raise unless we act.

So there are one-third who already have it, and we say that in all fairness the other two-thirds ought to have it.

Mr. SAYLOR. I thank the gentleman for his reply. Now that he has explained the \$200 plus million I can understand the variation in the figures in the report. Again I commend the gentleman.

Mr. STAGGERS. I thank the gentleman.

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

Mr. Chairman, I have been on this committee for 20 years, and I was on the Subcommittee on Transportation and Aeronautics for some 12 years, and I think every single raise that has ever been suggested or enacted by this body has had some kind of a hearing which I thought would justify the increase.

Let me give you a picture of what hap-



pens if you put this into effect—and it is not pleasant for me to come here and have to give you these facts. I have never condemned those who have other opinions, and I do not mean to by what I say here on the floor. I think that those who do not feel as I do are just as earnest and just as sincere and have just as high an integrity as I do.

But the actual fact is that you have raised this figure, percentagewise, in the last 3 years by 55 percent—35 percent up until today—and this 20 percent makes 55 percent.

You have some 900,000 men and women who are now receiving money from this fund, some of whom are retirees and some who are spouses of retirees.

But there are over 900,000 recipients of railroad retirement at this point.

There are slightly over 600,000 paying into this fund at the present time. Now just get this in mind—a little over one-half a million paying into this fund and almost 1 million drawing on the fund, and you are proposing to make a 20-percent increase, making a total increase of 55 percent.

Now my good chairman and friend has said that this is only temporary. Have any of you ever known of a temporary increase that did not become permanent?

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

Mr. SPRINGER. Not at this point, but I will in just a second since I have mentioned the gentleman's name. I certainly will be glad to yield to the gentleman.

Now this was a rather hurried up kind of hearing. It lasted one morning. The Railroad Retirement Commission was formed and appointed to make a study of this and I will read to you a letter written to me on July 27, which was the day after the hearing:

COMMISSION ON  
RAILROAD RETIREMENT,  
Washington, D.C., July 27, 1972.

HON. WILLIAM L. SPRINGER,  
U.S. House of Representatives,  
Washington, D.C.

DEAR MR. SPRINGER: Pursuant to our conversation yesterday, I am enclosing a copy of the summary portion of our report, plus a suggested introductory statement which you might wish to consider.

If I can be of any further assistance to you in this respect, please give me a call on 382-2043.

Sincerely,

MICHAEL S. MARCH,  
Executive Director.

Further, in the summary of the report they say:

First, the Commission, after consultation with a group of the most eminent actuaries in the country has found that the railroad retirement system, as it now stands, is headed for bankruptcy. The projected annual deficit, using realistic assumptions, will reach \$330 million in 1980, \$578 million in 1985, and will exceed \$1 billion in the year 1995 to 2000. From 1971 to 2000 the cumulative annual deficit added up to \$17 billion.

The present fund stands at about \$5 billion. The Commission projects that the system will be bankrupt in the year 1988. By the year 2000 the unfinanced deficit, the so-called "debt" of the system, will total \$12 billion.

Second, the enactment of a 20% increase in railroad retirement benefits by H.R. 15927 will speed up the bankruptcy of the system.

The increase under the bill is technically "temporary", but everyone knows that the Congress does not "take back" benefit increases that it once provides. Thus, the approval of the bill would represent a *de facto* permanent commitment to a 20% increase. The added increase in the first full year will be on the order of \$300 million. Between 1973 and the year 2000 the added expenditures will be \$12 billion. According to information provided the House Committee by Dr. Theodore O. Yntema, the Chairman of the Commission on Railroad Retirement, and inserted in the hearing record, the present reserve in the fund will be entirely used up by 1985 and the system will have a debt of \$23 billion in the year 2000. If the 20% increase in railroad benefits is made permanent, as it surely will be.

Third, the 20% increase would represent irresponsible financial handling of the railroad retirement system. In 1970 a 15% increase and in 1971 a 10% increase were enacted without providing any additional taxes to cover the costs. Now a third increase of 20% will be added, again without providing any new financing. The compound increase in benefits will thus be 53% in 3 years—without any provision for added taxes. This sort of legislation is a threat to future benefits of present railroad retirement workers—who are being asked to pay contributions to a system which is sure to go bankrupt.

Fourth, the argument that a 20% increase for railroad beneficiaries must be provided, as a matter of simple equity if social security recipients are given a 20% increase is not valid. The average monthly age retirement benefit in December 1971 was \$222 per month as compared to the average social security benefit of \$132. (Wives benefits, which in most cases are about 50% extra, are in addition.) Thus, a 20% increase for a railroad beneficiary would be 1.7 times as large as for a social security recipient. The social urgency of the basic social security benefits is quite different than of the bigger railroad benefits. The social security system is not threatened with bankruptcy as is the railroad retirement system, which depends on a railroad industry in which 6 railroads are in bankruptcy.

Now, I do not know how many of you have those in your districts who are paying into the fund. But may I say, we have always operated, at least up until now, on the theory that we will never give an increase in this unless the fund justified it.

I think we tried to follow that very carefully up until a couple of years ago. I do want to say, if we are going to bankrupt the fund in less than 15 years, you are going to have to answer to every single one of your railroad employees in your district who are not going to be able to receive any money out of this fund when they retire. That is exactly what you are faced with in this instance.

The actuary of the Railroad Retirement Board was before our committee. I asked him—there now being railroads paying 9.5 percent approximately into the fund and also employees are paying into the fund 9.5 percent.

I asked the actuary in the presence of all of our committee what it would take to raise this sufficiently to bring it into balance, and he said it would be necessary to raise the payment made by the employer, the railroads, and the employee, each 13.3 percent from 9.5. I introduced that amendment. I felt that if such a raise was justified, then we ought to be able to have payments into this fund sufficient to keep it in balance,

and that was the purpose of my amendment. My recollection is that it was defeated. I believe, by something like 21 to 7. This gives you a picture of what the committee did with reference to trying to bring some kind of order and balance out of this fund.

I am going to introduce this amendment. I do not know how far I am going to get with it, but I simply cannot be financially responsible to the people back home in my district—and I have a lot of railroaders in my district. I have not had a letter from one single railroader—not one single railroader in my district—who is working and paying into this fund asking me to support this legislation—not one. If any of you have, that is more than I have—and I suppose you may have.

I have had a lot of letters from those who are recipients who are not going to pay another nickel into this fund, and I do not blame them a bit for that. I might even feel that way about it myself, if I did not know what the condition of this fund was. But it would be the most irresponsible thing I can think of for me now to vote a 20-percent increase, a total of 55 percent in the last 3 calendar years, when we know this is going to break the fund in the next 15 years.

There certainly will be, I suppose, something done about this, and nobody yet has proposed anything. I personally felt that although they had not completed all of their hearings, that this special committee that was appointed to make a study of this, and which was to report by July 1 of this year and had not quite gotten it done—that we ought not to have done anything until we had that hearing. But instead of this, we are now plunging ahead with 20 percent additional on top of this in order to put this fund in a worse deficit position than it was before.

I just do want to say to you that if you do want to go back home and face those—and out of this is going to come a lot of publicity—and cannot help it—those who are paying into this fund, who are paying into a fund that is going to become bankrupt by 1985 if nothing is done about it. I have not seen any solid proposals by anyone who is going to do anything about it.

Labor testified before the committee as far as I know, they had no concrete suggestion at this time as to what was proposed should be done in the form of legislation to put this back in balance. All those years all those who have received from this fund have paid into this fund.

I think I am financially responsible to see that those who are now paying into the fund will at least have something coming to them when the time comes for them to retire.

The gentleman from Pennsylvania asked a rather pertinent question here a moment ago about the deficit. If you want to look at it, you ought to turn to page 7 and see that actuarial deficiency—and it is the truth exactly as he has put it there. Mr. Habermeyer is Chairman of the Railroad Retirement Board. There are three men on the Railroad Retirement Commission. There is

one from management and one from labor, and then there is one that is independent. Mr. Habermeyer, who is Chairman of the Commission, is retired, and he has not been replaced, so there are only two on the Commission at this time.

Mr. Quarles, the management member of the Board, is not in favor of the increase, but Neil P. Speirs, the labor member of the Board, supports the bill. So you have got a split on simply a management-labor division equally between the two members. That is just exactly where you sit at this point. I just want to be sure that those of you who are here and listening are sure that you understand what the financial condition of the railroad retirement is at this time, so you will not be voting under any misapprehension that something has been done, or that there is any legislation in the mill to do anything about this. There is not anything being proposed at this point.

You have talked about social security for a minute, and I think I ought to go back to that, because I think that is worth talking about. If you recall, we did raise social security some 20 percent, I believe, here, some weeks ago, and you are saying these people are entitled to 20 percent, too. Perhaps they are. I do not find anything particularly wrong with that. Social security, as you well know, did two things. First, they raised the rate; and second, they raised the amount that was taxable per person, so that you had a lot of people—millions of people—paying into the fund a very small amount of increased tax in order to make possible to a small number of people a rather sizable 20-percent increase.

I think in using those words—and I will stand corrected if I am not correct—those are almost exactly the words the gentleman from Arkansas, the chairman of the House Ways and Means Committee used. May I repeat that. In social security we have millions of people paying into a fund, a very small amount of money in order that a very small number of people could receive a very sizable percentage increase in their social security benefits. What do we find in this fund? What we actually find is a very small number of people who will be paying into the fund in which there is no increase in the percentage, no increase in the tax base of those people who are paying in, some 600,000, but there are 900,000, up by 50 percent, more people receiving than there are paying into the fund.

I think Members can see the only course to take if we are going to give the 20-percent increase and be financially responsible is to have an increase in the amount that is to be paid in. The actuary said the amount needed in order to do this was 13.3 percent, up from 9.5 percent.

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

Mr. SPRINGER. I yield to the gentleman from West Virginia.

Mr. STAGGERS. I thank the gentleman for yielding. All I want to say to the gentleman is this, that the fund will never be depleted unless this Congress acts, and it will have to act between now

and next July, because these are only temporary increases. If the increases are discontinued, then the fund will have a surplus coming into it year after year after year. So we are leaving it for the next Congress. After we have had the recommendations of the Commission as to what we should do, then we can take action. The fund will never be depleted unless we see fit to do it, and we are only voting this as a temporary thing.

The increase goes out of existence in July. It means we will have to come back and take another look at it and act on it. Otherwise the rate of benefits reverts back to the permanent rate, and under that situation there will be a surplus coming into the fund at all times.

Mr. SPRINGER. I do not find those figures to be that. I do not know of any reliable testimony before our committee which indicates the latter part of what the gentleman said. If I understood correctly what the gentleman was trying to imply, it was that there would always be sufficient money in this fund to pay off in the future those who would receive this assistance. Is that what the gentleman said?

Mr. STAGGERS. No.

Mr. SPRINGER. Would the gentleman repeat that portion of his remarks.

Mr. STAGGERS. I would be happy to. I said these temporary increases will go out of effect by law on July 1, of next year, and unless we act, then from that time on, there would be a surplus coming into the fund with the present assessments without the temporary increases. We will have to act to extend the increases. I would assume and certainly if I am chairman and come back, although I do not know what the good Lord has in store, but if I am back and I am chairman, it would certainly be my intention to put this fund on a sound basis. But I say to the gentleman this, that only if we act next July 1 will these temporary increases be extended. Otherwise they will go out the window, and without them there would be a surplus coming into the fund next year.

Mr. SPRINGER. May I say I think what the gentleman said strictly speaking is true, that if we drop these next year, there would be a surplus coming in each year, but the point is we have not made up the 55 percent which we have drawn on in these 3 years, and we can never recover that unless there is some legislation to recover the 55 percent which we have lost during the last few years.

Mr. STAGGERS. Unless this House acts by next July 1, these are automatically dropped. There is no way they will be continued unless we by passage of a law in this House continue them.

Mr. SPRINGER. No one is disputing that, but I do not believe—and I do not believe the gentleman in his heart believes—they will not be extended.

I do not believe, in other words, that next July 1 we are going to cut the amount the recipient is receiving on next July 1. If we do not extend the increases, the amounts will be cut 55 percent.

Mr. STAGGERS. The gentleman still does not get it. Unless we act next July

1—and we have to act on the commission's report and put this on a sound basis—these increases will not be extended.

Mr. SPRINGER. But I do not believe the gentleman visualizes that is exactly what is going to happen, and I do not see anything in the mill—although I will not be here—to indicate that is going to happen. The intention is to go from crisis to crisis.

Mr. STAGGERS. I do not think so.

Mr. SPRINGER. From crisis to crisis, and then they will try in some way to unload this on the Federal Government. That is the only way out of it I can see. This is the way in which, as I see it, those pursuing this legislation in the end expect to see something done about it.

I believe the chairman has tried to give his viewpoint fairly about it. I have tried to give my viewpoint. I wanted to be sure the Members understood what they were doing if they went ahead to enact this legislation without taking care of some form of payment into this fund by both the railroadmen and management.

Later on I will have an amendment on this which I hope the Members will consider. I did not feel I could leave this Congress without doing something, because I believe I have stood by this railroad retirement system and have insisted on every occasion that we try to be financially responsible. I believe we will be if we will go ahead and pass that amendment.

If we go ahead and put it at 13.3 percent, I believe the Members will find there will be people rushing in immediately to see that this legislation does not go any further, because I can assure the Members that the railroad worker himself does not want to pay the increase from 9.5 to 13.3 percent.

Mr. STAGGERS. Mr. Chairman, I am happy to yield such time as he may consume the gentleman from Texas (Mr. PICKLE).

Mr. PICKLE. I thank the chairman for yielding.

Mr. Chairman, I have reservations about what we are doing on this formula today.

I was a member of the subcommittee 2 years ago when we held similar hearings, and it was made plain that if we did not change our formula, from an actuarial standpoint, this fund would get into danger. We had to take some positive steps.

If Members will read the report of 2 years ago, they will find it was very plain. We decided at that time to appoint a commission to study this and to give us the full benefit of a deep study.

The problem we face today is that the Commission either was slow in getting underway, due to the fact of slow performance, or they could not act quickly enough, or perhaps there was a problem of volume of testimony. But the fact is that the Commission report has not yet been printed.

The committee met last week on this, and I was hesitant to participate. We did not have a report before us. We do not have it now, although we do know that the Commission views with grave



reservations the action we are taking today.

It seems to me that if we do not take action we are going to penalize the railroad retirees. The gentleman from Illinois is exactly correct, in my judgment, that we are going to break the fund at some point unless we change the formula.

At this point I do not see how we can do anything, from the standpoint of equity, except to approve this bill with an understanding that between now and next June 30 this matter will be brought to our committee and that we will ask for action on the Commission report, we are going to have to change this formula if we are going to keep the fund on a permanent basis, or else take away the increased amounts we seek to give them today.

Would the chairman say that this would be his intention between now and June, to hold these meetings and to get this report so that we can change the formula or reduce the funds?

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

Mr. PICKLE. I yield to the chairman.

Mr. STAGGERS. I would say to the gentleman, that depends on many things. The first is the fact that I would be elected to Congress again. Next would be that it would be a Democratic Congress.

Mr. PICKLE. Those are obvious. What is the third thing?

Mr. STAGGERS. The third thing is it is obvious that between now and next July there will have to be hearings held, because these increases run out automatically by law. They do not run on. They run out by law.

There is no one—and I do not care who it is; even the President—who can keep them running.

I would say there would have to be hearings. I can assure the gentleman, with everything I know, there will have to be hearings, and they will be held.

We asked that commission when we appointed it to come up with recommendations. We asked them to give us the recommendations for a permanent way to do this job.

Mr. PICKLE. This is temporary, then?

Mr. STAGGERS. That is right.

Mr. PICKLE. And we must change it between now and June 30. We will not try to extend it?

Mr. STAGGERS. That is right. We will not try to extend it, because I think it would be wrong. We have to face up to the fact that the law will expire at that time.

Mr. Chairman, I yield whatever time he may require to the gentleman from Massachusetts.

Mr. BURKE of Massachusetts. Mr. Chairman, I rise in support of H.R. 15927.

I want to point out to the Members of the House that this feature of not only the retirement law but the social security law is a problem we will have to face very quickly.

I want to point out in foreign countries such as Scandinavia, England, Ireland, Germany, and others their method of raising social security funds is to collect one-third from the employer, one-third from the employee, and the rest from the general revenues.

That is the way social security was first sent up to the Congress, but there have been people trying to hold down the benefits and maintain a tax of 50 percent for the employer and 50 percent for the employee and ignoring the fact that these programs have been freighted down with programs formerly supported by State and local governments or the Federal Government. In fact, the trust fund for the social security fund had been subsidizing the U.S. Government through the actions of the Government in borrowing money from the trust fund and paying it back at a lower rate of interest than they received from the private sector. We will have to look into this area and put the responsibility on the shoulders of those people who should be paying their share but are today going scot free.

When you look at medicare and medicare and you see in the local governments where they formerly supported their local hospitals and in the State governments where they formerly supported their State hospitals, now they are being relieved of a great deal of that burden as a result of social security. You can then recognize the fairness of a one-third, one-third, one-third formula. That is what we should be looking into here.

I have been advocating it on the House Committee on Ways and Means. I believe even the administration is beginning to look into this area. We should do it the way the other countries do. I believe it would be a much fairer system to pay far more and higher benefits and at the same time have those in our economy who should do so carry their fair share of the load.

For that reason I rise in support of this bill at this time.

The elderly people in this country are confronted with high inflation. They are being squeezed more than anyone else in this Nation as a result of inflationary rises. That is why this bill has to be put through here. We are concerned with human needs and problems, and the enactment of this bill is called for right now.

Mr. STAGGERS. I thank the gentleman for his contribution.

I yield 1 minute to the gentleman from Massachusetts (Mr. MACDONALD).

Mr. MACDONALD of Massachusetts. Mr. Chairman, I merely rise to raise my voice in support of this bill and associate myself with the remarks of the distinguished chairman of the full committee, who has done an outstanding job with regard to this acknowledged difficult problem.

I would like to point out while there is some merit to what has been said about the long-range planning in this regard—and I think I agree with those arguments—I feel confident that we will do this with the assurance of the gentleman from West Virginia, our chairman, who has always kept his word in anything that he has ever said to the House or to our committee. This matter right now needs more thorough investigation and hearings, but at the moment timeliness calls for us to make up our minds as to what those who need it most should get. They cannot buy food with food

stamps or promises. They need the money not in 2 or 3 or 4 years from now but right now.

I agree with our chairman that this is a temporary matter that will be more thoroughly looked into and will be handled, I am sure, expeditiously in proper time.

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

Mr. STAGGERS. Mr. Chairman, I yield 1 additional minute to the gentleman from Massachusetts (Mr. MACDONALD).

Mr. MACDONALD of Massachusetts. Mr. Chairman, in closing I would like to compliment the gentleman from West Virginia (Mr. STAGGERS) for his fine work on this legislation.

Mr. SPRINGER. Mr. Chairman, I yield 3 minutes to the gentleman from Georgia (Mr. THOMPSON).

Mr. THOMPSON of Georgia. Mr. Chairman, I rise in support of the bill H.R. 15927. I think that simple equity requires that we support this bill because we have given those covered by social security a 20-percent increase. I do not dispute the fact that the railroad retirement program as now structured is unsound actuarially, but the chairman has pointed out that the Congress will be required within the next year to take a look at this. If we do not take a look at it, if we take no action, the benefits will drop and, based upon the amount being paid in there, there will be a surplus and the program will, of course, then be actuarially sound.

I do not think any of us feel that Congress is not going to act, and Congress will act because we simply would not allow the railroad workers, those who are retired, to have their benefits cut because of the failure of this Congress to act. But when the Congress does act we also will have an opportunity to try to correct the fiscal problem we have in the railroad retirement fund.

I do not know precisely what the action will be in that regard. There have been some suggestions that we may consider merging this fund and the social security fund.

There is one very interesting fact that has not been brought out, and that is the fact that if you take the benefit received by railroad retirees and the amount of money that is paid in percentage-wise, actually a higher percentage is paid in by them for the benefits they receive than those on social security.

So it is very evident that those on social security are, in fact, receiving more benefits for the amount of money that they are paying in than do the railroad brotherhood retirees.

So, Mr. Chairman, I intend to support this bill. I am supporting it not with my eyes closed; my eyes are wide open. I recognize that were we to continue the fund on the same basis as now, this fund would go bankrupt in 1988, but I have confidence in the Congress that the Congress is going to act, and we are going to find a solution. As I said, it may be through merging this fund with some other fund. But, basically, the only money that the railroad retiree receives during his retirement comes from this, and the supplemental plan. A person on

social security, in addition to his social security, most often has a company pension plan that increases the amount of retirement money he has. Sometimes that pension plan is paid in full by the employee, sometimes it is paid in full by the employer, and sometimes it is shared.

But we in the Congress must take a strong look at this, and I say that equity in this instance demands a vote in favor of H.R. 15927.

Mr. SPRINGER. Mr. Chairman, I yield 3 minutes to the gentleman from Massachusetts (Mr. KEITH).

Mr. KEITH. Mr. Chairman, I have long been concerned about the solvency of the Railroad Retirement Fund, or Account, as it is called. And in 1960, when we debated other aspects of this, we had a very heated argument as to its solvency and as to what would happen in the future if we continued to raise these benefits on an other than actuarially sound basis. It is my understanding that even without these benefits that we will vote for today on a temporary basis that by the year 2000 this fund will be bankrupt to the extent of about \$11 billion.

This very discouraging situation is one of the main reasons why we authorized the commission to look into this and why we must look ahead very seriously to the recommendations that they will make.

The chairman has made an observation that this increase in benefits is only temporary. This is a temporary law. But I think there is another law that is almost permanent, although it is not written, and that is the law that says that the Congress will seldom, if ever take away anything that they have given, even if on a temporary basis.

So we are creating benefits which will have to be paid for and what concerns me, is that if we keep these benefits after the next year without increasing the contributions, we are putting the beneficiaries into a situation similar to that which confronted the employees of the bankrupt Studebaker Corp.

It is my understanding that the participants in that pension plan were lucky to get 10 cents on the dollar. We are, in fact, standing as trustees of this pension plan because we have to agree to a formula which determines the costs and benefits—and accordingly the long-run solvency of the pension fund. It is unfortunate that we do not have the Commission's recommendation now. Hopefully we can, with their help, come up with a sound and fair plan in the next Congress.

But it is my further understanding that tomorrow, or in the near future, the Senate will be holding hearings and will have the advantage of evidence offered by the Chairman of this Commission, and very hopefully he can come up with some recommendations which in conference might make it possible for us to make this even more sound legislation by reason of amendments which they could offer.

So, Mr. Chairman, as part of my swan song on my departure from this Congress, I would plead with my colleagues to take their responsibility insofar as this retirement plan is concerned most seriously because it could only further destroy confidence in the system and per-

haps in the long run cause it to fail completely.

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

Mr. BURTON. Mr. Chairman, at this point in our deliberations of the matter before us, it just is impossible to come to grips with the problem I would like to relate and call to the attention of our colleagues on this side of the Capitol, and hopefully to all those who read this RECORD.

That point simply stated is this: When we approved the 20-percent social security increase, there were some 3 million elderly blind and crippled poor who had offsetting dollar-for-dollar reductions in their public assistance grants. Therefore, that 20-percent social security increase really will result in no increased income at all.

I would hope before the railroad retirement adjustments are completed that those public assistance recipients who also receive some small railroad retirement payment will have this increase disregarded as income for public assistance purposes so that they can retain in part at least this increase.

The failure to include such a provision before this legislation reaches the President's desk would only result for some smaller number among this special category of 3 million aged blind and disabled. The failure to include such a provision will mean that those who concurrently receive some railroad retirement with supplementation from public assistance will net no increase in their income at all.

Obviously, that is not what we collectively would want to see result, and I hope that the influential Members of this House, and hopefully the other body, will see that this injustice is not perpetuated in this legislation as we now lamentably find ourselves with reference to the recent social security increase.

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

Mr. SPRINGER. Mr. Chairman, I yield 5 minutes, which I believe is the remaining time on our side, to the gentleman from Texas (Mr. COLLINS).

Mr. COLLINS of Texas. Mr. Chairman, much discussion has been had about this railroad retirement compared with social security. Let us all understand railroad retirement represents one of the great pension plans in this country, and social security has many deficiencies from an actuarial viewpoint. I hope that we never let this railroad retirement fund fall into the same financial chaos that we have in social security, because we literally have deficiency reserves in social security.

The railroad retirement system was designed to be a fiscally independent and responsible fund which could meet the continuing test of actuarial soundness. It was designed in great part by railroad labor for railroad labor as an independent system supported by the employers and employees and administered by them. It was written into law partly as a safeguard against unthinking or precipitous change.

For many years common sense seemed

to prevail and changes in benefits were invariably accompanied by changes in contributions to support them. At times these changes took long and hard consideration by the participants to determine how much benefits could be increased consistent with the burden necessarily placed upon those on the payrolls to support the increases. Until a few years ago the integrity of the fund was jealously guarded with the support of those intended to benefit therefrom.

Suddenly, a little over 3 years ago, this concept was scrapped when social security was increased by 15 percent. Recipients of railroad retirement clamored for a similar increase, and it was evident that a properly balanced increase raising contributions as well as benefits would work a real hardship upon the workers in the railroad industry. It was then that the idea of a temporary increase was first brought forth. It was a bad idea from the very beginning because it could result in nothing but trouble for the fund in the long run and the setting of a dangerous precedent in the short run.

Before long another 10-percent increase in social security came along. Now it was easy to employ the expedient already used to avoid facing the realities. It was even easier because a study group was supposed to be finding ways to make it all right and whole again—a classic sacrifice at the shrine of wishful thinking.

Now for the third time in 3 years, before the recommendations of the study commission are even available for consideration, we are asked to raise the temporary increases by another 20 percent to match a similar increase in social security—again without any provision for financing it. This amounts to putting the fund out of balance by nearly \$400 million per year. Because adjustments have not been required in those cases where recipients also draw social security, the total increases in the 3-year period amount to 55 percent. If these increases were to be made permanent it would require a 13.3-percent contribution by employer and employee to support it over the years. This is probably unacceptable to those who work in the industry, and it is irresponsible to give the benefits under those circumstances.

It should also be noted that annuities under the Railroad Retirement System run about 68 percent higher than the average pension under social security. In addition, the system provides greater benefits than most pension plans. Testimony before the committee indicated that the benefits of a married railroader and his spouse together are higher than those to be expected in nine out of 10 other public or private pension plans.

That the representatives of railroad labor would support these increases against the advice of the actuaries charged with the maintenance of the fund is hard to understand.

The increases recommended by the committee should be refused. The whole matter of benefits and contributions should now await the Commission report and the thoughtful consideration of all parties of its recommendations.

I would like to emphasize two or three



issues that disturb me. We talk about this being a temporary increase, and it is a temporary increase. But we cannot think of one single example here in Congress where a temporary increase that had to do with a pension plan did not become permanent. Just a few minutes ago this very afternoon, we approved an appropriation bill before the authorization bill was confirmed. We know that this plan is going to be perpetuated, but what we need to keep in mind is that a railroader working today on the railroad who is under 50 years of age is not putting his money into a plan that is not going to exist unless we do something about it. We ought to think also of these old people who are drawing this money, because if we start paying out too much money, the well is going to run dry one day when they are going to need it.

The point is that: We have increased this pension plan by 55 percent in the past 3 years. We have done it under temporary moves. We have increased 55 percent in 3 years. Right now actuaries tell us we need 6.7 percent of the railroaders taxable payroll in order to meet the commitments.

What we ought to do is to be fair about it. We should do what we did with reference to social security—provide the tax with the pension increase.

My colleague from Illinois is going to offer an amendment, which will bring the issue squarely in focus. If we really mean to establish a sound pension plan out of railroad retirement, I recommend we give serious consideration to the amendment to provide for adequate funding.

Mr. DANIELS of New Jersey. Mr. Chairman, I rise today in support of H.R. 15927, a bill to provide a 20-percent increase in railroad retirement benefits. I strongly urge my colleagues to give this bill their utmost consideration and I would like to stress the importance of its passage. The conditions in my own district have made me acutely aware of the vital significance this increase holds for the recipients of railroad retirement.

Essentially, the bill provides a temporary increase to parallel the increase we have already passed for social security. In upgrading the social security benefits, we recognized the need to provide, for our retired citizens, some measure of relief against the ravages of inflation. I supported that increase, and I will continue to support any legislation which gives the recognition due these citizens who have contributed so much to this Nation. I will never join hands with those who would ignore the plight of our senior citizens and I will never support any legislation which ignores those who carried this Nation through its darkest days.

In Hudson County, I have witnessed the difficulties which face the recipients of railroad retirement. The combined effect of spiraling costs and fixed income proves difficult at best, but when it must be dealt with in an urban setting, near New York, it proves impossible to live with any degree of comfort.

It is no secret that the residents of my district pay dearly for their proximity to New York. The unrealistically high price levels which pervade the metropolitan area work and extreme hardship on those living on the fixed annuity of railroad

retirement. Moreover, the urban problems which inflict the area have driven taxes skyward and this taken with the higher prices they must pay for food and clothing squeeze our senior citizens in an overwhelming financial vise.

Mr. Chairman, I cannot be strong enough in voicing my support for this bill. By making the increase temporary, we allow ourselves time to study the problems created by the dwindling railroad retirement fund. At the same time, we do not make the recipients of railroad retirement bear the cost of this study. The time has come for us to act, let us do so swiftly.

Mr. SANDMAN. Mr. Chairman, I support H.R. 15927 providing for a 20-percent increase of railroad retirement benefits on a temporary basis. I believe that retirement benefits to retired railroad employees should be increased now, even on a temporary basis while studies as to the actuarial soundness of the fund are being conducted by the Commission on Railroad Retirement. These retirees are feeling the same pinch in the rising cost of living which has affected those under social security and veterans benefits.

Since this Congress has approved legislation giving some relief to those under social security and veterans pensions it would be very unfair to withhold an increase in retirement benefits to our retired railroad employees. If the actuarial soundness of this fund requires an increase in contributions I am certain the Congress upon receiving the report and recommendations of the Commission on Railroad Retirement will undertake immediate consideration. I am certain our retired railroad employees will have the overwhelming support of the Members of the House and that this measure will be approved.

Mr. MOORHEAD. Mr. Chairman today we have an opportunity to pass legislation to provide our retired railroad workers a much needed 20 percent increase in retirement annuities.

I hope that a majority of this House will vote as I do and grant this necessary increase to those retired workers.

As we all know well from contact with our constituents, living on a fixed income today is a crushing responsibility, especially when that income is a meager retirement benefit.

I cannot see how the Republican administration can oppose this effort to bring a small sense of peace of mind to those Americans who labored long and hard on our railroads.

We should not refuse this increase. The inflationary policies of the Nixon regime have hit the elderly the hardest.

This 20-percent increase is simple justice. I urge we pass it promptly.

Mr. PRICE of Illinois. Mr. Chairman, today we are considering legislation to increase railroad retirement pensions 20 percent, comparable to the increase in social security benefits approved July 1.

The railroads have always played an important role in the national economy, but would not hold this position but for the services of the hard-working railroad employees who have devoted their lives to serving the Nation's best interests. These dedicated Americans deserve an

increase in pension comparable with the social security increase.

The legislation before us today would increase by 20 percent the pensions of railroad workers, their spouses, and survivors, effective after the month of August 1972. Railroad employees do not receive social security, and its only fair that they be paid comparably.

Mr. Chairman, I urge my colleagues to support this measure. It is owed to the loyal Americans who helped make this country strong.

Mr. FISH. Mr. Chairman, I rise in support of H.R. 15927, which provides for a temporary 20-percent increase in railroad retirement benefits. This legislation is virtually identical to a measure which I introduced—H.R. 15894—soon after the 20-percent increase in social security became law.

This legislation puts these increases on a temporary basis due to the fact that the Commission on Railroad Retirement will very shortly be reporting to us, hopefully recommending long overdue reforms for the financing of the fund. I am eagerly looking forward to the Commission's findings and recommendations. But certainly, equity and fairness demand that the 1,047,000 recipients of annuities and survivors benefits under the Railroad Retirement Act be treated in the same manner as the recipients of social security benefits. Thus, I strongly urge my colleagues to support this legislation.

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

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

SECTION 1. (a) Section 3(a) of the Railroad Retirement Act of 1937 is amended by inserting at the end thereof the following new paragraph:

"(5) The individual's annuity computed under the preceding provisions of this subsection and that part of subsection (e) of this section which precedes the first proviso shall be increased by 20 per centum."

(b) Section 2(e) of such Act is amended—  
(1) by striking out "section 3(a) (3) or (4) of this Act" and inserting in lieu thereof "section 3(a) (3), (4), or (5) of this Act";

(2) by striking out the second sentence of the last paragraph; and

(3) by adding at the end thereof the following new paragraph:

"The spouse's annuity computed under the other provisions of this section shall (before any reduction on account of age) be increased by 20 per centum. The preceding sentence and the other provisions of this subsection shall not operate to increase the spouse's annuity (before any reduction on account of age) to an amount in excess of the maximum amount of a spouse's annuity as provided in the first sentence of this subsection. This paragraph shall be disregarded in the application of the preceding two paragraphs."

(c) Section 2(l) of such Act is amended by striking out "the last two paragraphs" and inserting in lieu thereof "the last paragraph plus the two preceding paragraphs".

(d) Section 5 of such Act is amended by inserting at the end thereof the following new subsection:

"(p) A survivor's annuity computed under the preceding provisions of this section (except an annuity in the amount determined under the proviso in subsection (a) or (b) shall (before any reduction on account of age) be increased by 20 per centum."

Sec. 2. All pensions under section 6 of the Railroad Retirement Act of 1937, all annuities under the Railroad Retirement Act of 1935, and all survivor annuities deriving from joint and survivor annuities under the Railroad Retirement Act of 1937 shall be increased by 20 per centum.

All widows' and widower's insurance annuities which are payable in the amount of the spouse's annuity to which the widow or widower was entitled, shall, in cases where the employee died prior to October 1, 1972, be increased by 20 per centum.

Joint and survivor annuities shall be computed under section 3(a) of the Railroad Retirement Act of 1937 and shall be reduced by the percentage determined in accordance with the election of such annuity.

Sec. 3. All recertifications required by reason of the amendments made by this Act shall be made by the Railroad Retirement Board without application therefor.

Sec. 4. For the purposes of approximating the offsets in railroad retirement benefits for increases in social security benefits by reason of amendments prior to the Social Security Amendments of 1971, the Railroad Retirement Board is authorized to prescribe adjustments in the percentages in the Railroad Retirement Act of 1937 and laws pertaining thereto in order that these percentages, when applied against current social security benefits not in excess of the primary insurance amount applicable for an average monthly wage of \$650, will produce approximately the same amounts as those computed under the law in effect, except for changes in the wage base, before the Social Security Amendments of 1971 were enacted.

Sec. 5. (a) The amendments made by this Act shall be effective with respect to annuities accruing for months after August 1972 and with respect to pensions due in calendar months after September 1972.

(b) The first three sections of this Act, and the amendments made by such sections, shall cease to apply as of the close of June 30, 1973. Annuities accruing for months after June 30, 1973, and pensions due in calendar months after June 30, 1973, shall be computed as if the first three sections of this Act, and the amendments made by such sections, had not been enacted.

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

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

There was no objection.

#### AMENDMENT OFFERED BY MR. SPRINGER

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

The Clerk read as follows:

Amendment offered by Mr. SPRINGER: Page 4, after line 7, insert the following new section (and renumber the succeeding section accordingly):

SEC. 5. (a) Section 3201 of the Railroad Retirement Tax Act is amended—

(1) by striking out "and" at the end of paragraph (4);

(2) by adding "and" at the end of paragraph (5); and

(3) by inserting after paragraph (5) the following new paragraph:

"(6) 13.3 percent of so much of the compensation paid to such employee for services rendered by him after August 31, 1972,".

(b) Section 3221(a) of such Act is amended—

(1) by striking out "and" at the end of paragraph (4);

(2) by adding "and" at the end of paragraph (5); and

(3) by inserting after paragraph (5) the following new paragraph:

"(6) 13.3 percent of so much of the compensation paid by such employer for services rendered to him after August 31, 1972,".

Page 4, line 12, after "sections" insert "and section 5".

Mr. SPRINGER. Mr. Chairman, I believe this is the only amendment that will be offered. I think it is an important one, as I tried to point out under general debate.

(By unanimous consent, Mr. SPRINGER was allowed to proceed for 5 additional minutes.)

Mr. SPRINGER. Mr. Chairman, those of us who were here understand what I said to be the purpose of my amendment, which is simply to increase the percentage that is paid in by those who are now employed on the railroads and to increase the percentage paid by the employers, the railroads, to be paid into the fund to make this actuarially sound.

A little over a year ago we appointed the Railroad Retirement Study Commission. My distinguished chairman made a statement, for which I certainly give him credit for good faith, that they have not finished the report and do not have it on file.

They did ask to testify and were not allowed to testify. I do not go into that, but I do want to present to my colleagues a summary as of July 27, showing that they made their findings and what they felt the recommendations ought to be if we were to make this fund actuarially sound.

If we are to provide for the 55-percent increase which we have made in the last 3 years, including this 20 percent if it is adopted, there are four things of which I wish to remind the members, and I am going to point them out because these things are in writing by the Railroad Retirement Study Commission. They have been given to me in several pages summarizing the whole of their report which had not been made available at the time of this hearing. Technically their report was not on file, but they did want to testify, because their findings were completed, and I do want to give the Members the four reasons why it would be unsound, unless we adopt this amendment, which would increase the rates from 9.5 or roughly 9.6 to 13.3 percent, and increase the rates for the railroads also from 9.5 or 9.6 to 13.3 percent, making a total of 26.6 percent, if we are going to make this actuarially sound.

I will read now from their summary. First, the Commission, after consultation with a group of most eminent actuaries in this country, has found the Railroad Retirement System as it now stands is headed for bankruptcy. The present fund stands totally at about \$5 million. The Commission projects the system will be bankrupt in the year 1988.

Second. The enactment of the 20-percent increase in railroad retirement benefits by H.R. 15927 will speed the bankruptcy of this system. The increase under the bill is technically temporary, but everyone knows Congress does not take back benefits increases once they are provided. Thus approval of this bill would

represent a de facto permanent commitment to a 20-percent increase.

The added increase in the first full year will be on the order of \$300 million. Between 1973 and the year 2000, the added expenditures will be \$12 billion. According to information provided the House Committee by Dr. Theodore D. Yntema, Chairman of the Commission on Railroad Retirement, and inserted in the hearing record, the present reserve of the fund will be entirely used up by 1985, and the system will be in debt \$23 million by the year 2000.

Third. The present increase would represent irresponsible financial handling of the Railroad Retirement System. In 1970, a 15-percent increase, and in 1971, a 10-percent increase were enacted without providing any additional taxes to cover the costs. A third increase of 20 percent will be added again without providing any new financing.

The compound increase will be 53 percent in 3 years without any provision for added increase in taxes. This sort of legislation is a threat to future benefits of present railroad retirement workers who are being asked to contribute to a system which is sure to go bankrupt.

Fourth. The argument that a 20-percent increase for railroad beneficiaries must be provided as a matter of simple equity if social security recipients are given a 20-percent increase is not valid.

The average monthly railroad retirement benefit in December 1971 was \$222 per month as compared to an average social security benefit of \$132. Thus a 20-percent increase for railroad beneficiaries would be 1.7 times as large as for a social security recipient. The social urgency of the social security benefits is quite different than for the bigger railroad benefits. The social security fund is not threatened with bankruptcy as is the Railroad Retirement System which depends on an industry in which six railroads are now in bankruptcy.

I have given these four reasons why they believe this. This is from the study group, which the chairman pointed out has not made a report. I wanted to be sure the Members had this in a thumbnail sketch before them, because they are going to have to explain this to 600,000 employees.

Just think of this, gentlemen: This fund will go bankrupt by 1989. That means if a man is now 46 years old, working for the railroad now—and all the younger than 46—if this is put into effect and this system is maintained, when that man becomes eligible at age 65 he will not be able to draw a penny out of this fund.

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

Mr. SPRINGER. I yield to the minority leader.

Mr. GERALD R. FORD. I wish to compliment the gentleman from Illinois for offering the amendment and pointing out the circumstances of the fund, on which so many railroad retirees are depending.

Let us be honest and frank. It is very doubtful and dubious that the gentleman's amendment will prevail. The facts of life are that myself and for sure the gentleman from Illinois will not be here



in 1985, but let me say that some people who are here and who may vote to end the soundness of this fund may at some later date regret the action they are taking here today.

I intend to vote for the amendment offered by the gentleman from Illinois. I believe it is sound. I believe it is proper. I have no illusions about its success.

I commend the gentleman for letting the Members and the public know what the facts are.

Mr. SPRINGER. I thank my distinguished leader for those kind words in support of this amendment.

I just wish that some week or 2 weeks ago I had sent out a letter to every single Member of this body and asked every Member to poll every single railroad worker in his district, to give him the facts which were contained in this report of the Railroad Retirement Study Commission. Then I wish I had asked that they ask them to sign ballots saying whether they were in favor of this legislation.

I am not a betting man—at least not on this floor, under the rules—but I would wager, I suppose, if I were outside this room, 10 to 1 they would not get 5 percent of the employees of the railroads in their districts who would support this legislation, if they had a copy of this summary of the Railroad Retirement Study Commission in their hands to read.

With this going bankrupt by 1988 or 1989, I believe Members would see a great majority of those employed on the railroads would certainly consider this to be unsound and irresponsible, for us to vote this kind of an increase when we are voting them into bankruptcy.

I believe it is just as important to think about employees who are going to be on retirement some day as it is to think about those who are on retirement at the present time. I hope there will be those who consider this a financially responsible amendment. I am going to support it, because I am willing to give 20 percent, but I believe it ought to be financed.

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

In response to the gentleman I might say that in the early part of 1970 when we passed the first temporary increase we realized something had to be done about the financial situation facing the fund. I believe the committee acted responsibly in appointing a commission to come back with positive recommendations to the committee and to the Congress as to what should be done.

Now, they have not reported to me, the chairman of the committee. When the ranking minority Member gets some reports and I do not get them, I do not know what is in those reports. I did not hear one positive recommendation.

They were supposed, under the order given to them, to come back to us with positive recommendations as to what was to be done.

The only thing I heard the ranking minority member say was there were some fears expressed, and he kept repeating about the bankruptcy of the fund in 1989. This cannot happen unless the Congress votes programs that

will bankrupt it. This bill goes out of effect in 1973. All of this talk about bankruptcy is wrong because we will vote on changes in the program before it happens. I have said this bill is temporary and it goes out of effect by its terms.

Another thing I want to say is this: Because of the raises in tax votes and the tax base under social security, the assessment on railroad employees is raised on January 1 of next year to 10.25 percent automatically and also the base pay on which it is levied goes from \$750 a month to \$900 a month. That is the law now. It will automatically be raised that much.

This talk about bankruptcy to me is mistaken, because this is only a temporary raise. I want the House to know it expires as of July 1 of next year. Unless we pass it now those in need will not be getting it.

The gentleman from Illinois spoke of the amounts that railroad pensioners get and that social security pensioners get. He did not say to us that railroad pensioners pay in almost twice as much. They ought to get back twice as much. Is that not fair? Yet there are many widows of railroaders who get less than \$100 a month and some \$80 or \$90 a month. They cannot live on that. They need a 20-percent increase now. Not next year but now. Next year we can work on it on a permanent basis, and I am sure we will do it as a Congress.

We will not let this die. I do not believe this Congress will say that we are going to extend these benefit raises and then let the fund go bankrupt. I do not believe any Member of this House believes that. I believe every man here knows we will try to act responsibly and make this a sound fund. On the basis of that, I hope this amendment is defeated and you do what should be done for those in need and those who expect it now.

I ask for a vote.

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

I yield to the gentleman from Illinois.

Mr. SPRINGER. I thank the gentleman for yielding.

My distinguished chairman made a statement that I wanted to answer, because I thought I was being positive in response and I want to leave it to the House as to whether or not I was. My chairman said that I had not come forward with anything positive.

If a suggestion in the form of an amendment to increase the payment from 9.6 to 13.3 percent is not positive, then I do not know anything which is.

Mr. STAGGERS. Will the gentleman yield?

Mr. SPRINGER. In just a moment. I do not have the time, but I am sure my colleague from Texas will be glad to yield to the chairman.

I think that is about as positive as you can be. It is about as forward-looking as you can be, because this fund is attempting to be kept actuarially in balance. It is responsible morally and responsible financially and it is responsible as a Member of this body, which has the legislative jurisdiction over this fund to act in that way.

That is my opinion with reference to whether or not what I have said is responsible.

I did bring out many things here, because these were the findings, not mine or not the committee's or the chairman's, but they were the findings in summary of the Railroad Retirement Study Commission which the chairman was talking about to you.

I was trying to give you the findings of a nonpartisan body that made a study of this and came up with what it felt were the actual facts. I felt before you voted on this and voted on the amendment that you wanted to have these facts in mind and to know exactly what they said about this kind of legislation increasing it 55 percent in the last 3-year period.

May I say I think my distinguished chairman said one thing truthfully here, and I was not intending to imply that it was not true. He said they pay in twice as much as those under social security, so they ought to get twice as much now. There is nothing wrong with that. If they pay in more money, they ought to get more in return.

I think that is not the question involved. The question is whether or not you are going to keep the fund actuarially sound. That is the only issue that I see in this bill insofar as I am concerned.

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

Mr. COLLINS of Texas. I yield to the gentleman from West Virginia.

Mr. STAGGERS. Mr. Chairman, I am sorry if the gentleman from Illinois (Mr. SPRINGER) thought I had referred to him as not being responsible. I say that it was the Commission I referred to, and I referred particularly to the Commission. I would never infer in any way that the gentleman from Illinois had not acted responsibly. I do not believe I would ever do that, because the gentleman has always acted responsibly. In the years I have known the gentleman he has been responsible, and has always acted in a fashion that has been open and above board.

I referred to the commission. I said that if that is the only recommendation that they can make, that they had not acted according to the directive that we gave them, and that was to come to us with recommendations to make this fund whole.

That was the extent of my reference. I am sorry if the gentleman from Illinois interpreted my statement to include him, or to impugn to him as being not responsible, because that is the last thing I would ever do, and I want to reassure the gentleman from Illinois on that point.

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

Mr. Chairman, I would like to ask my minority leader on the committee, the gentleman from Illinois (Mr. SPRINGER), if in his discussion of this proposed raise or assessment he recognizes that this is a regulated industry, and that the railroads have to charge an adequate rate for the goods they transport. It would seem to me that this will increase the rates and then the truckers and the airlines would get an increased share of the freight business. It seems to me that that

would have an adverse reaction on the solvency of the railroads.

I believe that this is a pretty important factor for us to take into consideration.

The better thing to do might be to do as we have done in previous years under the so-called pass-through provision, and eliminate duplication of social security benefits.

But I would like to know if the gentleman from Illinois (Mr. SPRINGER) would care to comment on the cost of the increased assessment being passed on to the carrier or others for whom they are shipping the freight?

Mr. SPRINGER. If the gentleman will yield, I do not have the figures, but I can say to the gentleman from Massachusetts without any equivocation that it would be substantial, because when you increase the amount on 600,000 employees by some 4 percent of what they are paying up to a certain figure, which is in the neighborhood of \$800 or \$900 a month, it is a substantial amount of money.

I personally believe that they ought to have some kind of an increase, and that is the reason I am doing this.

I think the gentleman from Massachusetts has raised a very valid point that this would force the railroads to go in and ask for some kind of an increase to cover this 4 percent, and the same would be true, of course, of the employees. So this is a sacrifice, as I say, on the part of the corporate body, and the employee himself.

This is not an easy matter when you are talking about raising by 50 percent the amount that the employer and employee pay, I realize that, but I do believe it is financially responsible if we are going to continue with this.

Mr. KEITH. I think it would be counterproductive.

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

Mr. KEITH. I yield to the gentleman.

Mr. ADAMS. As one who has spent over the last few years a lot of time listening to the testimony of all the actuaries, I think the agreement was made by the subcommittee, so you know we being responsible, that this increase was—all of these temporary increases terminate in July of next year. During that period of time, between the 1st of January and July of next year, the Commission report will be before us. It has not been up until now. We then have to decide whether this should be merged into the social security system—a different passthrough formula used and an increase established in terms of the amount contributed—a different ratio used between employers and employees—or which solution should be selected.

But as the chairman attempted to do in this bill, we have tried to balance it up with the social security system for this temporary period and in July of next year not only this increase, but others before terminated—and we must do the whole system over.

So it is a temporary thing and I hope the amendment will be defeated so that we can take one whole package and bring it before this Congress in the spring of next year. I know you have a commit-

ment from the Interstate Committee that that will be done.

We know it has to be done and I hope we will wait until then before making a piecemeal attack on the rest of it.

Mr. GERALD R. FORD. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, let me make one or two additional observations.

It is my own personal conclusion that by the action we are taking today, we are, in effect, ending at some later date the railroad retirement program as we have known it. In effect, we are writing its doom and, in effect, we are saying that eventually it is going to be absorbed by social security.

I am not sure I approve of that, but I think this action today is a forerunner—and 5 years from now or maybe 10 years from now, what we have known for so long a time to be a responsible fund for the retired railroad employees, will no longer be with us.

Before I yield to any of my colleagues, I would like to yield to my friend, the gentleman from Illinois (Mr. SPRINGER).

Mr. SPRINGER. Mr. Chairman, I think it is important for my colleagues to know who is on this Railroad Retirement Study Commission.

Were these people knowledgeable in their field? Were they the kind of people who could make an impartial study? Were they acquainted with the facts?

Just let me read to you whom this Commission was made up of, that gave this report, the summary of which I have given most of it to you today.

The Commission was chaired by Dr. Theodore O. Yntema, who has high credentials in research and finance. The vice chairman was Dean Kenneth Black of Georgia State University. The third public member was George E. Leighty, former president of the Telegraphers and former chairman of the Railway Labor Executives Association, which is composed of union officials. The labor member was Charles L. Dennis, who is the president of the Brotherhood of Railway and Airline Clerks. The management member was Louis W. Menk, the chairman of the board of the Burlington Northern, Inc.

Now is that not a pretty good cross section of America?

There were labor representatives—two.

Management—two representatives there.

Also, two public members.

They had no interest in this whatever.

But this is the result of what the Commission came to as its conclusion. I think with that kind of a distinguished Commission to study this, it certainly ought to be taken into consideration in your vote on the kind of amendment that should be made, and what I have said here today.

I thank the distinguished minority leader for yielding to me.

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

Mr. GERALD R. FORD. I yield to the distinguished chairman of the Committee on Interstate and Foreign Commerce.

Mr. STAGGERS. Mr. Chairman, I respect the gentleman's views. We have

talked this over in the past and for many years. The gentleman from Michigan is interested in the railroad workers in his district, and I am too. I am a former railroad worker myself and several members of my family have been.

I want to assure the gentleman that I would not do anything knowingly—and I think we have kept on top of this—I would not do anything knowingly to bankrupt this fund.

I have every hope that within the time between now and next July, out of the five or 10 different plans that have been suggested, that we can work out one that will make this fund solvent.

This temporary raise is not going to hurt any more than the other two temporary raises did. It will give us time then to sit down and to work it out in committee and have full hearings.

We will have the Commission report before us. I say, and as the gentleman from Illinois (Mr. SPRINGER) said, they are responsible men and we will know what the possibilities are and can act responsibly at that time.

Mr. GERALD R. FORD. Thank you very much, and I will conclude by this simple observation. I applaud the action suggested by this amendment. I intend to vote for it. I have no illusions about it being successful. Solely on the guarantee of the gentleman from West Virginia that sometime between now and next June 30 there will be an affirmative action by his committee, I will vote for the bill, but I will be terribly disappointed and completely disillusioned if we do not come up with a better answer in 1973 than we have in 1972.

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

Mr. Chairman, I rise for the purpose of asking the gentleman from West Virginia a question. I am not debating; I am simply seeking some information. Would the gentleman advise me as to this: Should the amendment of the gentleman from Illinois carry and become part of this proposal, would that in any way interfere with a further or more proper solution of this matter a year from now or whenever the committee acts?

Mr. STAGGERS. Not to my knowledge, it would not, but I think that we would run into a lot of difficulties not only with the employees, but with the railroads at the present time. I certainly would want them to have an opportunity for hearings before we act on something as large as this is involving them. I am certain that the railroads would say that they do not feel that at the present time with the rates they are receiving it would be the proper time. I am sure the employees would say the same thing. Certainly we ought to have hearings. We have not had hearings on this. I do not think we should legislate on the floor on something so important as this is, with the significance that it would have in the future on the fund and the railroads, and, as I say, on the employees.

Mr. KYL. Before I yield to the gentleman from Washington, may I ask for clarification on the point the gentleman just made?



You say the railroads and the employees both would feel that the economic condition does not warrant charging them more for the operation of the fund. Is that what I understand you to say?

Mr. STAGGERS. I would say this, that they certainly deserve to have a hearing to give their views. We have not had hearings on it to hear any one of them express their views on this particular amendment and what the significance is.

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

Mr. KYL. I yield to the gentleman from Washington.

Mr. ADAMS. The problem of whether or not the fund is going to be actuarially in balance has been before us now for about a year and a half. That was the reason for the creation of the Commission. I agree with the distinguished gentleman from Illinois. It is a very good Commission. They have not recommended the step that is suggested by the gentleman from Illinois. We have to have their recommendation, then the witnesses from the industry, the witnesses from labor, and the witnesses from the public. In any event, we do have to do this fund over. What we are suggesting by this is that we temporarily keep it even with social security, which has been the policy in the past, and that during the spring of this next year we take not only the Commission's recommendation but the actuarial testimony of the various groups that would be coming in, and then decide whether taxes go up, the benefits go into a tier system that is closer to social security, or perhaps even merge into the social security system. That is what we are trying to explain to the gentleman is the problem. There is no question that this fund is in trouble and has been in trouble because of the declining number of people in the railroad industry, having nothing to do with the amounts paid in and paid out.

Mr. KYL. The gentleman says that the Commission does not recommend the action suggested by the gentleman from Illinois. Did the Commission recommend the increased benefits?

Mr. ADAMS. They did not. The Commission's recommendations we have not even had before us yet. That is the reason why we have not been able to legislate on the whole package. We have been waiting before holding the hearings and completing final action on the bill to bring to this floor legislation in order that the Congress can work its will as to what it wants to do with the Railroad Retirement Fund.

Mr. KYL. Mr. Chairman, I yield back the balance of my time.

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

Mr. Chairman, I rise to urge the adoption of the legislation which I have co-sponsored, to provide a temporary 20-percent increase in railroad retirement benefits. As Members know, social security benefits and railroad retirement benefits are usually increased in the same amounts at approximately the same time.

The increase provided by this bill is in the same amount as the social security benefit increases provided earlier this year.

Sufficient retirement income is essential to the human dignity of those who have worked long years and contributed to a retirement system which they believed would adequately provide for them after their active working years were over.

In view of the continuing inflation in the United States, I do not think it is necessary to list the reasons why this increase is needed, since all Members are aware of the problems created for persons living on fixed incomes.

Two years ago the Congress established the Railroad Retirement Commission to study the railroad retirement system and make recommendations concerning the best method of providing adequate levels of benefits, and financing for those benefits.

I trust that the Commission's report to the Congress recommends the comprehensive reform of the railroad retirement system which I have long urged.

Mr. Chairman, I lend my full support to the passage of this temporary measure and am hopeful that the full scale reforms we have long awaited will become a reality in the not too distant future.

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

The question was taken; and the Chairman announced that the noes appeared to have it.

#### TELLER VOTE WITH CLERKS

Mr. COLLINS of Texas. Mr. Chairman, I demand tellers.

Tellers were ordered.

Mr. COLLINS of Texas. Mr. Chairman, I demand tellers with clerks.

Tellers with clerks were ordered; and the chairman appointed as tellers Messrs. STAGGERS, SPRINGER, COLLINS of Texas, and PICKLE.

The Committee divided, and the tellers reported that there were—ayes 104, noes 290, not voting 38, as follows:

[Roll No. 311]

[Recorded Teller Vote]

#### AYES—104

Abbutt	Ford, Gerald R.	Mosher
Archer	Frelinghuysen	Myers
Arends	Frenzel	Patman
Ashbrook	Goldwater	Pirnie
Belcher	Goodling	Poage
Bell	Gross	Powell
Betts	Grover	Price, Tex.
Bray	Gubser	Rhodes
Brotzman	Gude	Roberts
Brown, Ohio	Haley	Robinson, Va.
Broyhill, Va.	Hall	Satterfield
Buchanan	Hammer-	Schneebell
Burke, Fla.	schmidt	Scott
Byrnes, Wis.	Hansen, Idaho	Smith, N.Y.
Cabell	Hosmer	Spence
Camp	Hull	Springer
Carlson	Hutchinson	Stanton,
Cederberg	Jarman	J. William
Clawson, Del	Kuykendall	Steed
Collier	Kyl	Talcott
Collins, Tex.	Landgrebe	Teague, Calif.
Colmer	Landrum	Veysey
Conable	Latta	Waggonner
Conover	Lloyd	Ware
Crane	Lujan	Whalley
Daniel, Va.	McClory	Whitehurst
Davis, Wis.	McCloskey	Whitten
Dellenback	McClure	Wiggins
Dennis	McCulloch	Williams
Devine	Mahon	Wilson, Bob
Dickinson	Mallory	Wylder
du Pont	Martin	Wylie
Erlenborn	Miller, Ohio	Wyman
Eshleman	Mills, Md.	Young, Fla.
Findley	Mizell	
Fisher	Montgomery	

#### NOES—290

Abourezk	Forsythe	O'Hara
Abzug	Fountain	O'Konski
Adams	Fraser	O'Neill
Addabbo	Frey	Patten
Alexander	Fulton	Pepper
Anderson,	Fuqua	Perkins
Calif.	Galifianakis	Pettis
Anderson, Ill.	Garmatz	Peyser
Anderson,	Gaydos	Pickle
Tenn.	Gettys	Pike
Andrews, Ala.	Gialmo	Podell
Andrews,	Gibbons	Poff
N. Dak.	Gonzalez	Preyer, N.C.
Annunzio	Grasso	Price, Ill.
Ashley	Gray	Pryor, Ark.
Aspin	Green, Oreg.	Pucinski
Aspinall	Green, Pa.	Purcell
Badillo	Griffin	Quile
Baker	Griffiths	Railsback
Baring	Halpern	Randall
Barrett	Hamilton	Rangel
Begich	Hanley	Rees
Bennett	Hanna	Reld
Bergland	Hansen, Wash.	Reuss
Bevill	Harrington	Riegler
Biaggi	Harsha	Robison, N.Y.
Bieber	Harvey	Rodino
Bingham	Hastings	Roe
Blanton	Hathaway	Rogers
Blatnik	Hawkins	Roncalio
Boggs	Hays	Rooney, Pa.
Boland	Hechler, W. Va.	Rosenthal
Bolling	Heinz	Rostenkowski
Brademas	Helstoski	Roush
Brasco	Hicks, Mass.	Rousselot
Brinkley	Hicks, Wash.	Roy
Brooks	Hillis	Roybal
Brown, Mich.	Hogan	Runnels
Broyhill, N.C.	Hollifield	Ruppe
Burke, Mass.	Horton	Ruth
Burleson, Tex.	Howard	Ryan
Burlison, Mo.	Hungate	St Germain
Burton	Hunt	Sarbanes
Byrne, Pa.	Ichord	Saylor
Byron	Jacobs	Scherie
Caffery	Johnson, Calif.	Scheuer
Carey, N.Y.	Johnson, Pa.	Schwengel
Carney	Jones, Ala.	Sebellius
Carter	Jones, N.C.	Seiberling
Casey, Tex.	Jones, Tenn.	Shipley
Celler	Karth	Shoup
Chamberlain	Kastenmeier	Shriver
Chappell	Kazen	Sikes
Chisholm	Keating	Sisk
Clancy	Keith	Skubitz
Clark	Kemp	Slack
Clausen,	King	Smith, Iowa
Don H.	Kluczynski	Snyder
Clay	Koch	Stanton,
Cleveland	Kyros	James V.
Collins, Ill.	Leggett	Steele
Conte	Lent	Steiger, Ariz.
Conyers	Link	Steiger, Wis.
Corman	Long, Md.	Stephens
Cotter	McCollister	Stokes
Coughlin	McDade	Stratton
Culver	McFall	Stubblefield
Curlin	McKay	Sullivan
Daniels, N.J.	McKevitt	Symington
Danielson	McKinney	Taylor
Davis, S.C.	Macdonald,	Teague, Tex.
de la Garza	Mass.	Terry
Delaney	Madden	Thompson, Ga.
Dellums	Maillard	Thomson, Wis.
Denholm	Mann	Thone
Dent	Mathias, Calif.	Udall
Derwinski	Mathis, Ga.	Ullman
Diggs	Matsunaga	Van Deerlin
Dingell	Mayne	Vander Jagt
Donohue	Mazzoli	Vanik
Dorn	Meeds	Vigorito
Dow	Melcher	Waldie
Downing	Metcalfe	Wampler
Drinan	Mikva	Whalen
Dulski	Mills, Ark.	White
Duncan	Minish	Wildall
Eckhardt	Mink	Wilson,
Edwards, Ala.	Mitchell	Charles H.
Edwards, Calif.	Mollohan	Winn
Elberg	Monagan	Wolf
Esch	Moorhead	Wright
Evans, Colo.	Morgan	Wyatt
Evins, Tenn.	Moss	Yates
Fascell	Murphy, Ill.	Yatron
Fish	Murphy, N.Y.	Young, Tex.
Flood	Natcher	Zablocki
Flowers	Nelsen	Zion
Foley	Nichols	Zwach
Ford,	Nix	
William D.	Obey	

## NOT VOTING—38

Abernethy Jonas Pelly  
Blackburn Kee Quillen  
Bow Lennon Rarick  
Broomfield Long, La. Rooney, N.Y.  
Davis, Ga. McCormack Sandman  
Dowdy McDonald, Schmitz  
Dwyer Mich. Smith, Calif.  
Edmondson McEwen Stagers  
Flynt McMillan Stuckey  
Gallagher Michel Thompson, N.J.  
Hagan Miller, Calif. Tiernan  
Hébert Minshall  
Heckler, Mass. Nedzi  
Henderson Passman

So the amendment was rejected.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. BOLLING) having resumed the chair, Mr. GREEN of Pennsylvania, 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. 15927) to amend the Railroad Retirement Act of 1937 to provide a temporary 20 per centum increase in annuities, and for other purposes, pursuant to House Resolution 1085, he reported the bill back to the House.

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

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

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

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

Mr. GERALD R. FORD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 399, nays 4, not voting 29, as follows:

## [Roll No. 312]

## YEAS—399

Abbott Brown, Mich. Daniel, Va.  
Abourezk Brown, Ohio Daniels, N.J.  
Abzug Broyhill, N.C. Danielson  
Adams Broyhill, Va. Davis, S.C.  
Addabbo Buchanan Davis, Wis.  
Alexander Burke, Fla. de la Garza  
Anderson, Calif. Burke, Mass. Delaney  
Anderson, Ill. Burleson, Tex. Dellenback  
Anderson, Tenn. Burlison, Mo. Dellums  
Byrne, Pa. Denholm  
Byrnes, Wis. Dennis  
Byron Derwinski  
Cabell Devine  
Caffery Dickinson  
Camp Diggs  
Carey, N.Y. Dingell  
Carlson Donohue  
Carney Dorn  
Carter Dow  
Casey, Tex. Downing  
Cederberg Drinan  
Celler Dulski  
Chamberlain Duncan  
Chappell du Pont  
Chisholm Dwyer  
Clancy Eckhardt  
Clark Edwards, Ala.  
Clausen, Don H. Edwards, Calif.  
Clawson, Del. Ellberg  
Clay Esch  
Cleveland Eshleman  
Collier Evans, Colo.  
Collins, Ill. Evans, Tenn.  
Colmer Fascell  
Conable Findley  
Conover Fish  
Conte Fisher  
Conyers Flood  
Corman Flowers  
Cotter Foley  
Coughlin Ford, Gerald R.  
Crane Ford, William D.  
Culver Forsythe  
Curlin

Fountain Fraser  
Frelinghuysen Frenzel  
Frey Fulton  
Fuqua Galifianakis  
Garmatz Garmatz  
Gaydos Garmatz  
Gettys Garmatz  
Glaime Garmatz  
Gibbons Garmatz  
Goldwater Garmatz  
Gonzalez Goodling  
Goodling Grasso  
Gray Green, Oreg.  
Green, Pa. Griffin  
Griffiths Griffiths  
Gross Grover  
Gubser Gubser  
Gude Gude  
Haley Hays  
Hall Halpern  
Hamilton Hammer  
Hammer Schmidt  
Hanley Hansen, Idaho  
Hansen, Wash. Harrington  
Harsha Harvey  
Hastings Hastings  
Hathaway Hawkins  
Hawkins Hays  
Hechler, W. Va. Natcher  
Heckler, Mass. Nelsen  
Heinz Nichols  
Helstoski Nix  
Henderson Obey  
Hicks, Mass. O'Hara  
Hicks, Wash. O'Konski  
Hillis O'Neill  
Hogan Patman  
Holifield Patten  
Horton Pepper  
Hosmer Perkins  
Howard Pettit  
Hull Peyser  
Hungate Pickle  
Hunt Pike  
Hutchinson Pirnie  
Ichord Poage  
Jacobs Podell  
Jarman Poff  
Johnson, Calif. Powell  
Johnson, Pa. Preyer, N.C.  
Jones, Ala. Price, Ill.  
Jones, Tenn. Price, Tex.  
Karth Pryor, Ark.  
Kastenmeier Pucinski  
Kazen Purcell  
Keating Quile  
Kee Rallsback  
Keith Randall  
Kemp Rangel  
King Rees  
Kluczynski Reid  
Koch Reuss  
Kuykendall Rhodes  
Kyl Riegle  
Kyros Roberts  
Landgrebe Robinson, Va.  
Landrum Robison, N.Y.  
Latta Rodino  
Leggett Roe  
Lent Rogers  
Link Roncallo  
Lloyd Rooney, Pa.  
Long, Md. Rosenthal  
Lujan Rostenkowski  
McClary Roush  
McCloskey Rousselot  
McClure Roy

## NAYS—4

Collins, Tex. Michel Springer  
Jonas

## NOT VOTING—29

Abernethy Gallagher McCulloch  
Blackburn Hagan McDonald, Mich.  
Bolton Hanna Miller, Calif.  
Broomfield Hébert Minshall  
Davis, Ga. Jones, N.C. Nedzi  
Dowdy Lennon Passman  
Edmondson Long, La.  
Flynt McCormack Pelly

Quillen Rooney, N.Y. Schmitz  
Rarick Sandman Tiernan

So the bill was passed.

The Clerk announced the following pairs:

Mr. Rooney of New York with Mr. Broomfield.  
Mr. Hébert with Mr. McCulloch.  
Mr. Davis of Georgia with Mr. McDonald of Michigan.  
Mr. Flynt with Mr. Blackburn.  
Mr. Passman with Mr. Minshall.  
Mr. Tiernan with Mr. Pelly.  
Mr. Nedzi with Mr. Quillen.  
Mr. Lennon with Mr. Sandman.  
Mr. Miller of California with Mr. Schmitz.  
Mr. Boland with Mr. Gallagher.  
Mr. Nedzi with Mr. Rarick.  
Mr. Hanna with Mr. Long of Louisiana.  
Mr. Edmondson with Mr. Jones of North Carolina.  
Mr. Hagan with Mr. McCormack.

Mr. TEAGUE of California changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## GENERAL LEAVE

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

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

There was no objection.

## CONFERENCE REPORT ON H.R. 5065, NATURAL GAS PIPELINE SAFETY ACT

Mr. STAGGERS submitted the following conference report and statement on the bill (H.R. 5065) to amend the Natural Gas Pipeline Safety Act of 1968:

CONFERENCE REPORT (H. REPT. No. 92-1322)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 5065) to amend the Natural Gas Pipeline Safety Act of 1968, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate to the text of the House bill and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

That the first sentence of section 5(a) of the Natural Gas Pipeline Safety Act of 1968 (49 U.S.C. 1674(a)) is amended by striking out "two years" and inserting in lieu thereof "five years".

Sec. 2. Section 5(c)(1) of such Act (49 U.S.C. 1674(c)(1)) is amended by striking out the first sentence thereof and inserting in lieu thereof the following: "Except as otherwise provided in this section, if an application is submitted not later than September 30 in any calendar year, the Secretary shall pay out of funds appropriated or otherwise made available up to 50 per centum of the cost of the personnel, equipment, and activities of a State agency reasonably required, during the following calendar year to carry out a safety program under a certification under subsection (a) or an agreement under subsection (b) of this section;



or to act as agent of the Secretary with respect to interstate transmission facilities. The Secretary may, after notice and consultation with a State agency, withhold all or any part of the funds for a particular State agency if he determines that such State agency (A) is not satisfactorily carrying out a safety program under a certification under subsection (a) or an agreement under subsection (b) of this section, or (B) is not satisfactorily acting as agent of the Secretary with respect to interstate transmission facilities."

Sec. 3. Section 13 of such Act (49 U.S.C. 1682) is amended by adding at the end thereof the following new subsection:

"(d) The Secretary is authorized to consult with, and make recommendations to, other Federal departments and agencies, State and local governments, and other public and private agencies or persons, for the purpose of developing and encouraging activities, including the enactment of legislation, to assist in the implementation of this Act and to improve State and local pipeline safety programs."

Sec. 4. Section 15 of such Act (49 U.S.C. 1684) is amended to read as follows:

#### "APPROPRIATIONS AUTHORIZED

"SEC. 15. For the purpose of carrying out the provisions of this Act over a period of three fiscal years, beginning with the fiscal year ending June 30, 1972, there is authorized to be appropriated not to exceed \$3,000,000 for the fiscal year ending June 30, 1972; not to exceed \$3,800,000 for the fiscal year ending June 30, 1973; and not to exceed \$5,000,000 for the fiscal year ending June 30, 1974."

Sec. 5. The Secretary of Transportation shall prepare and submit to the President for transmittal to the Congress on March 17, 1973, a report which shall contain—

- (1) a description of the pipeline safety program being conducted in each State;
- (2) annual projections of each State agency's needs for personnel, equipment, and activities reasonably required to carry out such State's program during each calendar year from 1973 through 1978 and estimates of the annual costs thereof;
- (3) the source or sources of State funds to finance such programs;
- (4) the amount of Federal assistance needed annually;
- (5) an evaluation of alternative methods of allotting Federal funds among the States that desire Federal assistance, including recommendations, if needed for a statutory formula for apportioning Federal funds; and
- (6) a discussion of other problems affecting cooperation among the States that relate to effective participation of State agencies in the national pipeline safety program.

The report shall be prepared by the Secretary after consultation with the cooperating State agencies and the national organization of State commissions.

Sec. 6. Section 6(f)(3)(A) of the Department of Transportation Act (49 U.S.C. 1655 (f)(3)(A)) is amended by striking out "and pipeline".

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate to the title of the House bill and agree to the same.

HARLEY O. STAGGERS,  
TORBERT H. MACDONALD,  
LIONEL VAN DEERLIN,  
WILLIAM L. SPRINGER,  
HASTINGS KEITH,

*Managers on the Part of the House.*

WARREN G. MAGNUSON,  
VANCE HARTKE,  
HOWARD W. CANNON,  
TED STEVENS,  
L. P. WEICKER, JR.,

*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. 5065) to amend the Natural Gas Pipeline Safety Act of 1968, 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:

The Senate amendments struck out all of the House bill after the enacting clause and inserted a substitute text and provided a new title for the House bill, and the House disagreed to the Senate amendments.

The committee of conference recommends that the House recede from its disagreement to the amendment of the Senate to the text of the House bill, with an amendment which is a substitute for both the text of the House bill and the Senate amendment to the text of the House bill. The committee of conference also recommends that the House recede from its disagreement to the amendment of the Senate to the title of the House bill.

The differences between the text of the House bill, the Senate amendment thereto, and the substitute agreed to in conference are noted below, except for minor drafting and clarifying changes.

#### DEADLINE FOR STATE LEGISLATION

##### House bill

The first section of the House bill amended the first sentence of section 5(a) of existing law (the Natural Gas Pipeline Safety Act of 1968) to extend from August 12, 1970, until August 12, 1972, the deadline by which a State must have in force legislation providing for the imposition of monetary and injunctive sanctions to enforce pipeline safety standards in order to be able to certify compliance with existing law and thereby qualify to enforce Federal safety standards.

##### Senate amendment

The first section of the Senate amendment amended the first sentence of section 5(a) of existing law to extend from August 12, 1970, to August 12, 1973, the deadline for State legislation.

##### Conference substitute

The conference substitute is the same as the Senate amendment.

#### GRANTS-IN-AID FOR STATES

##### House bill

Section 2 of the House bill amended section 5(c)(1) of existing law to make it mandatory for the Secretary of Transportation to pay to the States, out of funds specifically appropriated for such purposes, grants-in-aid of up to 50 percent of the cost of State safety programs.

##### Senate amendment

Section 2 of the Senate amendment amended section 5(c)(1) of existing law to permit the Secretary of Transportation to pay to the States grants-in-aid of up to 50 percent of the cost incurred by a State agency to act as agent of the Secretary in enforcing Federal safety standards for pipeline facilities or the transportation of gas subject to the jurisdiction of the Federal Power Commission under the Natural Gas Act, in addition to grants-in-aid of up to 50 percent of the cost of State safety programs. This section of the Senate amendment did not make payment of grants-in-aid to the States by the Secretary mandatory. It continued in effect existing law, which merely authorizes such payments to be made.

##### Conference substitute

The conference substitute makes it mandatory for the Secretary of Transportation to

pay to the States grants-in-aid of up to 50 percent of the cost of State safety programs, and up to 50 percent of the costs incurred by the State acting as agent of the Secretary in enforcing Federal safety standards for interstate pipeline facilities. The conference substitute also provides that the Secretary may, after notice and consultation with a State agency, withhold all or any part of grants-in-aid for a State when he determines that such State is not satisfactorily carrying out a State safety program, or is not satisfactorily acting as agent of the Secretary in enforcing Federal safety standards for interstate pipeline facilities.

#### COOPERATION WITH STATE AND FEDERAL AGENCIES

##### House bill

No provision.

##### Senate amendment

Section 3 of the Senate amendment amended section 13 of existing law to grant the Secretary specific authority to consult with, and make recommendations to, other Federal departments and agencies, State and local governments, and other public and private agencies or persons, for the purpose of developing and encouraging activities (including the enactment of legislation) to assist in the implementation of the Natural Gas Pipeline Safety Act of 1968 and to improve State and local pipeline safety programs.

##### Conference substitute

The conference substitute is the same as the Senate amendment.

#### STUDY OF STATE PROGRAMS AND RESOURCES

##### House bill

No provision.

##### Senate amendment

Section 5 of the Senate amendment required the Secretary of Transportation, after consultation with the cooperating State agencies and the National Organization of State Commissions, to prepare and submit to the President for transmittal to the Congress a study of the pipeline safety programs being conducted in each State and the amount of funds required and available to implement such programs. The study would also contain an estimate of the amount of Federal assistance required, an evaluation of alternative methods of allotting such assistance to the States, and a discussion of other problems relating to effective State participation in the national pipeline safety program.

##### Conference substitute

The conference substitute is the same as the Senate amendment.

#### JURISDICTION OVER LIQUID PIPELINES

##### House bill

No provision.

##### Senate amendment

Section 6 of the Senate amendment amended section 6(f)(3)(A) of the Department of Transportation Act to transfer authority over liquid pipeline safety matters from the Federal Railroad Administrator to the Secretary of Transportation.

##### Conference substitute

The conference substitute is the same as the Senate amendment.

HARLEY O. STAGGERS,  
TORBERT H. MACDONALD,  
LIONEL VAN DEERLIN,  
WILLIAM L. SPRINGER,  
HASTINGS KEITH,

*Managers on the Part of the House.*

WARREN G. MAGNUSON,  
VANCE HARTKE,  
HOWARD W. CANNON,  
TED STEVENS,  
L. P. WEICKER, JR.,

*Managers on the Part of the Senate.*

## FOREIGN ASSISTANCE ACT OF 1972

Mr. MORGAN. 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. 16029) to amend the Foreign Assistance Act of 1961, and for other purposes.

The SPEAKER. The question is on the motion offered by the gentleman from Pennsylvania (Mr. MORGAN).

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. 16029, with Mr. PRICE of Illinois in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on yesterday, the Clerk had read through the first section ending on line 4, page 1 of the bill. If there are no amendments to be offered to this section, the Clerk will read.

The Clerk read as follows:

SEC. 2. Section 491 of chapter 9 of part I of the Foreign Assistance Act of 1961, relating to refugee relief assistance is amended by striking out "1972" and inserting in lieu thereof "1973" and striking out the figure "\$250,000,000" and inserting in lieu thereof "\$100,000,000".

SEC. 3. Chapter 2 of part II of the Foreign Assistance Act of 1961, relating to military assistance, is amended as follows:

(a) In section 504(a), relating to authorization, strike out "\$500,000,000 for the fiscal year 1972" and insert in lieu thereof "\$730,000,000 for the fiscal year 1973".

(b) At the end of section 504, add the following new subsection:

"(c) There is authorized to be appropriated to the President for the support of regional naval training activities in the Western Hemisphere, in addition to funds otherwise available for such purpose, \$5,000,000 for the fiscal year 1973. Amounts appropriated under this subsection are authorized to remain available until expended."

(c) In section 506(a), relating to special authority, strike out "1972" each place it appears and insert in lieu thereof "1973".

(d) Section 514 is hereby repealed.

## AMENDMENT OFFERED BY MR. DELLUMS

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

The Clerk read as follows:

Amendment offered by Mr. DELLUMS: On page 2, strike lines 8 through 13.

Mr. DELLUMS. Mr. Chairman, this amendment concerns the allocation of \$5 million for an Inter-American Training Center for Latin American Naval Officers. Here we are, giving a great deal of taxpayers money to a specific institution, and yet we really know very little about it. No reference was made to it during the general hearings on the bill, and there was no opportunity to ask questions so as to inform ourselves on the merit of the request.

I believe that before we allocate money to strengthen military capabilities. We should at least know much more specifically, first, whose capability we are strengthening, second, for what purposes it will be used, third, just whose friendship we will be gaining, and, fourth, whose we will be losing.

I have found it a little difficult to gather information on this project, but what I have been told is enough, in my opinion, to cast some serious doubts on the project. I do not think the floor of the House is the appropriate place for the sort of technical and far-reaching discussion that a proposal like this needs. But what I do hope to make clear today is that this project's worth is far from self-evident, and that there are serious questions that need to be asked.

For example, what exactly is the threat which this Inter-American Naval Center is meant to answer? Admiral LaRoque, present head of the Center for Defense Information, and former Chairman of the Inter-American Defense Commission, has announced that in his opinion this project is a completely unnecessary expenditure dealing with a nonexistent threat. The navies of the Latin American countries are perfectly capable of dealing with Soviet surveillance ships or with a very unlikely Cuban presence.

Furthermore, I am told that this will be a small-craft training school. We will not be giving them any great new weapons or technological expertise. The Latin American navies are perfectly capable of handling their own training programs. I think it is almost an unconscious racism to assume that they need our help in running their navies. We are not smarter than they are, only richer.

Another pressing reason why a project like this should not be pushed through without discussion is that it has very definite foreign policy implications. "Regional cooperation" is a phrase that indicates that a common external threat is implied. And this can only be Cuba. For the present, let us overlook the fact that many serious experts completely discount any chance of an armed thrust from Cuba's navy. I want to emphasize that this anti-Cuban move will have wide repercussions at a time when most countries in the Hemisphere are trying to reach a more flexible position. I especially call upon those who are loath to upset delicate negotiation by clumsy congressional moves to support my amendment and make greater discussion of this hasty move possible.

It is not only this specific proposal that needs more work. It is our whole policy of providing training for the military elites of other countries. I think we want to ask ourselves some basic questions about this policy—first, about the effect of subsidizing military predominance; second, about wasting taxpayers' money on useless institutions; third, about whether we want the United States to become the training ground, not for peaceful endeavor, but for specialists in violence.

For all these reasons, Mr. Chairman, I urge my colleagues to support this amendment to delete this \$5 million and to maintain more control over the taxpayers' money.

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

This committee has concerned itself for a long time with a sharing of responsibility of military operations in the Western Hemisphere. With respect to naval activities, as far back in 1968, we

had specific legislation dealing with this subject. Also regional military training as a concept has existed for many years. So the idea is not new.

We find that although the Army and the Air Force have for some time had hemispheric training activities in the Canal Zone, the Navy has not. I am not anxious to add any additional activities to the Canal Zone training center and the bill does not add any. The Navy is now conducting training activities, at a variety of places.

The committee feels that it would be more economical and efficient to conduct it at a single facility in the United States.

This is, therefore, the continuation of a present program which we hope will be more economical and will do a better job. It is supported by the Secretary of Defense, the Secretary of the Navy, and by the Secretary of State.

Mr. YOUNG of Florida. Mr. Chairman, will the gentleman yield?

Mr. FASCELL. I am glad to yield to my colleague from Florida.

Mr. YOUNG of Florida. Will the gentleman from California tell us what unconscious racism is, No. 1, and whether or not he considers himself guilty of it?

Mr. FASCELL. Well, I am not guilty of it, if I knew what it was, but I did not get the reference of that comment made by the gentleman from California. I am going to yield to him now so he can answer your question.

Mr. DELLUMS. If the gentleman is in doubt about what unconscious racism is, what I am simply pointing out is that in Latin American countries you are talking about racial minorities who live there. It is their country. The point I am trying to make it is rather presumptuous on the part of this Nation to assume that the people in Latin America do not have the technical capability and competence to train their own navies. It is rather arrogant on the part of this country and the leadership of this country to assume that we need to spend \$5 million of the taxpayers' money when we need hospitals and we need jobs. We need the whole range of things. We need to spend our money in this country for people who are destitute rather than foster military competition on a continent where they have the capacity and the capability to do this themselves. Their naval capability is already on record.

If you look at the CONGRESSIONAL RECORD, I put in several pages, and if the gentleman would take the time out of his busy schedule to read it, he would more than understand that those Latin American nations do have the capability to train their own navies. That is the point I am making.

Mr. FASCELL. Mr. Chairman, I do not subscribe to that particular definition, although I do understand what the gentleman is talking about. The truth of the matter is that the Latins participate in this program voluntarily. They have also voluntarily participated in training programs of the Army, and the Air Force.

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

Mr. FASCELL. I yield to the gentleman from Pennsylvania.



Mr. MORGAN. Of course, this provision of the bill is a good provision, and it is a continuation of the administration's program to establish more mature relations with our sister republics. It is not something that was just dreamed up by the Committee on Foreign Affairs. It is something that is necessary for hemispheric naval training, especially with language training, such as the Portuguese language and the Spanish language. I think it is very necessary that this new training program be continued. I am glad that Key West, Fla., was chosen for this center, and I am sure that many Latin-American countries will be taking part in this training, with enthusiastic support.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. DELLUMS).

The amendment was rejected.

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, line 5, strike out "\$730,000,000" and insert in lieu thereof "\$460,500,000".

Mr. DOW. Mr. Chairman, the amendment I am offering would reduce the amount authorized in the bill of \$730,000,000 for military assistance by a figure of \$269,500,000. This would eliminate from the bill the amount of military assistance allocated in the committee report for Cambodia, \$209,500,000, and for Thailand, \$60,000,000.

It is perfectly obvious to anyone that these sums of military assistance for Southeast Asia serve only to continue the fighting, destruction, and bloodletting for which the United States is responsible in Southeast Asia. The military assistance program supplies countries with weapons, supplies, and military training needed for making war. These sums continue our involvement in places where we have no business whatsoever, where we have been meddling to the tune of hundreds of millions of dollars of the taxpayers' money. The passage of this amendment would be an express instruction from this House that the military activities we have been carrying on in Southeast Asia must come to an early conclusion.

Since we will pass this bill with a deadline for ending the war on October 1, let us also eliminate from the bill mechanics of continuing the violence in Southeast Asia any longer.

Last year I offered an amendment similar to this one, striking out funds for military activities in Cambodia. Now I see that the bill's authorization for Cambodia is rising from \$200,000,000 to \$209,500,000. More alarming is the fact that the authorization for Thailand is rising from zero to \$60,000,000. This betokens, of course, the fact that while we are winding down the war in Vietnam and saving American lives, we are winding it up through our bases in Thailand and destroying lives of innocent people all over Southeast Asia.

This is undoubtedly the most shameful and murky picture in American history. To think that the United States would lend itself to this cruel, shabby,

and pointless violence so far away from our shores is truly disillusioning. This is especially so to one like myself and some of you, who were taught to believe that the U.S. policy was one of courage, nobility, and consideration for others. Our performance in Vietnam shows only traces of these qualities. It is replete with lies, corruption, bloody hands, inept military tactics, and wretched diplomatic strategy.

I could continue, Mr. Chairman, with further expressions of indignation about the willful policy that has been followed by the United States in Vietnam. Rather than to lament overlong about the past, why do we not correct ourselves promptly for the future, cutting from this bill those evil provisions that perpetuate the shameful mistakes of the recent past. Let us discontinue any further staining of American history.

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

Mr. Chairman, the gentleman from New York offers an amendment to cut to \$460,500,000 from the \$730 million for worldwide grant military assistance. The administration, when it presented this bill, asked for an appropriation of \$780 million for this worldwide grant military assistance program. I want to assure the gentleman from New York that the committee made a detailed study of the requirements for Cambodia before we cut the executive request by \$50 million. A reduction down to \$460 million would apply to the whole MAP program. Even though the gentleman says it is a cut of funds for Cambodia, his amendment does not earmark this cut for Cambodia. It is a cut applying to the entire MAP grant assistance program.

Let us see what the cut involves. Of the \$730 million, \$250 million is programmed for South Korea, \$209 million is programmed for Cambodia, \$60 million is programmed for Thailand, and \$88 million is programmed for Turkey. The gentleman's cut applies across the board. This is a meat ax cut approach which cuts \$269,500,000 from worldwide military grant aid.

I want to say that the committee took a long look at our needs in Cambodia. The administration requested a \$341 million ceiling on the total of military aid and supporting assistance for Cambodia. The committee cut that to \$330 million.

We went into it item by item, especially the MAP assistance needed for Cambodia and the economic assistance needed for Cambodia as well as the Public Law 480 funds. We felt it would take a bare bones minimum of \$330 million to operate the Cambodian program.

The Cambodian program is one program which is very successful and moving along. I would hate to see the House approach this with a meat ax which cuts the entire MAP assistance program.

I believe at this point in the game Cambodia is holding its own with our help. I would hate to see any cut of the MAP assistance at this time.

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

Mr. MORGAN. I yield to the distinguished gentleman from New York.

Mr. DOW. The distinguished chairman said that \$730 million is allocated

at the discretion of the Executive—essentially what he said—and therefore any attempt to pinpoint any of this money for Cambodia is going to confuse the allocation.

I must say to the distinguished chairman, I believe it is pretty irresponsible that the committee would allow this latitude to the Executive, so that they could take all of this \$730 million, if they wanted, and spend it on the fearful holocaust in Southeast Asia without any oversight from the Congress. I believe it shows a lack of responsibility, Mr. Chairman, that we do not exert more influence over the spending of this \$730 million.

Mr. MORGAN. As I said, the administration requested \$780 million. The responsible committee, which I believe the gentlemen regard as an irresponsible committee, cut the program by \$50 million.

A detailed presentation of the Cambodian programs was made to the committee. I read the major items. The committee did go into all the needs of all the countries in the program.

Most of this money is programmed for four countries: South Vietnam, Thailand, Cambodia, and Turkey. That is about 70 percent of all MAP funds.

The gentleman offers an amendment to cut \$269 million. We do not know whether the administration will cut it out of Cambodia or not. The amendment does not require it. This amendment would ruin the whole MAP program.

Mr. DOW. May I say a word in reply to the chairman? Does it not seem that by passing this amendment and by reading the record of these proceedings in the Congress the Executive would understand very clearly that this cut is intended for Cambodia and Thailand exclusively?

Mr. MORGAN. I will say to the gentleman that I have been around here a long, long time. I have never known the Executive, whether it was a Democratic administration or a Republican administration, to pay very much attention to what appears in the CONGRESSIONAL RECORD.

Mr. YOUNG of Florida. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I take this time in view of the comments made earlier by the distinguished gentleman from New York (Mr. Dow) and some of the accusations he read into the RECORD. I should like to read some information into the RECORD, to let it be known that his charges and accusations do not go unchallenged, and that his criticisms of the United States are not supported by fact.

This is a United Press International news report dated yesterday, August 8, 1972, with a Washington dateline:

The State Department says that North Vietnamese troops engaged in mass murder of South Vietnamese civilian refugees during the beginning stages of Hanoi's spring offensive.

Department spokesman John King also confirmed reports Monday that Communist political officers publicly executed hundreds of South Vietnamese government officials and imprisoned thousands during their occupation of Binh Dinh Province.

Concerning the attacks on refugees, King said that American military advisers and Red Cross members saw from 1,000 to 2,000

civilian refugees fleeing south along Route 1 from Quang Tri killed by the North Vietnamese troops between April 24 and 30.

King said that a convoy of refugees, making their way on motor scooters or on foot, were ambushed by North Vietnamese forces a few kilometers south of Quang Tri.

"The North Vietnamese ambushed the convoy," King said. "They blew the convoy to pieces" with weapons normally used against combatants in battle, he said.

The North Vietnamese attack on the refugees "littered the fields with bodies," King said.

King said that on April 29 and 30, another convoy of refugees fleeing Quang Tri were ambushed by North Vietnamese. "They were attacked, ambushed, and there were considerable casualties," he said.

King said the North Vietnamese fired shells into the convoy of elderly women, children and other non-combatants, "literally shredding the refugee column. The shells fired numbered in the hundreds."

The spokesman said that more than three months later Buddhist and Roman Catholic priests were still combing the area, trying to identify for relatives the bodies still strewn on the fields, and conducting funerals.

Mr. Chairman, the gentleman's position on this amendment is his business, but his derogatory statements about the United States are my business.

Mr. ANDERSON of Illinois. Will the gentleman yield?

Mr. YOUNG of Florida. I yield to the gentleman.

Mr. ANDERSON of Illinois. I must confess even at this late hour in the afternoon the gorge rises in my throat a little bit when I listen to the indiscriminate language used by the gentleman from New York, in quotes, "the evil assistance we are rendering the Cambodian Government."

His amendment, I think, comes at a very peculiar juncture when you consider, in addition to the news story we just listened to, that the New York Times carried a story yesterday that the North Vietnamese Government launched yet another savage attack against the Cambodian Government and against Cambodian troops—not to defend North Vietnam, no, but in order to capture Highway 13 between Phnom Penh and Saigon in order to carry out their efforts to take over the Government of South Vietnam.

You might be able to argue with regard to South Vietnam that there is a civil war going on in South Vietnam. You certainly cannot argue that there is a civil war going on between the Cambodian Government and the North Vietnamese Government. They are guilty of invading a country that would like to stay out of this whole mess.

For the gentleman to stand up here and accuse the U.S. Government—and I do not stand as a complete apologist for all of the mistakes that have been made in Southeast Asia—Lord knows, to the contrary, I deplore the mistakes we have made—but I cannot sit idly by and listen to the gentleman from New York attack this Government and this committee and this House for rendering assistance to a government that is defending itself against the kind of wanton aggression being practiced by the North Vietnamese.

Mr. DOW. Will the gentleman yield?

Mr. YOUNG of Florida. I will be happy to yield.

Mr. DOW. Let me say one of the rationalizations about our activities in Vietnam is this constant harping on atrocities committed by North Vietnam. I am sure it is true, but I would like to say that the world all over is full of evil and atrocities; there are concentration camps in Siberia, and there is cruelty and slavery going on in South Africa and in South America, with one class shooting the Indians. There are all kinds of atrocities everywhere. That is no excuse for us to take on solely the problem of atrocities in North Vietnam or South Vietnam.

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

Mr. Chairman, I rise in opposition to the gentleman's amendment.

I have no quarrel with the gentleman taking the position he does, but there is one statement, and I heard him make it. I realize we have an opportunity to correct the RECORD but he said this outrageous war that we are perpetrating on Southeast Asia. I would say to the gentleman from New York that the facts do not really lie in that direction. We have fewer than 50,000 men in South Vietnam. Who is invading Cambodia? Who is invading Laos? Who is invading South Vietnam? Who is invading Thailand? Not the United States of America.

The only thing we are doing is giving some weapons to these people to defend themselves from an invader.

Now, I happen to think that if we are not going to give any weapons to these people then we should not give weapons to anybody. Maybe that is the position we should take. But, on the other hand, I am not willing to destroy this bill when there is money in it for Israel to defend itself, for one thing. I am not willing to do that.

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

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

Mr. ROSENTHAL. Mr. Chairman, is there any grant of military assistance in this bill to Israel?

Mr. HAYS. No, there is no grant for military assistance, but there is plenty of loan money in the bill for Israel. And the gentleman knows, and I know that they could not buy their weapons if we did not give them the money.

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

Mr. HAYS. No; I will not yield any further, because the gentleman knows that I did not ask him to get into this argument. I was talking to the gentleman from New York (Mr. Dow).

But the gentleman knows and I know that Israel is going to get money in this bill, \$350 million worth of it. And if the gentleman from New York—

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

Mr. HAYS. Not at this point.

Mr. ROSENTHAL. Just yield calmly and nicely?

Mr. HAYS. If the gentleman does not want to vote for the bill then vote against it, and he can go home and explain it to his constituents as to why he did it.

I can vote against it because, as I have

told you many times, this is not a political thing with me because I have fewer Jews in my district than I have Arabs. But I voted for aid for Israel because I believe in it; because I have been there a few times, and I have seen the valiant fight that these people have put up. And if the gentleman from New York has not read it, then I recommend that he read this new book that is called "Oh, Jerusalem".

I do not have a drop of Jewish blood in my veins, but I tell you, that book moved me. And I know that what that book says is true because I have been there and talked to some of these people themselves.

Now I will yield to the gentleman if he has anything of value to add.

Mr. ROSENTHAL. I have no request for the gentleman to yield to me.

Mr. HAYS. The gentleman does not want me to yield? That is great. I did not want to yield to the gentleman, anyway. I was just trying to be polite.

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

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

Mr. DOW. Let me say that my amendment does not go to the Israel portion of this bill.

Mr. HAYS. I understand.

Mr. DOW. It is very distinct.

Mr. HAYS. I understand very well, and I meant no implication that the gentleman's amendment did. But I was comparing in my own mind the fact that there is money in here for Israel, and there is money in here for Cambodia, and there is money in here for Laos, all three of those countries, and I think the two situations are comparable because, while Israel is not being invaded at the moment, it stands the threat of an invasion. And although I do not believe all the rhetoric that comes out of Cairo, if I were the Prime Minister of Israel I would have to consider the fact that almost daily the President of Egypt talks about a holy war to drive the Israelis into the sea.

I just happen to think that the two situations are somewhat comparable. I did not mean to imply that the gentleman's amendment did anything at all to Israel, but I was saying in my mind that giving aid to Israel and giving aid to Southeast Asia are two comparable situations.

Mr. Chairman, I hope the amendment offered by the gentleman from New York (Mr. Dow) is defeated.

Mr. DOW. Mr. Chairman, if the gentleman will yield further, I must differ with the gentleman from Ohio in his judgment that the two situations are comparable. There are a great many distinctions, and I will not take the time of the House to detail them, but I do think that the gentleman from Ohio is not as perceptive as I always thought he was on this matter.

Mr. HAYS. I will say that the gentleman from New York has a right to disagree with my evaluation, just as I have the right to disagree with the gentleman in the amendment he is offering. And that is one of the things that I hold dear about the House of Representatives,



in that people can have different opinions about specific subjects.

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

Mr. ROSENTHAL. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I take this time merely to put the discussion in perspective. I find it most regrettable and personally offensive that the gentleman from Ohio, on every occasion that I can ever remember since I have been in the House, when he opposed an amendment striking assistance to Southeast Asia—somehow, somewhere in the thread of his argument came a discussion of military assistance to Israel. He seems to enjoy some special satisfaction in making that comparison. I find no factual comparison whatsoever.

The fact of the matter is, as the gentleman well knows, this amendment deals with military grant assistance. It deals with grant assistance of \$215 million for Korea; \$209 million for Cambodia; \$60 million for Thailand; and the rest for some 18 or 19 countries.

The gentleman from Ohio knows well that in the past, I would guess about 20 years, Israel has never received any grant military assistance. It may have been about 1948—I am not sure—during the early years of the mutual security assistance program that Israel received some grant military assistance.

But, the fact is that for the past 18 or 20 years, they have received no grant military assistance.

I think what this House ought to do is to step back a moment and not concern itself so much about this bill or this amendment—but to ask itself how long—and without getting into the rhetoric that flew back and forth across this floor this afternoon—for how long ought the United States continue its major responsibility for granting arms and military systems to countries around the world.

I believe that that is a fair and reasonable question. As the gentleman from New York says, he full well acknowledges that atrocities exist in every combat area, and I am sure that they do. But, what we have to address ourselves to is our larger role as humanitarians and inquire as to our role as grantors of military arms.

I merely ask you to ask yourselves before you decide on this amendment—how many millions of dollars should we provide for that particular area of the world—and what are the objectives that we seek to obtain by continuing this system?

It would seem to me that one ought to reflect seriously on the amendment offered by the gentleman from New York. It may well be the time will come for us to say to these nations—you have to develop a viable economy and a viable political system and a viable society so that at the minimum you can buy military arms and assistance as many other countries have done.

But we cannot indefinitely have an open-ended gift of these kinds of articles of war. That is all I ask you to review. I think if we can cut through some of the nasty rhetoric that preceded my remarks, I would hope we could reflect on the principal issue of for how long should

we continue this open-ended intervention in other parts of the world. That, to me, is a very serious question.

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

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

Mr. MAILLIARD. I think I can supply at least a partial answer.

Of course, the gentleman knows as a member of this committee that we have been moving away from grant aid toward these other categories at a steady rate over a period of years.

I think the answer is, if you are talking of what the gentleman from New York is trying to do—is that just as long as the Communist countries pour in grant aid to the people attacking those countries.

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

The amendment was rejected.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

SEC. 4. Section 532 of chapter 4 of part II of the Foreign Assistance Act of 1961, relating to authorization for security supporting assistance, is amended by striking out "for the fiscal year 1972 not to exceed \$618,000,000," and inserting in lieu thereof "for the fiscal year 1973 not to exceed \$769,000,000".

SEC. 5. Chapter 4 of part II of the Foreign Assistance Act of 1961, relating to security supporting assistance, is amended by adding at the end thereof the following new sections:

"SEC. 534. REFUGEE ASSISTANCE IN CAMBODIA.—Of the funds appropriated pursuant to section 532 for the fiscal year 1973, not less than \$2,000,000 shall be available solely for refugee relief and war victims assistance in Cambodia.

"SEC. 535. CENTER FOR PLASTIC AND RECONSTRUCTIVE SURGERY IN SAIGON.—Of the funds appropriated pursuant to section 532 for the fiscal year 1973, not less than \$715,000 shall be available solely for furnishing assistance to the Center for Plastic and Reconstructive Surgery in Saigon.

"SEC. 536. ASSISTANCE TO SOUTH VIETNAMESE CHILDREN.—(a) It is the sense of the Congress that inadequate provision has been made (1) for the establishment, expansion, and improvement of day care centers, orphanages, hostels, school feeding programs, health and welfare programs, and training related to these programs which are designed for the benefit of South Vietnamese children, disadvantaged by hostilities in Vietnam or conditions related to those hostilities, and (2) for the adoption by United States citizens of South Vietnamese children who are orphaned or abandoned, or whose parents or sole surviving parent, as the case may be, has irrevocably relinquished all parental rights.

"(b) The President is therefore authorized to provide assistance, on terms and conditions he considers appropriate, for the purposes described in clauses (1) and (2) of subsection (a) of this section. Of the funds appropriated pursuant to section 532 for fiscal year 1973, \$5,000,000 shall be available until expended solely to carry out this section. Not more than 10 per centum of the funds made available to carry out this section may be expended for the purposes referred to in subsection (a) (2) of this section. Assistance provided under this section shall be furnished, to the maximum extent practicable, under the auspices of and by international agencies or United States voluntary agencies."

Mr. KASTENMEIER. Mr. Chairman, I move to strike the last word.

Mr. Chairman, as sponsor of the Viet-

nam children's care agency legislation, I want to commend the members of the House Foreign Affairs Committee for adding this measure as an amendment in the form of section 536 to the Foreign Assistance Act of 1972.

It is estimated that there are about 700,000 children in South Vietnam who are orphaned or abandoned as a result of the war. These children have suffered terribly during the course of the conflict, and many are victims of our military operations in South Vietnam. They will continue to suffer even more as our servicemen withdraw from that Nation. The problem of caring for these youngsters is immense, far beyond the capabilities of the present South Vietnamese Government. To abandon these young victims of the war would be cruel and inhuman. Thus, it is both necessary and appropriate that our Government begin to assume the moral obligation to help care for these children.

Section 536 of the 1972 Foreign Assistance Act authorizes \$5 million, most of which will be allocated for the establishment, improvement, and expansion of South Vietnamese day care centers, orphanages, hostels, school feeding programs, and related programs in health, welfare, and education for South Vietnamese children. A second purpose of section 536 is directed toward those South Vietnamese children who have no family or guardians, and are, therefore, eligible for adoption, and for whom an acceptable home can be found in the United States. While emphasis will be focused on facilitating the adoption of the thousands of orphaned or abandoned children of American fathers, by no means does this exclude the adoption of all-Vietnamese children who are homeless. At present, those Americans wishing to adopt Vietnamese children experience interminable delays and are required to pay exorbitant fees. This measure would seek to untangle the bureaucratic snarl that has developed in the United States-Vietnamese adoption process and would serve to expedite procedures when any complications arise.

Mr. Chairman, although the \$5 million authorized by section 536 is, admittedly, a rather modest amount, it, nonetheless, does represent the beginning of the commitment the United States must make in acknowledging this problem and in assuming our responsibility to help these innocent children.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

SEC. 6. Section 620(n) of chapter 1, part III, of the Foreign Assistance Act of 1961 is amended by striking out the period at the end of such subsection and inserting in lieu thereof a comma and the following: "unless the President finds and reports within thirty days of such finding to the Committee on Foreign Relations of the Senate and the Speaker of the House of Representatives that such assistance is in the national interest of the United States."

SEC. 7. Section 620 of chapter 1 of part III of the Foreign Assistance Act of 1961, relating to prohibitions against furnishing assistance is amended by adding at the end thereof the following new subsections:

"(x) No assistance shall be furnished under this Act (other than chapter 8 of part I, relating to international narcotics control), and no sales shall be made under

the Foreign Military Sales Act or under title I of the Agricultural Trade Development and Assistance Act of 1954, to Thailand. This restriction may be waived when the President determines that the Government of Thailand has taken adequate steps to carry out the purposes of chapter 8 of part I of this Act, relating to international narcotics control.

"(y) No assistance shall be furnished and no moneys shall be expended under this or any other Act, including the Export-Import Bank Act, for Portugal until and unless the Senate advises and consents to the agreement of December 9, 1971, with Portugal continuing United States base rights in the Azores, or both Houses of Congress approve of such agreement by resolution."

AMENDMENT OFFERED BY MR. MONAGAN

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

The Clerk read as follows:

Amendment offered by Mr. MONAGAN: On page 5, line 2, strike out "subsections" and insert in lieu thereof "subsection".

On page 5, strike out line 12 and all that follows down through line 18.

Mr. MONAGAN. Mr. Chairman, the purpose of this amendment, of course, is to eliminate subsection (y) of section 7 on page 5 referring to the agreement between the United States and the Government of Portugal for the use of the air base in the Azores.

The situation, of course, is that from 1951 and until 1962 there did exist an agreement between the two countries under which we were permitted to use this base. This agreement terminated, and for a time we were permitted to use the base without any agreement. In fact, that situation continued up to the time when the new agreement was concluded on December 9, 1971.

I suggest that this requirement should not be in the bill. In other words, we should not provide that no assistance should be furnished to Portugal until this agreement has been either ratified by the Senate or delivered to both Houses of Congress for their approval through a resolution.

There are two matters I think important in connection with this question. First of all, what about the merits of the situation, that is, the existence of this agreement between the United States and Portugal? It seems to me it is unquestionably in the interest of our country to have the use of these facilities. It is not a question of whether or not we like the Portuguese Government or whether we approve of all the measures that they take domestically or in their policies throughout the world. Whatever we do here is not going to hurt the country of Portugal. The question is what is for the benefit of the United States, and the value of the base facilities has been proven to us in the past in connection with the war in Israel in 1968 and also in connection with the Congo relief prior to that time.

I might say also that as far as the actual operation of this base is concerned, the Portuguese certainly have been most cooperative with us, and to impose requirements other than those which our own best interests demand certainly is not the way we should act in connection with this legislation.

It is possibly true that as a general

principle executive agreements should come to the House. I certainly do not disagree with the general principle. I think we should be informed. I should think we could well be better informed than we have been in the past. But to act in this instance would be an ex post facto action. This is a legal action which has already taken place, and I suggest that not only would it be against our own security interests, but it also would be a breach of contractual obligation, a breach of faith on our part not to go forward with this agreement.

So, Mr. Chairman, I hope very much that this amendment will be adopted.

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

Mr. Chairman, as I said in general debate yesterday when I thought this amendment was going to be offered by my good friend, the gentleman from New York (Mr. STRATTON)—but as a member of the committee, my good friend, the gentleman from Connecticut usurped that position properly, if that was his wish to do it—this amendment obviously ought to be supported.

The arguments have been given. I do not want to take a great deal of time, but the very way in which the provision is worded is pretty unfair to a nation with which we have made an agreement which they have every right to rely upon. If the Congress should fail to act in a timely fashion, we would be abrogating the terms of an agreement already entered into.

The committee is in agreement that we are going to provide that we be advised about these agreements.

Also, to single out Portugal when we have similar agreements with almost every other member of NATO and demand that this particularly extraordinary procedure be resorted to with one country with the same type base agreement as we have with other countries, is just a gratuitous insult and one, I think, the Congress should not indulge in.

I might also point out this agreement expires in February 1974, so almost before the Congress could probably act, the agreement will have to be renegotiated, so there is just no point in leaving a foolish provision in, that I think, quite properly, another government could take offense at when its real force and effect is so minimal. It is using the wrong way to get at a totally unrelated problem and at the same time it could very easily jeopardize our ability to maintain our operations in the Azores which are so critical, as I am sure the gentleman from New York will stress, to the surveillance of the ocean areas of the Atlantic.

Mr. ZABLOCKI. Mr. Chairman, I rise to support the amendment of the gentleman from Connecticut (Mr. MONAGAN) to delete that portion of section 7 of the bill prohibiting expenditure of funds to carry out the agreement with Portugal relating to American base rights in the Azores.

This amendment should be opposed for the three principal reasons:

First, this provision singles out one international executive agreement from among dozens which the United States

has concluded with nations allied with us in the North Atlantic Treaty Organization.

For decades the Congress has permitted the President to make agreements which carry out NATO treaty obligations without specific prior approval of Congress or without the necessity of submitting each such agreement to the Senate and House after it has been concluded.

Now—suddenly—we are being asked to select out for congressional approval, this one agreement with Portugal.

The executive branch makes more than 200 international agreements annually. Is the Congress prepared to approve each one of those agreements?

If we are not, then how should we presume to single out one agreement for special legislative attention? By what criteria do we ascertain that congressional approval is more necessary for this agreement than for another?

Since no such criteria have been put forward in defense of this provision of the Foreign Assistance Act, we must assume that the action is capricious and does not deserve to stand.

My second reason for opposing this provision is that the agreement does not make an extraordinary commitment, either military or financial, to Portugal.

The agreement provides \$400 million in Export-Import Bank credits to Portugal—but that could have been concluded even in the absence of a base agreement.

In fact, because the credits are being provided under normal commercial terms, it is difficult to see this as being "foreign aid." In fact, the greatest benefit will be to our own American industry.

Similarly, the Public Law 480 food assistance included in the package will benefit America's farmers.

If both the Export-Import Bank credits and the Public Law 480 food is subtracted from the package, the remaining amounts of aid are very small.

I believe our negotiations with Portugal on the Azores bases agreement were very successful. As a result of them, we have continued use of an important strategic facility at a very modest price.

My third reason for opposing this prohibition on proposed U.S. programs in Portugal is that it would surely create a severe strain in our relations with that country. The Portuguese would see such action as an affront.

And can we blame them? For it would appear to them that after having bargained in good faith with the United States to reach an agreement the whole question was being thrown open once more.

The United States would not want to be treated that way. We should not expect it of others.

If we change the rules in the fourth quarter of the ball game, we should not be surprised when the other team quits playing and goes home.

If this provision is approved, the United States will be changing the rules. Who could blame the Portuguese if they decided that they would be better off without Americans on the Azores?

Mr. Chairman, I have myself long been concerned about abuses related to the execution of international executive



agreements. Too often in the past, I fear, the Congress has not been adequately informed about such agreements.

To remedy that situation I have sponsored and worked for legislation which would require that the texts of all executive agreements be submitted to Congress within 60 days after their signing. It is my hope that the legislation will soon be approved by this body.

At the same time, I do not see the agreement with Portugal as one which entails any abuse. The text is not secret. The agreement does not exceed Executive power. The terms are favorable to our interests.

Let the United States-Portuguese agreement on the Azores stand, therefore, by supporting the Monagan amendment to strike the provision from the bill.

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

Mr. ZABLOCKI. I yield to the distinguished chairman.

Mr. MORGAN. I said yesterday during my remarks in general debate that this provision in the bill has caused me considerable discomfort.

I felt during the markup of the bill when I opposed the amendment to put this provision into the bill—and I so stated—that it would cost several billions of dollars to replace this great base in the Atlantic Ocean.

I feel since we are only on first base in the SALT talks, that it would be absolutely senseless to destroy relations with Portugal at this time.

The CHAIRMAN. The time of the gentleman has expired.

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

Mr. ZABLOCKI. I yield to the gentleman from Pennsylvania.

Mr. MORGAN. I just want to say the committee vote was very close, as the gentleman knows, and there was real opposition to putting this particular provision in the bill. Of course, I intend to support the Monagan amendment.

Mr. ZABLOCKI. I thank the gentleman for his contribution.

I want to underscore the fact that it would not be in our national security interest to break the agreement we now have with Portugal.

Mr. HOLIFIELD. Will the gentleman yield?

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

Mr. HOLIFIELD. I want to align myself with the position that the gentleman has taken as well as the two preceding speakers (Mr. MAILLIARD and Mr. MONAGAN), in support of the amendment and compliment the gentleman on his statement.

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

Mr. Chairman, section 7(y) constitutes an attack on the most recent extension of our 1951 agreement for the stationing of U.S. forces in the Azores. This agreement, like the similar agreements with Belgium, Canada, Denmark, Germany, Greece, Iceland, the Netherlands, Turkey, and the United Kingdom, was concluded under article 3 of the North At-

lantic Treaty, which, as we all know, was ratified by an overwhelming majority in the Senate. I fail to understand, therefore, why this latest extension of a 20-year old arrangement is being made the subject of such special attention at this time.

Leaving aside the possible adverse effect of section 7(y) on our national security, I would like to point out that it would have a very damaging effect on U.S. exports by denying U.S. exporters their right to seek assistance from the Export-Import Bank in competing for business in Portugal. I would like to remind my colleagues that the purpose of Export-Import Bank credits is to assist American exporters by enabling them to compete with the financing terms offered by their European and Japanese competitors. At the time of the signing of the Azores base agreement Secretary Rogers gave the Portuguese Foreign Minister a letter in which he noted that Portuguese and American technicians had reviewed Portuguese development projects with a total value of some \$400 million, including airport construction, railway modernization, bridge building, electric power generation, mechanization of agriculture, and so forth. He added that:

The U.S. Government is willing to provide through the Export-Import Bank of the United States, financing for U.S. goods and services to be used in these projects, in accordance with the usual loan criteria and practices of the Bank.

This simply means that if American firms are able to get the contracts for these projects, the Eximbank would consider loan applications in support of the contracts, as it would even if there were no Azores agreement. Section 7(y), however, would deny this U.S. Government assistance to U.S. firms. Their European and Japanese competitors can certainly count on export credits from their governments and would therefore step in and take the business away from the American companies.

In this connection it is interesting to note that shortly after the announcement of the Azores agreement the British Ambassador in Lisbon made a public statement that:

The authorities and institutions of the United Kingdom always were and continue to be disposed and ready to grant identical facilities to those offered by the United States Export-Import Bank in conjunction with the joint Portuguese-American declaration of December 9 last.

He added that British export credits extended to Portugal have totaled approximately \$500 million.

The effects of section 7(y) would be felt most sharply by American exporters.

Mr. FRELINGHUYSEN. Will the gentleman yield?

Mr. BUCHANAN. I will be glad to yield to the gentleman.

Mr. FRELINGHUYSEN. I thank the gentleman.

Yesterday I mentioned my own reservations about the language that is now proposed to be stricken. I, too, rise in support of the amendment to strike this language. It would be very unwise to attempt to pass judgment on an agreement which has been in effect for some

time now and involves no major change of status with an ally and in connection with a base which we have had for a number of years in the Azores. It would be a very wise move if we should strike this altogether.

Mr. BUCHANAN. Mr. Chairman, as indicated in my earlier remarks, I completely agree with the gentleman and find him most wise in his position.

Mr. FRELINGHUYSEN. I thank the gentleman for yielding.

Mrs. HECKLER of Massachusetts. Will the gentleman yield?

Mr. BUCHANAN. I yield to the gentleman.

Mrs. HECKLER of Massachusetts. Mr. Chairman, I should like to identify myself with the remarks of the previous speakers and Congressmen MAILLIARD and MONAGAN.

I feel very strongly an ally such as Portugal should be treated as such. I feel it would be truly deplorable if this larger question, for which I have so much sympathy, should be applied to a very small nation with a small amount of money at a time when the economy of Portugal needs the economic assistance which would be provided and at a time when the Azores particularly are in need.

Under the 1971 agreement, the United States provides some \$420 million a year in assistance to Portugal. To shut this off, Mr. Chairman, on a point of legislative prerogative does a disservice to the Congress, to the country, and certainly to Portugal.

This nation has been a traditional ally, in letter and in spirit. It is an ally we know we could count on completely if the friendship were ever tested.

Our recent history is replete with instances of our pouring massive aid into a country to buy its loyalty and friendship with no guarantee of either. We already have Portugal's loyalty and friendship, and we did not buy them.

Foreign assistance of this kind benefits both this country as the giver, in terms of American goods and services bought on the extended credit, and the recipient in terms of shoring its wobbly economy and helping it to achieve a respectable place in world commerce and industry and build a better life for its citizens.

Portugal has not only given us the benefit of its navigation and exploration, its foods and wines and other products, it has also given us many of its citizens who have become decent, hard-working, productive Americans. The ties between our nations are strong and deep. A great many Portuguese-Americans live in my congressional district, Mr. Chairman, and I can testify to the contributions they are making to this country.

We are asked to make such a small contribution to Portugal in return for so much.

It seems to me a good idea in principle for this Congress to examine all of the agreements. I believe it is penalizing an ally like Portugal, however, and jeopardizing the many other interests which are involved here. I believe this is the wrong time and the wrong place to ponder the larger question. I support this amendment.

Mr. BUCHANAN. Mr. Chairman, I thank the gentlewoman for her contribution, and I urge the adoption of this amendment.

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

Mr. Chairman, as the gentleman from California said, I had thought I was going to be the Member to offer this amendment, but I have no chagrin at all in having it come from my good friend on the committee.

Since members of the committee have all spoken in support of this amendment it shows the very substantial divisions within the committee itself.

I still want to take the time to discuss this issue, however, because this amendment deals not only with matters of foreign policy but also has very sweeping implications for our defense policy. It would be disastrous if we were, in an emotional reaction to some of the policies of Portugal, for example, to do devastating harm to our Nation's defenses. The language in section 7(y) of the bill would deny all aid to Portugal until this agreement for continuing our base rights in the Azores had been approved either as a treaty by the other body or as a resolution by both Houses.

Goodness knows how long that would take, especially in the other body. But the fact of the matter is that the quid pro quo for retaining our Azores base rights is economic aid to Portugal, including aid through the Export-Import Bank. So if this provision of section 7(y) were to remain in the law we would literally have to abandon our bases in the Azores.

Additionally, as has already been pointed out, the base agreement that we now have in the Azores—and, incidentally, these are the Azores right here in the middle of this chart I am pointing to—and the basic agreement that we have been following since 1952—in spite of all this talk about whether executive agreements or treaties ought to prevail, are actually both in existence pursuant to the original NATO treaty which was duly ratified by the Senate of the United States back in the 1950's.

I do not know just how many times we have to come back here to Congress for approval, because article III of that NATO treaty provides that you can set up regional defense arrangements between NATO partisans; and this is one of those regional arrangements. We have another one with Iceland; we have another one with Denmark; we have another one with Canada, and with several other countries.

But the important thing about the Azores is that if you take our present Azores base away you destroy our ability to conduct effective anti-submarine warfare operations in the Atlantic Ocean. And everyone whose knowledge of defense extends only to Jane's Fighting Ships, is aware of the fact that the Soviets possess a great submarine fleet, and its size and capacity is growing by leaps and bounds.

This yellow circle shows the range of aerial surveillance over the Soviet submarine fleet that can be provided from the Azores base. These red lines represent the extent of aerial surveillance that can be provided from Bermuda, from

Rota, Spain, from Iceland, from Newfoundland and from England in the north. And you can see clearly that if we take the Azores coverage out and leave only the coverage provided from those other bases, there is a great big gap right in the middle of the Atlantic where we would be blind to a Soviet submarine threat. And that blind area is 10 times the size of New York or, if you want to put it another way, two times the size of Texas.

So if we leave section 7(y) in the bill we would be destroying our ability to protect ourselves against this submarine threat.

Let me also point out that these black lines, which are even more visible on this chart, represent our oil lifelines to our allies with oil from the Middle East coming around the cape and heading into the Mediterranean, heading into northern Europe, and heading over here to the United States of America. And notice that all of them go between the Azores and Portugal.

So if we are going to try to protect those oil lifelines, if we are going to try to save those tankers from the Russian submarines when the balloon goes up, then we have got to be able to conduct aerial antisubmarine surveillance from the Azores.

That is precisely what we are doing now, from the Azores, and that is precisely the kind of thing that would be eliminated by this section 7(y) of the committee's bill.

Now is this naval importance anything new about the Azores? No; the truth is that the original base agreement, signed in 1951, expired in 1962. But President Kennedy, as a former Naval Reserve officer, knew how important the Azores were to the NATO defense. So he selected Adm. George Anderson, who had just stepped down as Chief of Naval Operations, to become the new Ambassador to Portugal. Why? Because the President of Portugal at that time—not the Premier, not Dr. Salazar, but the President—was an admiral; and Admiral Anderson's sole mission from President Kennedy was to keep this base going in the Azores until we could work out a new agreement. And the one thing that Admiral Anderson was able to do was to keep flying out of the Azores even though our two countries never could seem to come to a formal written agreement. He kept us there for 9 years, in fact, 9 valuable years. And then in December of 1971 we finally signed a new succeeding agreement which was predicated to December 1969, and which, as the gentleman from California, Mr. MAILLIARD has said, comes up for renewal again in 1974.

So President Kennedy and Admiral Anderson worked for 9 years to keep those bases. Are you and I going to throw them away in an afternoon just because we do not happen to like some of the things that Portugal does, or because we think maybe every implementing detail of the original NATO treaty ought also to come back to the Senate to be considered as another treaty and be argued for many, many afternoons?

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

Mr. STRATTON (at the request of Mr. SEIBERLING) was granted permission to proceed for 3 additional minutes.)

Mr. SEIBERLING. Mr. Chairman, will the gentleman yield for a question.

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

Mr. SEIBERLING. Mr. Chairman, I think the gentleman from New York has made a very impressive presentation here.

But, if it is that important—and I am willing to concede that it is, without any evidence to the contrary—what is the matter with the executive branch simply submitting an agreement to the Senate and having done with all of this debate? Maybe I am naive—but what is the answer to that?

Mr. STRATTON. There are two reasons. The first is the one I have already given you; namely, that this agreement is pursuant to another treaty already ratified. Surely you cannot expect to have everything we do handled as a treaty. The original treaty spelled out the broad arrangements of NATO and this Azores base agreement is simply one of the minor arrangements permitted under the NATO Treaty which was designed for the mutual protection to which NATO is addressed and in which the Senate heartily concurred some 20 years ago.

The Senate gave its support to that treaty. They have not revoked that support, thank God. They certainly do not have to go back over every jot and tittle and over every dotted "i" and every crossed "t" of every decision taken to carry out the intentions and purposes of that treaty.

The other answer, if the gentleman will permit me, is that this is, after all, a temporary arrangement.

It has only got 2 more years to go. If we were to handle it as a treaty, it would appear to be some permanent thing. This is a temporary arrangement; and I think any student of foreign affairs—and I do not pretend to be one—but we have a lot of experts on the committee—any student will tell you there is a distinction between the kind of thing you want ratified by a treaty and those lesser more temporary arrangements that you want to apply by virtue of executive agreement.

Mr. SEIBERLING. If the gentleman will yield further, does the gentleman agree that this is a technical argument that he made? But the point he made previously is a matter of substance and it seems to me, if all we are talking about is whether it should be submitted as an agreement, the simple solution would be to submit it to the Senate and be done with it.

Mr. STRATTON. I do not object to submitting it over there, but the thing I do object to is destroying the present base while the Senate argues.

After all President Kennedy fought for 9 years to keep this base going because he knew how vital it was to our defense. And now are you and I going to destroy it this afternoon? I certainly hope not.

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

Mr. STRATTON. I yield to the gentleman.

Mr. HAYS. The gentleman put his



finger right on the argument—because the way the Senate Foreign Relations Committee is operating now, deliberately all the time trying to embarrass the President, they would not get around to bringing this out of the committee in the next 18 months.

Mr. STRATTON. The gentleman has made a very good point.

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

Mr. STRATTON. I yield to the gentleman.

Mr. ZABLOCKI. Further funds for Portugal would cease in the fourth year of our agreement until there would be a ratification by the Senate or a resolution passed by both Houses of Congress.

We would, indeed, be reneging on the agreement we made in 1971—predated to 1969.

Mr. STRATTON. The gentleman is absolutely right. I think it would be an insane way to conduct our foreign policy.

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

Mr. STRATTON. I yield to the gentleman from Tennessee, a former officer in the Navy who knows much more than I do by far about antisubmarine as well as submarine warfare.

Mr. ANDERSON of Tennessee. Mr. Chairman, I appreciate the gentleman yielding. I had planned on speaking in length with regard to the amendment, but I think it has been covered very, very well by the gentleman from Connecticut who introduced it and by the gentleman in the well and by other Members.

I think, in analyzing this situation, we can be quite assured that if this amendment fails—if this section is not stricken out of the bill, we will indeed seriously jeopardize our continued use of the Azores for some very, very viable military purposes.

Mr. STRATTON. Mr. Chairman, I thank the gentleman for his valuable contribution. His words I know will be heard with great respect by every Member of this body because of his distinguished service in the U.S. submarine service.

Mr. Chairman, under leave to extend my remarks, I include a letter on this subject which I received from Secretary of State Rogers under date of August 8, 1972, and also two fact sheets on the strategic value of our base at Lajes in the Azores which will, I believe be of interest and value to every member of the committee:

THE SECRETARY OF STATE,  
Washington, August 8, 1972.

Hon. SAMUEL S. STRATTON,  
House of Representatives.

DEAR MR. STRATTON: As you know, on July 19 the House Foreign Affairs Committee approved H.R. 16029, a bill to amend the Foreign Assistance Act of 1961. The Committee added a new section, 7(y), which would provide that:

"No assistance shall be furnished and no monies shall be expended under this or any other Act, including the EX-IM Bank Act, for Portugal, until and unless the Senate advises and consents to the Agreement of December 9, 1971, with Portugal continuing U.S. base rights in the Azores, or both Houses of Congress by resolution approving of such an agreement."

I understand that, during debate on H.R. 16029 this week, you are proposing an amendment to strike the above section. I write to

you now in unqualified support for your action and to explain the reasons for such support. I have written a similar letter to Congressman Gerald R. Ford. On December 9, 1971 I concluded an exchange of notes with the Portuguese Foreign Minister extending until February 4, 1974 our rights to station forces in the Azores in time of peace. These rights stem from the bilateral agreement of September 6, 1951, concluded pursuant to Article 3 of the North Atlantic Treaty. This was only one of a number of executive agreements negotiated under the North Atlantic Treaty for the stationing of United States forces in NATO countries. We have concluded similar agreements with Belgium, Canada, Denmark, Germany, Greece, Iceland, the Netherlands, Turkey, and the United Kingdom. Thus, the agreement with Portugal was concluded in a manner consistent with our long-standing practice in concluding agreements implementing the NATO Treaty.

On the occasion of Portuguese Foreign Minister Patricio's visit to Washington in November 1970 a joint statement was issued stating that the United States was offering to initiate a PL-480 program in Portugal, that the Ex-Im Bank would give due consideration to applications relating to specific development projects in Portugal, and that an oceanographic research vessel would be supplied to Portugal. At the time of the exchange of notes on the Azores base rights I gave the Foreign Minister a letter outlining the above offers and, in addition, an offer of \$1 million to assist Portugal's educational reform program and up to \$5 million in excess nonmilitary property. These offers were all authorized by United States legislation in effect at the time, and neither government had any reason to suspect that an effort might be made to modify that legislation.

The agreement with Portugal does not require the United States to use facilities in the Azores, or to station forces or establish a base there and it does not in any way alter the security commitment to Portugal under the North Atlantic Treaty. In fact, to conclude the agreement either as a treaty or a formal agreement pursuant to joint resolution of Congress might imply a degree of permanence and importance not warranted by the agreement. Moreover, Congress already has power to review the Azores or other base agreements by consideration of appropriations for the base.

I urge Congress to consider the impact which this provision would have on our overall security posture. Failure to delete it will be seen as a deliberate affront to a NATO ally. It would also jeopardize retention of our military facilities in the Azores which are very important for surveillance of Soviet submarine activity in the mid-Atlantic and for aircraft staging in that area.

I realize that the Congress has a continuing interest in the form in which agreements, such as the agreement with Portugal, are concluded and that the pending amendment reflects that concern. The Department of State will make every effort to keep the appropriate congressional committees informed of important agreements under negotiation and to consult with those committees whenever there is a serious question whether an international agreement is to be made in the form of a treaty, executive agreement submitted to the Congress, or otherwise. I hope, however, that Congress will not allow its concern for working out mutually satisfactory arrangements in this respect to force the United States to backtrack on this important agreement with Portugal.

With best personal regards,

Sincerely,

WILLIAM P. ROGERS.

#### LAJES AIR BASE

The strategic mid-Atlantic position of Lajes Air Base, on Terceira Island in the Azores, makes continued unrestricted use of

the airfield essential to our nation's anti-submarine warfare (ASW) and ocean surveillance posture, and—in the event of hostilities—also essential to NATO's control of the Central Atlantic. The Azores occupy a key position astride vital commercial shipping lanes from the oil-rich Persian Gulf and the South Atlantic to Europe, North America, and the Mediterranean. Consequently, the islands are a natural choke point and ideal support base for ASW and ocean surveillance operations.

Our facilities agreements relative to the Azores are of precisely the same nature as those entered into with our other European allies in implementation of the North Atlantic Treaty; we use their facilities in the course of fulfilling our NATO obligations, as well as in support of our strictly national plans.

In the current fiscal climate, and within existing or projected maritime patrol squadron or ASW aircraft carrier force levels, there are no acceptable risk alternatives to use of the Azores. To provide a continuous, on-station ASW and surveillance capability equivalent to that afforded to us through use of the Azores would require either more ASW aircraft carriers, more patrol aircraft squadrons, or some combination of both. For example: to keep one aircraft on continuous patrol 360 miles west of the Azores currently requires 10 aircraft operating from Lajes; it would take 30 aircraft operating from Rota, Spain—our closest alternate—to accomplish this same coverage. (In the absence of Lajes, there would be a gap in our ASW and surveillance coverage that would be over twice the size of the state of Texas, a gap plainly evident to the Soviets.)

Due to the geometry of High Frequency Radio Direction Finding, our HFDF facility in the Azores is an essential element in the Atlantic HFDF net. This net provides extremely valuable information about ship and aircraft movements across the North and Central Atlantic. The facility on the Azores is the only station capable of providing 360 degrees coverage of the area.

The Portuguese recognize that the quid pro quo we provided in connection with the present agreement is exceedingly modest. They have watched the proceedings related to the Malta base rights agreement—and the generous settlement they produced—with great interest. Since this piece of real estate is so important to our maintaining control of the North Atlantic in the event of hostilities it is essential that we keep our operating rights while we endeavor at the same time to keep the costs to the US as low as possible. Alternative force levels that would be required to offset the loss of Azores operating rights would be prohibitively expensive. The more attention devoted to the issue of the US military presence on the Azores, the more we can expect to pay for renewal of our rights there when the existing agreement expires in two years.

#### STRATEGIC IMPORTANCE OF LAJES AIR BASE

The Azores occupy a very key strategic location, covering vital commercial routes from the South Atlantic as well as the approaches to the Mediterranean. As such they can act as a choke point for ASW operations, and provide a support base for surveillance operations and protection of convey routing.

The Atlantic sea lines of communication are vital to the reinforcement of NATO in the event of hostilities.

The major portion of Europe's fuel supply must pass through the sea areas surrounding the Azores.

On any given day there are 1400 Western flag ships on the routes between Freetown and Brest, fully one third of the Western flags in the Atlantic.

Loss of Azores operating rights would have the following impact on NATO and U.S. strategic posture:

Leave an ASW/ocean surveillance gap in

the mid-Atlantic twice the size of the state of Texas, a gap that would be plainly evident to the Soviets.

Require a manifold increase in patrol plane assets to cover the area from the nearest operating base, i.e. areas that 10 aircraft could cover would require 30 aircraft from the next nearest base (Rota).

In the event of hostilities in Europe, reinforcement routes to NATO via the sea lines would be forced northward into higher threat areas. This would be necessary in order to provide some ASW support to shipping from other bases around the Atlantic rim.

Defense against the Yankee class SLBM submarines operating in the area of the mid-Atlantic would be severely weakened. There is simply no strategic alternative which will provide the reaction time, time on station or economy of ASW assets now available through our operating rights at Lajes.

Peacetime operations provide the basic knowledge of Soviet operating procedures and locations that are essential to wartime success. There is no alternative to Lajes for peacetime or wartime operations in the mid-Atlantic area.

Mr. HOSMER. Mr. Chairman, I move to strike out the last word and rise in support of the amendment.

Mr. Chairman, I simply want to join those who have spoken in behalf of the amendment offered by the gentleman from Connecticut (Mr. MONAGAN) and I urge that it be passed.

If we had our druthers around the world in a lot of situations, those situations would be different. Our philosophy is not the same philosophy of many of those who control much of the real estate of the globe.

But when it comes to an important and vital piece of that real estate—a piece that affects the national interest and the national defense of the United States of America, then we must look to our own self-interests. That is why I support the gentlemen who have spoken in behalf of the amendment and urge that it be passed.

Mr. FRASER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I commend the author of this amendment that appears in the bill. I think the committee deserves to understand what lies behind the amendment.

Portugal is expending most of its defense resources and has deployed most of its armed forces in excess of two-thirds, if my memory serves me correctly, in an effort to maintain control over territories in South Africa, and the southern part of Africa—Angola and Mozambique.

This has been an enormous drain on Portugal's economy.

The Africans are united in opposition to Portugal's efforts to maintain territorial control in the southern part of Africa. They see in the U.S. policies of the past an alliance between the United States and Portugal which assists Portugal in its efforts to maintain this colonial control. Portugal does not acknowledge that it is trying to maintain colonial control. It asserts that these territories, Angola and Mozambique, are actually part of Portugal and that there are indigenous civil wars going on in each of these areas.

All of Africa sees the United States locked firmly into an embrace with the Government of Portugal, which itself has

little or no claim to being founded on the consent of the governed. This is a traditional case of the United States being in partnership with a government which does not respect the basic values upon which our Government is grounded—the consent of the governed, the right of free speech, the right of free assembly, and the right to self-determination. This is why I think the Senate, the other body, voted to advise the President that these kinds of agreements relating to the use of the Azores should be submitted to the Senate for ratification. The President took note of this and apparently had no interest in following it.

There was a study made by the Pentagon several years ago as to how important the Azores are. At that time the determination was that the Azores were not essential to the defense of the Western World. It may be that changes have occurred that now make it essential, but that is why this provision calls for submission of the agreement to the Congress so that our colleague from New York (Mr. STRATTON), who is an expert in defense, could appear before the appropriate committees and make the case, as could the Pentagon—the Navy, and the other armed forces. In other words, they ought to explain why it is important for the United States to be locked into this kind of a relationship with an undemocratic government which is expending most of its resources not in support of NATO.

If you look at the force structure of Portugal, you will find that they have virtually nothing to contribute to the NATO defense except perhaps some geography. Their resources are dedicated to the preservation of their African empire. This is not a position I think the United States want to endorse or imply its consent to.

That is the point. Why not submit this agreement to the Congress and have this discussion, and then if the case can be made that this is sufficiently important so that we override our basic concerns for human dignity and decency—if that case can be made, then, of course, Congress will accede and pass the resolution.

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

Mr. FRASER. I will be glad to yield to the gentleman from New York.

Mr. BINGHAM. Is it not also a fact—and I commend the gentleman for his statement—that this agreement is extraordinary in another respect in that it involves the use or nonuse of an agency, the Export-Import Bank, as a kind of bribe for a political purpose? Reference has been made that this involves a small amount of money, I think, by the gentleman from Massachusetts. This involves \$400 million of Export-Import Bank funds as a kind of quid pro quo for a political agreement. This is the sort of thing that should be submitted to the Congress in the first place for approval. It is out of the ordinary; it is extraordinary; it is not just another executive agreement, and it should have been brought here for full consideration.

Mr. FRASER. I wonder, too, if the gentleman would agree with me that if Portugal is a NATO ally, Portugal would

find it in her interest to provide the Azores without charging us for them.

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

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

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

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

Mr. BINGHAM. Mr. Chairman, I certainly would agree with that statement. I think this has been perfectly clear that over the years Portugal wants to have the United States in the Azores, and that, therefore, there is not the slightest basis for the fear that if this provision were to stay in the bill we would lose the right to use the Azores in the meantime.

Mr. FRASER. My understanding is, and I may be mistaken, that we do not pay anything for the submarine base at Holyloch. I think the British find that our presence there is in their interest and in our interest under the NATO Treaty. Portugal, for some reason, extracts from us substantial economic concessions which contribute to her capacity to wage this colonial war in the southern portion of Africa. This is what is disconcerting.

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

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

Mr. DELLUMS. I thank the gentleman for yielding to me. I would like to commend the gentleman for his candid and articulate remarks. I think he has made the point very clearly. I associate myself with the gentleman's remarks.

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

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

Mr. ZABLOCKI. Mr. Chairman, is it not true that if the language that is in the bill would remain, we would be breaking the agreement? What the gentleman says is that Congress was not advised, which is valid, but in view of the fact that the agreement has 1 more year to run, I see no valid reason to abrogate that agreement for whatever reason. When it is renegotiated, that would be the time to bring up the proposition that the language in section 7(y) proposes to deal with, but it does not belong in the bill at this time, I submit.

Mr. FRASER. I would only say to the gentleman, we have the same effect when we refuse to appropriate money, as we have recently, and we have broken some international agreements. There seems to be no concern about breaking international agreements. It seems to me the review of this agreement is not an extraordinary thing.

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

Mr. Chairman, I have over 40,000 Portuguese Americans in my constituency. While I have not been to Angola and Mozambique, I have been on several occasions to Portugal, and I am in intimate contact with many Portuguese Americans in this country.

In my view Portugal has made great strides with the economic assistance and to some extent the military assistance



we have contributed. They are making great strides in the fields of education and social programs and, yes, they are leaning toward becoming a more democratic nation.

Certainly if we can approve the rapprochement with China and with Russia, whose democracy is nowhere near that which we find in Portugal, we can have hopes for Portugal's future. I believe that in this case benefits will accrue to us and to the Portuguese that will far exceed those which we can hope in the immediate range to flow from our arrangements with Russia and China.

I would hope we will be patient with Portugal and its problems. The Portuguese have made great progress, and I know they can make more as they come into closer and closer contact with us and other democratic nations.

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

Mr. KEITH. I yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. Mr. Chairman, I would like to clarify very briefly the connection that the Export-Import Bank has with the agreement that was entered into with respect to Portugal. The gentleman from New York (Mr. BINGHAM) charged just now and he made a similar assertion yesterday, that there was some kind of abuse of normal procedures, to which he objected. As I recall it, the gentleman said there was some kind of bribe involved.

That is quite obviously not the case, Mr. Chairman. I think the gentleman from New York may be deceiving himself into thinking there has been some kind of abuse, and I am afraid he might conceivably be confusing others.

Let me read the statement about the lease from page 9 of the committee report:

The United States has agreed to provide a 2-year Public Law 480 program in the amount of \$15 million per year. Also, the Export-Import Bank of the United States has declared its willingness to provide, in accordance with its usual loan criteria and practice, the financing for U.S. goods and services for development projects in Portugal.

There is nothing under cover. There is nothing unusual about this procedure. There is no kind of bribe involved at all. These are the normal practices followed by the Bank, and I think the situation needs to be clarified, to eliminate any possible misunderstanding that the remarks of the gentleman from New York might have left.

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

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

Mr. BINGHAM. Mr. Chairman, I do not want to take further time on this, but, as I pointed out yesterday and as is very clear in the committee report, the program of economic assistance is very clearly stated to have been in lieu of a formal payment for the base rights, and the program of economic assistance included \$400 million of Export-Import Bank loans.

If the normal procedure for the Export-Import Bank were to be followed there would be no figure and there would

be no assurance. The projects would be listed one at a time on their merits.

It is perfectly clear that the administration made a commitment that Portugal was going to get \$400 million of Bank loans in return for the base rights.

I thank the gentleman for yielding.

Mr. ANDERSON of Tennessee. Mr. Chairman, I strongly support the amendment offered by the distinguished gentleman from Connecticut.

If his amendment fails, we will seriously jeopardize our continued use of the Azores Islands for vital military purposes.

These islands, and the facilities which the Government of Portugal makes available to U.S. forces, are essential to our Nation's antisubmarine warfare and ocean surveillance efforts. They would play a central role in winning a battle of the Atlantic and in reinforcing our forces in Europe in time of war.

From the Azores Air Base, our patrol squadrons are able to maintain surveillance over some of the most important sea lanes in the Atlantic, including the vital tanker routes from the Persian Gulf to Western Europe. As we become more dependent upon Middle East oil, the Azores will become even more important to our own security.

Loss of this base would create an enormous ASW/ocean surveillance gap in the Central Atlantic, about twice the size of Texas. This gap would be plainly evident to the Soviet Union and could easily be used either against allied shipping or as a sanctuary for their ballistic missile submarines. To cover the same area from Rota, the nearest other airfield, would require at least three times as many patrol aircraft as we would use from the Azores. In short, we cannot place our use of this air base in jeopardy, without seriously considering the greater effort and money otherwise required.

Another facility which we cannot afford to lose is the high frequency direction finding facility now located in the Azores. Both geography and the geometry involved in radar direction-finding makes the Azores facility the indispensable hub to our Atlantic direction-finding network. This network provides invaluable information on ship and aircraft movements across the North and Central Atlantic.

We all understand the necessity for our Armed Forces to conduct peacetime operations in areas which could become wartime theaters. Only in this way can the procedures and patterns of a potential enemy be made familiar to our forces.

At the same time, our forces gain the invaluable experience of actually operating in areas of critical wartime importance. More important, our readiness in peacetime is fundamental to the deterrence of aggression. Current operations from the Azores are a central part of that deterrent posture.

To summarize, the security of the United States and of the NATO Alliance depends heavily on the continued unrestricted use of facilities in the Azores by our Armed Forces. The present agreement between the United States and Portugal providing for this necessary

usage was properly executed under the provisions of the North Atlantic Treaty and need not be made subject to a separate treaty ratification as the amendment being discussed would do. Therefore, I urge your support in deleting section 7(y) from the Foreign Assistance Act of 1972 and pass Mr. MONAGAN's amendment for deletion.

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

Mr. Chairman, I believe the vote on this amendment is not whether to approve or disapprove of Portugal's policies in Africa, but really and particularly whether or not we consider that the expertise of the gentleman from New York (Mr. STRATTON) and some others, who point up that the Azores are critical for American national defense, is of importance.

I wish to add my reservations about the language in section 7(y) of the amendment to the foreign aid bill of 1972. The amendment will jeopardize the use of facilities in the Azores that are of vital importance to the security of the United States and to NATO.

The strategic location of the Azores permits our Navy to operate its long-range patrol aircraft into the central and North Atlantic. Loss of these operating privileges would require a tenfold increase in patrolling aircraft to approximate the same coverage. Even then, thousands of square miles of ocean would not be covered at all. The increased threat to the United States from Soviet ballistic missile submarines is obvious.

Loss of the operating bases in the Azores would degrade the ASW protection for the vital sealanes that link the Mediterranean, Europe, and the United States including Europe's lifeline of oiler tankers from the Persian Gulf.

Peacetime operations from these bases provide the knowledge and experience necessary for wartime success in the area. Lajes Airbase in the Azores also provides invaluable staging and support facilities for replacement of tactical aircraft for our air and naval forces in Europe and the Mediterranean.

The high frequency radio direction finding facility in the Azores is the indispensable hub of the entire Atlantic direction finding network. Its loss would render incalculable harm to the U.S. surveillance effort in the Atlantic.

The agreement which allows our unrestricted use of facilities in the Azores was properly concluded with Portugal under the North Atlantic Treaty and is similar to those agreements we have with our other NATO allies regarding operating rights. Enactment of this amendment would give unneeded publicity to this present agreement and could lead to difficulties in renewing it.

Without the facilities in the Azores, many more ships and aircraft would be required in order to gain control of the Central Atlantic. The fiscal realities of the day make that kind of funding unlikely. Therefore, I believe it imprudent for the Congress to risk precipitating an action which would require major expenditures to avoid compromising the Nation's security.

I urge the deletion of section 7(y)

from the Foreign Assistance Act of 1972 by passing Mr. MONAGAN's amendment to strike this section of the bill.

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

Mr. LEGGETT. I certainly yield to the majority leader.

Mr. BOGGS. I commend the gentleman on his statement. I believe he is exactly correct.

Mr. Chairman, I strongly support the esteemed Congressman from Connecticut in his proposed amendment to strike section 7(y) from the Foreign Assistance Act. A number of my colleagues and I have become increasingly concerned about this section and the dangerous consequences which it would have for the security of the United States. From my contacts with responsible officials in the State and Defense Departments, it is apparent that my concerns are unanimously shared at all levels within those Departments as well. This section which was approved by the House Foreign Affairs Committee as an amendment, provides that all assistance and expenditures in support of the Azores agreement will be terminated unless the Senate advises and consents to the agreement or both Houses of Congress approve of such agreement by resolution.

The offers made by the United States to Portugal under the agreement dated December 9, 1971 were all in accordance with existing congressional legislation. They consisted of the initiation of a Public Law 480 program; consideration of specific Portuguese development projects by the Export-Import Bank; an oceanographic research vessel; \$1 million to assist Portugal's educational reform program; and up to \$5 million in excess nonmilitary property. Action taken now in the form of a proposed amendment to modify this legislation would undermine a commitment made by the United States and negotiated in good faith by the two governments concerned.

I am particularly concerned that this action could jeopardize our retention of key military facilities in the Azores and thus have serious consequences in respect to our security interests in the Atlantic and European/Mediterranean areas.

As you are well aware, the Azores continue to be of major strategic importance to the United States. Specifically, our facilities located there contribute to U.S. security needs as follows:

The naval expansion of the U.S.S.R. serves to increase the strategic significance of the largely ASW-related ocean surveillance activities conducted from the Azores.

Favorable weather conditions generally prevailing in the area cause the Azores air base to be regarded as extremely valuable for aircraft refueling and staging over that part of the Atlantic.

The Azores communications facilities and navigational aids contribute importantly to the effectiveness of air and naval operations in the mid-Atlantic.

The base serves as a key installation for search and rescue operations and as an emergency landing facility.

The Azores base is an important link

in our defense arrangements pursuant to the North Atlantic Treaty and has a significant role in the United States' ability to move materiel and reinforcements to Europe and to the Mediterranean area. Further, the Azores provide the United States with the most economical means of accomplishing its security missions in the mid-Atlantic. Considerable costs would be required to try to duplicate these facilities elsewhere. Moreover, from an operations standpoint, significant elements of the mission of the Azores-based units could not be carried out satisfactorily at other locations.

In view of the above, I am hopeful that my colleagues will see fit to join me in supporting the Monagan amendment to delete section 7(y) from the Foreign Assistance Act.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Connecticut (Mr. MONAGAN). The amendment was agreed to.

Mr. HEINZ. Mr. Chairman, today and tomorrow as we consider the Foreign Assistance Act of 1972 and I rise to express grave concern about at least one area of this funding proposal.

It has come to my attention, and is being thoroughly investigated by both my Washington and Pittsburgh staffs, that the Government of South Korea is involved in what appears to be an alleged incident that hints at impropriety, if not outright extortion, involving an American citizen and constituent of mine from the 18th Congressional District of Pennsylvania.

I will relay the facts as I have them:

Some months ago in Korea, Capt. and Mrs. Robert Verona were approached by a Korean woman who indicated that her infant son, fathered by an unidentified American, would have a better environment in which to grow if he were adopted by Americans, specifically the Veronas.

The child, Sin-Li Ki, was placed in the custody of the Veronas by the mother who signed away her legal right to the child and formal adoption proceedings were begun. These were successfully completed in May of this year and shortly thereafter, as the Veronas were due for return to the States, formal application for a passport was made with the official government passport agency in Seoul.

Due to processing circumstances, the Veronas were forced to return to this country without their new son, who is now known as Anthony Richard "Ricky" Verona. He was placed for the time being with American friends of the Veronas, the Dunns, in Korea.

When the Dunns attempted to resolve the situation, they were informed by the passport agency officials, that an additional \$200 "fee" was necessary before the child's papers could be finally processed.

This prompted the Dunns to contact the U.S. Government Administration Counselors Office in Seoul where they were told, after an investigation by that office, that everything was in order and that no additional payment was to be made.

When the Korean passport office officials were informed of this, they then

told the Dunns that a "new" complication had come up and that the child would have to be placed in an orphanage for a period estimated at some 45 days until the matter could be resolved.

I am shocked and greatly disturbed by this information, which is being verified by Korean Embassy staff personnel here in Washington.

I reiterate the story to emphasize to my colleagues that I am serving notice that I will not rest until this matter is fairly and quickly resolved. I fully intend to wage an all-out battle on the floor of this Chamber to postpone or delete any appropriation of funds for Korea when the foreign aid appropriation comes before us later if I determine that the Korean Government is guilty of perpetrating such an extortion on American citizens. It is one thing to assist a friendly nation through foreign aid. It is quite another to bankroll irresponsible government that condones the equivalent of kidnapping helpless children.

Mr. COTTER. Mr. Chairman, I want to commend the constructive action of the Foreign Affairs Committee in its decisions on programs dealing with Israel. I well know of the strong bonds our country has with the beleaguered nation of Israel. Our country has never refused to provide needed assistance to this courageous nation and the funds provided in the foreign assistance bill continues this commitment.

By this action Congress will provide over \$50 million of supporting assistance and earmark over \$300 million, almost one-half of the entire military sales program, to be available solely to Israel.

This action assures that Israel will not be without the assistance of the United States. I am proud to support this legislation and I will oppose any effort to limit this needed aid to Israel.

Mr. BADILLO. Mr. Chairman, I harbor some very grave concerns over a number of aspects of our foreign assistance program and I continue to be troubled by certain policies on which our giving of aid is based. However, I rise in support of this legislation as it affords the House another opportunity to clearly go on record that we are opposed to a continuation of the senseless, bloody, immoral and illegal military misadventure in Southeast Asia.

Section 13 of this measure calls for the termination of American military activities in Indochina before the end of this year, contingent upon the release of U.S. prisoners of war, an accounting of the missing and a limited cease-fire. Surely action on such a modest proposal is long overdue and the Congress must not shirk from the responsibility of taking the initiative to bring an end to the war in Indochina.

Congress has already made clear its intent that all military operations of the United States should be terminated in Southeast Asia. Last November we enacted Public Law 92-156. Last year we also repealed the Gulf of Tonkin resolution which had repeatedly been cited as the legal basis for our intervention in Indochina. I believe that by taking this action we attempted to clarify that the



President had authority to follow one and only one course of action in Vietnam—to withdraw U.S. troops and end the war.

However, Mr. Nixon apparently failed to receive the message. Instead of taking meaningful action to bring an end to our involvement in this disastrous and costly war, he moved to escalate our military involvement by resuming the bombings of the north and mining the harbors of North Vietnam. Further, he has, through one means or another, discouraged the efforts of the negotiators in Paris. The efforts of his personal emissary, Dr. Kissinger, have been completely fruitless and the national security adviser has returned from secret negotiations empty-handed. In the process of continuing to vigorously prosecute the war and needlessly escalate our presence and involvement in it, Mr. Nixon has done grave damage to the very foundations of this republic by ignoring provisions of the Constitution and by disregarding international agreements to which the United States is a party.

Mr. Chairman, our Democratic colleagues mandated the Foreign Affairs Committee to report legislation establishing a date certain by which all U.S. military involvement in, around, and over Indochina would be terminated. Such legislation is now before us and I commend the committee for taking such action. We have no alternative but to lend our fullest possible support to the letter and spirit of section 13 and enact legislation to bring a prompt end to the war. Our constituents fully expect us to take such action as poll after poll indicates that the vast majority of Americans are sick of being lied to and deceived, of hearing the daily counts of dead and wounded, of having to sacrifice solutions to pressing domestic problems so that the war machine can contribute to rumble along and of seeing the very principles upon which this country was founded ignored or abrogated.

We can wait no longer. In the absence of any leadership by the President to bring about a prompt and effective end to the war in Southeast Asia, the Congress must move to bring a halt to it. I urge our colleagues to support this effort and to firmly resist any attempts to weaken section 13. Let us end at once this darkest of chapters in American history and get about the business of developing solutions to the many and varied problems with which we are beset—housing, education, unemployment, job training, minority rights, health, and countless other difficulties facing us, a great number of which are the direct result of our preoccupation with this war and our grossly distorted national priorities.

Mr. FINDLEY. Mr. Chairman, section 4 of H.R. 16029 amends the Foreign Assistance Act of 1961 to provide an authorization for the appropriation of \$769 million for security supporting assistance for fiscal year 1973. According to the committee report, of this amount, \$50 million is specifically earmarked for Israel. It also makes available assistance to other nations, including two others in the Middle East.

The committee report goes on to state that—

Security supporting assistance is an essential element in helping our friends and allies defend themselves. The criteria for providing this supporting assistance and military grant and sales assistance are similar.

In the case of Israel, the \$50 million "will allow the Israeli Government to meet the expenditures caused by such extraordinary requirements as the resettlement of new immigrants and increased military burdens."

Few will object to providing assistance to Israel for resettlement of immigrants and to meet its legitimate defense needs. I certainly favor such support.

In fact, I recognize that Israel has been under military threat in the past and may have such problems in the future. Legitimate interests must be recognized, and the United States has a special responsibility in this regard.

Our Government has a similar responsibility to other nations of the area, as expressed in the Middle East Resolution enacted by Congress in 1958 and more recently in our support of United Nations Security Council Resolution 242 which was enacted in 1967.

That support, enunciated by Secretary of State Rogers and restated as recently as April of last year, specifies that—

The Arab governments concerned should accept a permanent peace based on a binding agreement with Israel, and that the Israelis should withdraw from territories occupied in 1967 when their own territorial integrity and security and their right to exist as a nation were assured as envisaged in the Security Council resolution. That position called for agreement on secure and recognized boundaries in which any alterations from the 1967 lines should be insubstantial.

Today's action should not be interpreted as lessening our commitment as a nation to the implementation of the United Nations resolution. By supporting the U.N. resolution, our Government declares that Arab governments must recognize the right of Israel to exist as a nation and to have the integrity of its territory protected, and that Israel should withdraw from territories occupied in 1967.

The peoples of the Middle East retain a great friendship for Americans. This was made abundantly clear to me on my recent trip to Egypt and Israel, where I was warmly received everywhere I went.

At a time when the status of Soviet influence in Egypt is so fluid, and when the need for peace and stability in the Middle East is so important, it behooves the Congress to make clear its own continuing support for adherence to the 1967 United Nations resolution, and its determination to recognize and support the legitimate rights of all nations in that area of the world.

Mr. BIAGGI. Mr. Speaker, I rise in support of the foreign assistance bill. I especially support section 7 of the bill which calls for the suspension of assistance to Thailand because of their significant contributions to our drug problems. My distinguished colleague from New York (Mr. WOLFF) should be especially cited for his efforts in this field of combating the flow of dangerous drugs into the United States.

I have long been a supporter of ef-

forts aimed at eliminating the illicit traffic of narcotics. Attempts must be made to stop the growth of the drug problem at the source, the overseas supplier. I was an original cosponsor of legislation which called for the cutting off of all economic and military aid to countries who have failed to take appropriate steps to halt illegal narcotic traffic into the country.

It seems tragically ironic that those countries who are receiving our assistance, are at the same time significant contributors to our drug abuse problem. I think the time is long overdue for us to take appropriate actions to halt this outrage. I support the concept of foreign aid, but I vigorously oppose the dispensing of aid to countries who flagrantly abuse our generosity, such as Thailand.

I feel that section 7 of this bill represents a significant step in eliciting cooperation from recipients of our foreign assistance. It is no secret that the opium production in Thailand is quite extensive, and very easily brought into the country. We have seen documentaries on national television and read accounts of the Thailand operations in major newspapers throughout the United States. Yet there are some who will say that it is not in our best interests to stop sending money to Thailand because they are an ally, and it might strain our relations. However, is it not more indicative of an ally to have Thailand cooperate with us in trying to rid the United States of its dreaded drug abuse problem? That is the real issue here.

I urge my colleagues to pass this amendment unanimously and begin to show other countries that we will no longer tolerate the ruination of countless lives by the poison opium.

Mr. VANDER JAGT. Mr. Chairman, the United States and Portugal have significant policy differences over the future status of the Portuguese African territories. Portugal considers them to be integral parts of the Portuguese nation, while the United States under three successive administrations has consistently recorded its position as favoring self-determination for the peoples living in the territories. I strongly support this position. The question of Portuguese Africa, however, has nothing to do with our use of the base facilities in the Azores.

It has been suggested on this floor that in the December 9, 1971, agreement the U.S. Government paid an exorbitant amount in exchange for rights to station troops in the Azores. It has even been suggested that this huge infusion of financial help to the Portuguese Government will permit it to carry on its policies in Africa.

The facts simply do not support such suggestions. What are the facts? First, the figure bandied about as representing the amount of aid that the United States agreed to supply Portugal is around \$435 million. If it were true that this Government had made any such deal with Portugal for base rights, I might find myself supporting this section of the foreign assistance bill and opposing the amendment that would strike this section. The truth is, however, far removed from such suggestions. The aid promised Portugal

only consists of the loan of a research vessel, \$1 million for educational reform, \$5 million in nonmilitary excess equipment—figured as its new acquisition cost, not current value—and a 2-year Public Law 480 program under which we will sell Portugal \$15 million in corn per year under deferred payment terms. Portugal will pay for the grain in dollars and with interest. That is it—there is nothing more, and the Portuguese Government would be the first to acknowledge that that is all it got for bases which the United States clearly needs.

At the time that the agreement was reached, the Export-Import Bank announced its willingness to consider—I repeat consider—applications for the export of U.S. goods and services to Portugal in connection with development projects being undertaken there. The Bank clearly stated that these applications would be considered “in accordance with the usual loan criteria and practices of the Bank.” Export-Import Bank credit facilities can only be considered assistance in the sense that they assist American companies seeking contracts abroad in competition with foreign firms seeking the same business.

Second, the modest amounts of assistance that I have elaborated on here were specifically made available for projects in European Portugal, not in Portuguese Africa. Some critics would say that such a distinction is artificial, and that any assistance at all which is given to Portugal aids in the retention of the African territories or frees funds for the prosecution of colonial wars. To anyone who is familiar at all with Portugal, this is a clear absurdity. Portugal has been fighting three wars in Africa for the past 10 years without any assistance from the United States. We have a military embargo on equipment for the Portuguese territories, and Portugal as a result manufactures its own war material or gets it elsewhere. Finally, I might point out that Portuguese foreign exchange reserves are now at an all-time high and total roughly \$2 billion. Clearly, Portugal has the wherewithal to remain in Africa without depending on the small amount of assistance promised on connection with the extension of the Azores base.

I hope that Members who have been concerned with Portuguese policy in Africa in connection with this agreement will take account of the real facts of the situation and join me in voting for the amendment striking this section from the bill.

Mr. MORGAN. 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. PRICE of Illinois, Chairman of the Committee of the Whole House on the State of the Union, reported that the Committee, having had under consideration the bill (H.R. 16029) to amend the Foreign Assistance Act of 1961, and for other purposes, had come to no resolution thereon.

#### GENERAL LEAVE

Mr. ZABLOCKI. Mr. Speaker, I ask unanimous consent that all Members

who wish to do so may have 5 days to revise and extend their remarks during debate on the bill H.R. 16029, to amend the Foreign Assistance Act of 1961.

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

There was no objection.

#### LETTUCE BOYCOTT

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

Mr. DIGGS. Mr. Speaker, on July 31, I circulated a letter among the Members of the House asking their support and signature of the following letter addressed to all Cabinet officers:

JULY 31, 1972.

DEAR MR. SECRETARY: There is currently a national campaign, involving unions, religious and consumer groups, to boycott iceberg lettuce which does not carry the seal of the United Farm Workers.

This boycott has developed as the last resource available to thousands of agricultural workers in the western United States who are forced to work under sub-standard and difficult conditions for sub-standard salaries.

We are asking you, in the name of hundreds and thousands of concerned citizens both here in the District and throughout the United States, to instruct Government Services Incorporated to suspend their purchases and deliveries of non-UFW lettuce to your departmental cafeteria.

This would be a significant step toward ending any exploitation of citizens who work in the agricultural industry.

In response one of our colleagues stated that such action would be interfering in a jurisdiction dispute between two labor unions, the United Brotherhood of Teamsters, and the United Farm Workers.

Mr. Speaker, there is no jurisdiction dispute. The jurisdictional dispute that did arise soon after the termination of the grape strike was settled over 16 months ago on March 26, 1971, in Los Angeles, Calif. This information was reconfirmed by conversations with representatives of the two unions here in Washington, and with officers of the Western Conference of Teamsters in California.

Let me address myself to two questions raised in a communication mailed to all congressional offices which was a direct response to my own letter.

First. It is understood that there is no strike in progress at the present time. What we are most concerned about is the national boycott of lettuce. The strike, which ended in 1970, is important only insofar as it indicates workers' support for and cooperation with the United Farm Workers Union.

Second. To say that 90 percent of all lettuce in California is harvested by union labor says little, and also misses the point. Growers, Teamsters, and UFW are all aware of that, but that is not important.

What is important is that the growers have refused to act on the fact that the Teamsters and the United Farm Workers have agreed that the UFW should represent the field workers.

At issue here is a dispute between the

unions and the large agribusinesses that dominate much of the lettuce growing industry in the West.

On March 26, 1971, the leaders of the two unions met and resolved the key questions that affected the two unions and the agricultural workers.

The Teamsters, it was mutually agreed, would have jurisdiction over all workers engaged in packing and processing the lettuce. The United Farm Workers, on the other hand, was given jurisdiction to organize and represent field workers; that is, those who prepare the fields for planting, cultivating, and engage in manual harvest. Having reached this agreement, the Teamsters then announced they would step out of the contracts with the growers, and allow the UFW to enter into new contracts with them.

From that point on until today there has been no question of interunion disputes.

Rather, the question becomes this one: “Will the lettuce growers accede to the joint Teamsters-UFW agreement and allow the UFW to organize the field workers in the lettuce industry?” The response from the growers has been a long and consistent “No.”

Further, they maintain that certain UFW demands concerning hiring hall practices and rights to strike during harvest are impossible to accept.

It is becoming increasingly clear that agricultural workers, particularly minority workers in this area, are demanding the same rights and the same kinds of benefits enjoyed by industrial workers.

I urge my colleagues who are interested in manifesting their support for the United Farm Workers in a meaningful way to cosign this letter to the Secretaries of the departments and the heads of the independent agencies.

I repeat that this is not a jurisdictional dispute between two competing unions. Those issues are resolved. The issue is whether or not the growers will agree to let the UFW organize the field workers, as the unions among themselves have agreed is the correct and just path to take.

#### HANOI'S DIKE DUPLICITY

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

Mr. GROVER. Mr. Speaker, it is important that the true facts about North Vietnam's antiquated flood dike system be known by the American people in anticipation of a cresting in September by both the Red River and Hanoi's propaganda harpies at home and abroad.

The story is well stated in a recent editorial by William Randolph Hearst, which I set forth for the RECORD:

#### A MEMO ON DIKES

(By William Randolph Hearst, Jr.)

SAN FRANCISCO.—Today's column consists of a memo to me from Bill McCullam, our chief editorial writer in New York City, in which he enlarges at my request on an eye-opening editorial he wrote and sent to our papers.

The editorial appears in today's papers—and I think you will be as interested as I was in reading this incisive run-down on the important and controversial question it dis-



cussed—is the United States deliberately bombing the dikes of North Vietnam?

This question has made a lot of news recently, and it's going to make a lot more for reasons which will become clear. So, being more or less on vacation, I am happy to be able to knock off my own writing this week in favor of what follows—and here 'tis:

DEAR BILL: As stated in my editorial, it was less than six weeks ago that Hanoi launched what I called one of its most diabolic and successful propaganda offensives. It is most important to understand the timing of the campaign, and how carefully it has been orchestrated.

Having seen them first hand, you know that those primitive dikes are nothing like those in Holland. Instead they are a 2500-mile-long maze of interconnected earthen levees, hundreds of years old, whose prime function is to control the annual floodwaters of the Red River Delta.

In 1954 literally millions of the 15 million peasants living in the Delta died by drowning or famine when the dikes failed. Last year, with the dikes in disrepair because of war-caused manpower shortages, a similar tragedy struck.

This year the dikes are in worse shape than they have ever been, largely because normal erosion and collapses have gone unattended. Manpower for repairs is in far shorter supply than ever. And meanwhile the floodwater season of September is as imminent as the potential mass disaster that season involves.

With this factual background, and under this looming threat of nature, the North Vietnamese in late June began their latest propaganda offensive—pushing charges that the U. S. is deliberately bombing their system of dikes and dams.

Xuan Thuy, Hanoi's chief negotiator at the Paris talks, was one of the first to make the charge. He alleged that the U. S. is "purposefully creating disaster for millions of people during the coming flood season." He still was repeating the charges in Paris last Thursday.

Simultaneous with the launching of their allegations, the North Vietnamese Communists began conducting guided tours of the labyrinthian dike system. The Swedish ambassador to Hanoi and various correspondents of European newspapers there were escorted to selected areas where damage had clearly or presumably been caused by bombs.

In no time at all the haters of America, and those here at home seemingly willing to act as Communist agents, began echoing the enemy claim—that the U. S. was engaged in a calculated and monstrous crime against millions of helpless people.

At the same time Hanoi's invitations continued. Actress Jane Fonda, the far left activist who seems to be testing the limits of free speech, went and returned to vast television coverage with a movie showing damaged dikes which she claimed showed how they "are being bombed on purpose."

Right now, at Hanoi's invitation, former U.S. Atty. Gen. Ramsey Clark is in North Vietnam to study alleged dike bombing as a member of a Swedish-Russian hatchet group called "The International Commission of Inquiry into U.S. Crimes in Indochina." Its early and predictable report undoubtedly will make headlines in much of our own press.

A major propaganda coup for the enemy came when Kurt Waldheim, who succeeded U Thant as Secretary-General of the United Nations, returned from a trip to Moscow and said that on the basis of what he had heard from "unofficial sources" the bombing of dikes was deplorable and should be stopped.

As noted in my editorial, this was too much for President Nixon. He said, appropriately: "I note with interest that the Secretary-General, like his predecessor, (has) seized upon enemy-inspired propaganda."

And that's exactly what it is, Mr. Nixon and others of our top officials freely admit that some American bomb damage inevitably

has been done to the dikes near military roads and targets. But, as he said, if we were deliberately bombing the dike system it would by this time be in a stage of complete ruin.

What the enemy doesn't admit, meanwhile, is that a good portion of the military damage to the dikes unquestionably has been caused by the fallback of its own SAM missiles.

As many as 500 of these big surface-to-air missiles have been fired at American planes in a single 48-hour period—mostly missing. When these missiles return to earth, often near or on dikes and dams, they can and do create very considerable craters.

The whole point, Bill, is that the enemy is faced with a looming mass tragedy in the coming flood season and is seeking—all too successfully—to blame us in advance for the disaster they fear.

Millions of people around the world, thanks to the Jane Fondas, the Kurt Waldheims and others now being indoctrinated and soon to be heard from, already are either convinced or suspect that we are indeed bombing the dikes deliberately.

It is really astonishing how effectively a lie can be spread when the Communist transmission belt works overtime. In this case you would think that official denials would be unnecessary. Common sense should convince anybody that a mass, sustained aerial attack on Hanoi's dike system would be verified at once and without any question whether it had happened.

There has been no such attack—and now there never will be, even though it was deliberate bombing of dikes which led directly to a halt of enemy hostilities in the Korean war. President Nixon has said, in answer to the enemy charges, that such bombing "is not our policy now, and will not be in the future."

What I tried to show in my brief editorial was that Hanoi thus not only has shifted blame for a possible mass tragedy from its own shoulders to ours—it also actually has defended its dike system from any truly deliberate attack, using propaganda alone.

I repeat what I said in my editorial—any way you look at it, the latest Hanoi propaganda offensive is a masterpiece of successful duplicity.

Signed—BILL McCULLAM.

## POLITICS IN THE SPANISH SURNAME GRANT PROGRAM

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

Mr. KOCH. Mr. Speaker, in May of this year, several Puerto Rican constituents came to see me about the allocation of funds to Spanish surname projects by the Departments of Labor and Health, Education, and Welfare and the Office of Economic Opportunity in what they felt was a blatantly political way. They advised me that while applications for poverty funds from groups other than the Spanish surname groups were processed regionally, the Spanish surname applications were processed centrally in Washington. The reason, they suggested, for this central allocation was to funnel moneys into a special sector of the Spanish surname grouping which would be disposed to vote Republican. They pointed out that the overwhelming number of grants went to the Southwest States to deal primarily with the needs of Mexican-Americans.

To ascertain the validity of their allegations, I wrote to each of the three Departments asking seven questions, by

letter dated June 1, 1972. A copy of this letter is appended at the end of this statement, as is the correspondence had on the matter.

Mr. Speaker, I would think that the questions raised could have been readily responded to by any Department conversant with the matter. And yet as of today, only the Department of Labor has attempted to answer my questions point by point; the Department of Health, Education, and Welfare has sent a partial answer. None, however, has answered the basic question of why the Spanish surname projects are centrally funded in contradistinction to all other poverty projects which are regionally funded.

However, Phillip Sanchez, Director of OEO, last weekend let the cat out of the bag. He was interviewed on various radio programs, one of which I happened to hear in New York City. The inference of his remarks was that the Spanish surname projects were, indeed, subject to political use and the President was seeking to win approval of particular groups through the use of funds. I am in no way condemning the use of funds to aid Mexican Americans or any other group eligible to receive the limited poverty funds available. But, it is not fair that Puerto Rican citizens, who are less likely to vote Republican, should suffer financially by being unfairly treated by the various executive departments charged by Congress with the equitable distribution of funds made available to them.

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
Washington, D.C., June 1, 1972.

Mr. FRED ROMERO,  
Research and Planning,  
Department of Labor,  
Washington, D.C.

DEAR MR. ROMERO: I have received complaints from Puerto Rican constituents who believe that the present distribution of funds allotted for Spanish surname projects, by your Department, to be inequitable vis a vis the Puerto Rican community. They have advised me that there are four Spanish surname groups to wit: Mexican-Americans, Puerto Ricans, Cuban-Americans, and Latin-Americans.

Furthermore, they advise me that while poverty groups other than these four, e.g. Blacks and Jews, have their needs and applications processed locally, the Spanish surname group applicants are processed centrally in Washington. The net effect, it is alleged, of such centralization is that the overwhelming monies earmarked for Spanish surname groups have gone to the Southwestern states to deal primarily with the needs of Mexican-Americans.

In order for me to respond to the constituents request for support, it would be most helpful to have answers to the following questions:

1. What ethnic or cultural communities make up the Spanish surname group for your purposes?
2. What is the numerical population breakdown of each such defined community?
3. In the current fiscal year how much money has been allotted by your Department for each of such communities within the Spanish surname group?
4. What cities and states have received Spanish surname grants from the current fiscal year appropriation, covering which groups within the Spanish surname group, and in what amounts?
5. Are there funds still remaining within this year's fiscal budget which have not yet been allocated?

6. What are the reasons for having Spanish surname applications processed centrally? And, have you under consideration any request that Spanish surname groups be regionalized for processing of applications so that the prospective beneficiaries of these grants would have greater input in the decision making process?

7. Are any changes contemplated by your Department for the next fiscal year to deal with the problems raised by my constituents—and if so what are they?

I would like to thank you in advance for your consideration of this matter, and I look forward to hearing from you soon.

Sincerely,

EDWARD I. KOCH.

U.S. DEPARTMENT OF LABOR,  
OFFICE OF THE SECRETARY,  
Washington, D.C., July 31, 1972.

HON. EDWARD I. KOCH,  
House of Representatives,  
Washington, D.C.

DEAR CONGRESSMAN KOCH: Thank you for your recent letters to Mr. Fred E. Romero which he referred to me for response. In reference to issues which you raised in your letter regarding equitable distribution of manpower dollars among Spanish-surname groups, I believe that the following information will be of use to you:

The ethnic or cultural communities which make up the Spanish-speaking group for our purposes are as follows: (1) Mexican Americans, 5.1 million; (2) Puerto Ricans, 1.5 million; (3) Cubans, 565,000; (4) Central and South Americans and other persons of Spanish-speaking subgroups; a large diverse group making up 23% of the Spanish-speaking population.

The Manpower Administration recognizes and is concerned with the needs of all Spanish-speaking people in general and, therefore, does not give priority emphasis in manpower planning and dollar allocations to any particular subgroup(s) within the Spanish-speaking community. The size of funds provided for programs for the Spanish-speaking is determined by local universe of need in conjunction with innovative and results-oriented programs. We are not able to give you a specific accounting of monies allocated to serve one particular subgroup since most programs funded are geographically located to cover as many or all of the subgroups within the Spanish-speaking community.

However, the following current Department of Labor efforts will give you some indication of manpower programs funded in areas with high concentration of Puerto Ricans and other subgroups of Spanish origin:

1. A \$2.8 million Veterans Outreach Program was funded with the American G. I. Forum to serve 12,000 to 13,000 returning Vietnam veterans. The services to be provided include outreach, counseling and referral to educational institutions, job training and jobs. The program will operate in 22 cities, and includes the cities of Paterson, Newark and Camden/Philadelphia which are largely populated by Puerto Ricans. The American G. I. Forum will subcontract for services in these areas with a Puerto Rican organization.

2. A national contract was let with the Puerto Rican Forum in New York City to render technical assistance to manpower operators in the use of the Basic Occupational Language Training (BOLT) system. Additionally, at the request of the New York Regional Office the Puerto Rican Forum contracted to teach Spanish to about 15 federal employees in the New York Regional Office.

3. Developed an English training plan using English as a Second Language methodologies in 27 different locations across the United States. Included are the States of New York and New Jersey, which are largely populated by Puerto Ricans. This effort is funded for \$2.5 million and will involve sev-

eral Spanish-speaking organizations delivering services to approximately 750 trainees.

4. Sixteen to eighteen year old Puerto Rican NYC Out-of-School enrollees in New York City are offered five hours per week classroom instruction to improve their English.

5. Five-hundred thousand dollars was used to provide Mayors CAMPS committees in 40 cities with additional Spanish-speaking staff positions. Twelve of the 40 cities earmarked to receive the additional CAMPS grants are largely populated by Puerto Ricans.

6. Operation SER, recognized as the largest manpower delivery vehicle for the Spanish-speaking was funded for \$9.5 million to provide manpower services for approximately 4,000 trainees in 29 major cities. Three of the 29 program locations are largely populated by Puerto Ricans.

The following programs have been funded and are located in cities reported as having high concentration of Spanish-speaking in need of manpower services:

1. Approximately 1,900 participants will be served in four correctional manpower projects funded at a cost of \$1,668,000. They are located in San Antonio; Albuquerque; Denver and the California Bay Area. These cities are largely populated by Mexican Americans.

2. A \$4 million contract was let with the National Urban League to prepare 2,180 minority workers in 42 cities for apprenticeship or full journeyman status in construction unions. Eight of the 42 cities have Hispanic-American quotas and are largely populated by Mexican Americans and Cubans.

3. The DOL provided \$431,843 in funds to the U.S. Civil Service Commission to establish an upgrade training facility in San Antonio which is largely populated by Mexican Americans.

4. Project SABER in Miami, Florida was funded at a cost of \$597,000 for one year to provide work experience and basic education to approximately 225 Cubans and other Spanish-speaking adults residing in that area.

5. Forty-five Spanish-Speaking NYC In-School enrollees (Juniors) from across the country were selected to participate in a Summer Intern Program.

The above programs represent part of the Manpower Administration's overall plan to improve manpower services to the Spanish-speaking during fiscal year 1972.

The Department of Labor recently compiled an official list of 47 cities which reflect Spanish-speaking populations of 10,000 and above. Priority emphasis is given to these cities in program planning and allocation of funds to insure that the target groups' needs are met. Twelve of the 47 cities are reported to have high concentration of Puerto Ricans.

Our policy regarding the processing of applications from Spanish-surname and other racial/ethnic groups at the national and local levels is consistent with the Administration's current thrust towards decentralization of manpower planning and decision-making. The vast majority of funds for manpower training programs are allocated to the Department of Labor's Regional Offices for distribution to states within their jurisdiction. Therefore, funding of programs must be accomplished through the state mechanism which accommodates area manpower plans funded from the Appropriation Account.

Programs receiving first year funds from the Unapportioned Account are considered experimental and demonstrational pilot projects. If they are to continue, subsequent requests for funds must be submitted through regular channels, i.e., funding of projects at the state and local levels. Spanish-surname groups will, therefore, be better able to lessen their dependence on national and regional authorities for funding of local projects and will have greater input in the strategic planning of manpower programs at the local level.

Exceptions are made by the Manpower Administration with major manpower delivery systems funded from the National Unapportioned Account on a year-to-year basis, i.e., Operation SER, OIC, etc., which require National Office planning, development, and implementation. These contracts are retained at the National level until it is determined that a transfer of program responsibilities and activities to the regional level will be in the best interest of the program.

Inasmuch as all funds have been committed for fiscal year 1972, the Department of Labor will continue to develop and implement specific action plans which will benefit the Spanish-speaking and other minority groups during fiscal year 1973.

The Department of Labor recognizes that, in spite of all its efforts, much more personal effort by every person involved in manpower is required in order to correct inequities and improve manpower services to the Spanish-speaking people. A task committee has been appointed to develop plans to insure that all Spanish-speaking citizens receive their equitable share of manpower programs and dollars and they will be dealing with the very issues raised by your constituents.

I am hopeful that I have been of assistance to you in this matter. If you have further questions or need more information, please do not hesitate to contact me.

Sincerely,

FREDERICK L. WEBBER,  
Special Assistant for Legislative Affairs.

OFFICE OF ECONOMIC OPPORTUNITY,  
EXECUTIVE OFFICE OF THE  
PRESIDENT,

Washington, D.C., August 4, 1972.

HON. EDWARD I. KOCH,  
Congress of the United States,  
House of Representatives, Washington, D.C.

DEAR CONGRESSMAN KOCH: Thank you for your letter of June 1, 1972, addressed to Mr. Pete Mirelez, and please accept our apology for the delay in answering.

In June, 1971 the Office of Economic Opportunity allocated just over \$3.2 million to fund ten (10) special emphasis programs for disadvantaged Mexican Americans, Puerto Ricans, Cuban Americans, and Latin Americans. Enclosed you will find summaries of each of the ten programs.

Six bilingual educational programs received a total of \$1,660,649. Of these six, five are located in the Southwest, where 87% of the Spanish speaking population lives. The remaining program, ASPIRA, is located in New York, and is specifically for Puerto Rican students. It is funded for \$498,086.

Additional, three multi-regional programs which are designed to serve Spanish speaking communities nationwide have been funded for \$1,528,939.

Also, a Cuban American Manpower Research Program located in Miami, Florida, is being funded for \$75,000.

The United States Census Bureau has no numerical population breakdown of each defined community. However, their statistics show that there are 8.1 million people in the Continental United States with Spanish surnames. Of these 1,450,000 are Puerto Ricans. According to these statistics, the Puerto Rican community should receive approximately 20% of our Spanish speaking funds. In actuality, however, more than 25% of our total Spanish speaking program budget, including educational housing and manpower programs, is spent in Puerto Rican communities. This also includes the \$1,000,000 which was allocated to six Regional offices (Denver, San Francisco, Dallas, New York, Chicago and Atlanta) for the funding of Spanish speaking programs. Attached you will find a breakdown of the programs funded by the regions.

The Office of Economic Opportunity is presently operating under a continuing resolution. Because we have not yet received our



FY '73 appropriation, we have not set any priorities for FY '73 funding of Spanish speaking programs. We do intend, however, to continue developing programs at a national level, as well as locally, which are multi-regional in scope, and which will offer solutions to the wide range of problems faced by Spanish speaking communities across the country.

Thank you for your interest in the Office of Economic Opportunity.

Sincerely,

ROY E. BATCHELOR,  
Assistant Director for Operations.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE,

Washington, D.C., July 12, 1972.

Hon. EDWARD I. KOCH,  
House of Representatives,  
Washington, D.C.

DEAR MR. KOCH: Please forgive my delay in answering your letter of June 1. One reason for my delay was the process of recovering from an operation on my leg in late May; thus your first letter was not brought to my personal attention until I received your note of June 30.

The questions which you have asked require, in some cases, significant and comprehensive research throughout the Department. In particular, it will take me some period of time to develop accurate and complete answers to your questions numbered three through seven.

With regard to your first two questions:

As far as I am concerned, the Spanish-speaking community of this country is composed of Mexican Americans, Puerto Ricans, Cubans, and others of Spanish descent from the Caribbean Islands, Central and South America, and Spain.

The preliminary census figures in the 1970 Census indicate that there are 5 million Mexican Americans, 1.5 million Puerto Ricans, and 626 thousand Cubans in the United States. There are no figures available on others of Spanish descent.

With regard to the rest of your questions, I am asking the Office of Education, the Social and Rehabilitation Services, the National Institutes of Health, and the Health Services and Mental Health Administration to provide me with the information you have requested.

Additionally, I have requested Mr. Phillip Garcia, Deputy Director, Office of Spanish Surnamed Americans, to contact your staff as soon as we receive the appropriate information from the above HEW Agencies. Please feel free to call on me (962-0742) or Mr. Garcia (963-6952) for a status report.

Again let me apologize for the delay in replying to your request. I trust that we will be able to satisfy your needs as soon as possible.

Sincerely,

CHARLES M. COOKE, Jr.,  
Director, Office of Special Concerns.

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,

Washington, D.C., August 8, 1972.

ROY E. BATCHELOR,

Assistant Director for Operations, Office of Economic Opportunity, Executive Office of the President, Washington, D.C.

DEAR MR. BATCHELOR: I have your letter of August 4 which responds to my earlier letter of June 1. Thank you for the answers which you have provided, but I do want to call your attention to the fact that you have not responded to questions #6 and #7 which relate to the underlying philosophy determining how grants should be made. What is the reason for treating Spanish surname group applications differently from other OEO poverty grants, the latter being regionally processed and the former centrally directed from Washington?

Over the weekend, Director of the OEO, Phillip Sanchez, was quoted on the radio, in

effect, that grants were being used by the Administration for political purposes. The explanation for that was that anyone in office who seeks reelection has to respond to needs, and by responding, hopes to get support from the community served. No one would quarrel with such a proposition except where sectors of the community are preferred over other sectors of that same community, as is apparently the case, for blatant political ends.

Mr. Sanchez indicated in his radio comments that a special emphasis is being given to the Mexican-American sector. Many in the Puerto Rican community primarily situated in the Northeastern region of the United States believe that their needs are not being recognized by the Administration because they are less likely to vote Republican than Spanish surname groups in the Southwest.

The statistic of 1,450,000 Puerto Ricans in the continental United States which you cite in defense of the allocation of monies is meaningless in that the Puerto Rican population is not carried in the census past the first generation. The grandchildren of persons born in Puerto Rico who continue to live in the Barrio are not included in the census tract as Puerto Ricans and therefore your allotment for that community is not proportionate with the actual number identifying themselves as Puerto Ricans and living in communities served by the poverty grant.

I should appreciate your addressing yourself to these issues in your response to this letter.

Sincerely,

EDWARD I. KOCH.

DEPARTMENT OF HEALTH,  
EDUCATION, AND WELFARE,  
Washington, D.C., August 8, 1972.

Hon. EDWARD I. KOCH,  
House of Representatives,  
Washington, D.C.

DEAR MR. KOCH: As per my letter of July 12, the U.S. Office of Education, the National Institutes of Health, the Health Services and Mental Health Administration (HSMHA) and the Social Rehabilitation Service (SRS) were requested to supply our Office with the information you requested in your letter of June 1, 1972.

Enclosed herewith are copies of the replies from SRS and HSMHA. As soon as the rest of the information is received, it will be forwarded to you.

Sincerely yours,

CHARLES M. COOKE, Jr.,  
Director, Office of Special Concerns.

#### MEMORANDUM

Date: July 25, 1972

To: Phillip L. Garcia, Deputy Director  
OSSA/OS

From: Assistant Associate Administrator  
for Regional Offices

Subject: Information for Response to Congressman Koch's Letter of June 1, 1972  
Regarding Spanish Surname Projects.

Dr. Wilson has asked that I respond to your memorandum of July 14 requesting information for use in preparation of a response to Congressman Koch's questions concerning CCOSS projects. Inasmuch as the Director, Office of Special Concerns has already answered the first two of Congressman Koch's questions, we have limited our information below to questions 3 through 7.

Question No. 3: In the current fiscal year how much money has been allocated by your Department for each of such communities within the Spanish surname group?

Answer: See the attached table reflecting the total amounts allotted in Fiscal Year 1972 by location and Spanish surname group.

Question No. 4: What cities and States have received Spanish surname grants from the current fiscal year appropriation, covering which groups within the Spanish surname group, and in what amounts?

Answer: The answer to this question is

incorporated in the table referred to in No. 3 above.

Question No. 5: Are there funds still remaining within this year's fiscal budget which have not yet been allocated?

Answer: The deadline for submission of project proposals from the Regional Offices to headquarters for approval was May 1, 1972, and the projects listed in the attached table were approved and funded. Funds appropriated for 1972 are, of course, no longer available for obligation.

Question No. 6: What are the reasons for having Spanish surname applications processed centrally? And have you under consideration any request that Spanish surname groups be regionalized for processing of applications so that the prospective beneficiaries of these grants would greater input in the decision-making process?

Answer: The HEW Regional Office reviewed all Spanish surname applications submitted in Fiscal Year 1972 and forwarded approved applications to headquarters for statutory requirements review and determination of appropriate funding source. Projects falling within the program authority of a decentralized HSMHA program were funded at the Regional level. Projects to be funded by programs not yet decentralized were funded centrally.

Question No. 7: Are any changes contemplated by your Department for the next fiscal year to deal with the problems raised by my constituents—and if so what are they?

Answer: In Fiscal Year 1973, Spanish surname projects applications will compete with all other applications submitted for review and approval.

ALVIN E. HARVEL.

#### Attachment.

#### HEALTH SERVICES AND MENTAL HEALTH ADMINISTRATION—CABINET COMMITTEE ON SPANISH-SURNAMED PROJECTS

State and city	Group	Amount
<b>Arizona:</b>		
Phoenix	Mexican-American	\$50,000
Tucson	do	50,000
Total, Arizona		100,000
<b>California:</b>		
Pico Rivera	Mexican-American	30,000
Sacramento	do	73,987
San Jose	do	38,916
San Ysidro	do	20,000
Santa Barbara	do	38,286
Union City	do	67,000
Total, California		268,189
<b>Colorado:</b>		
Denver	Mexican-American	128,000
Fort Lupton	do	20,000
Pueblo	do	27,000
Total, Colorado		175,000
<b>Florida:</b>		
Miami	Cuban-American	145,000
<b>Illinois:</b>		
Chicago	Mexican-American	50,000
<b>Michigan:</b>		
Detroit	Puerto Rican	112,760
<b>New Mexico:</b>		
Santa Fe	Mexican-American	74,500
Truchas	do	87,826
Total, New Mexico		162,326
<b>New York:</b>		
New York	Puerto Rican	106,150
<b>Ohio:</b>		
Toledo	Mexican-American	19,000
<b>Texas:</b>		
Dallas	Mexican-American	118,230
San Antonio	do	57,690
Zavala County	do	239,000
Total, Texas		414,920

State and city	Group	Amount
Utah: Ogden.....	Mexican-American	\$37,000
Wyoming: Rawlins.....	do.....	50,000
Total grants.....		1,640,345
Mexican-American.....		(1,276,435)
Puerto Rican.....		(218,910)
Cuban-American.....		(145,000)

## MEMORANDUM

To: Phillip L. Garcia, Deputy Director, Office of Special Concerns, OS  
 From: Administrator, Social and Rehabilitation Service

Subject: Congressional Inquiry Regarding Funding of Spanish Surnamed Projects  
 The following is provided in response to your July memorandum asking for information requested in Congressman Koch's letter to Mr. Cooke of June 7, 1972.

In your July 12 letter to Koch you provided answers to the first two questions that he asked concerning the ethnic makeup of the Spanish surnamed and the numerical population breakdown for each.

The following identifies the additional questions asked by Koch and provides brief answers to each question:

In the current fiscal year how much money has been allocated by your Department for each of such communities within the Spanish surname group?

In fiscal year 1972 there was no predetermined allocation by SRS for either the Spanish surname group or its constituent elements, i.e., Chicano, Puerto Rican, and Cuban. Spanish surname groups competed for both the R&D funds earmarked for minorities only, and for the non-earmarked R&D monies as well. The SRS training grants policy (copy attached) emphasizes the funding of the education of minority persons and specifies the specific goal of expending at least 25% of all training monies for minority students by fiscal year 1974.

What cities and states have received Spanish surname grants from the current fiscal year appropriation, covering which groups within the Spanish surname group, and in what amounts?

A comprehensive summary is now being completed on all minority R&D and training grants made by SRS in fiscal year 1972. A copy of this report will be forwarded within the next ten days.

Are there funds still remaining within this year's fiscal budget which have not yet been allocated?

All fiscal year 1972 funds have been obligated.

What are the reasons for having Spanish surname applications processed centrally? And, have you under consideration any request that Spanish surname groups be regionalized for processing of applications so that the prospective beneficiaries of these grants would have greater input in the decision making process?

In our minority studies program we have the routine procedure of processing grant applications through the Regional Office. Regional Office critiques of applications and recommendations for funding are forwarded to the Central Office for consideration. This process should provide the prospective beneficiaries significant opportunity to have input to the decision making process. The monitoring of the minority grants is the responsibility of the Regional Offices.

Are any changes contemplated by your Department for the next fiscal year to deal with the problems raised by my constituents—and if so what are they?

We will be meeting with the leaders of each of the minority groups that we have funded during August to review past procedures, suc-

cesses and failures, and to plan together for future activities in the minority studies area.

JOHN D. TWNAME.

CONGRESS OF THE UNITED STATES,  
 HOUSE OF REPRESENTATIVES,  
 Washington, D. C., August 8, 1972.

ALVIN E. HARVEL,  
 Assistant Associate Administrator for Regional Offices, Health Services and Mental Health Administration, Parklawn Building, Rockville, Md.

DEAR MR. HARVEL: I have received a copy of your memorandum to Phillip Garcia of July 25 in response to my inquiry concerning the funding of Spanish surnamed projects, and I appreciate receiving the information.

In that memorandum, you state that "projects to be funded by programs not yet decentralized were funded centrally". I would appreciate your informing me if this group of projects are specifically designed for Spanish surnamed group applications, or if it also includes other minority programs.

Thank you for your attention to this matter.

Sincerely,

EDWARD I. KOCH.

CONGRESS OF THE UNITED STATES,  
 HOUSE OF REPRESENTATIVES,  
 Washington, D. C., August 8, 1972.

JOHN D. TWNAME,  
 Administrator, Social and Rehabilitation Service, Washington, D.C.

DEAR MR. TWNAME: I have received a copy of your memorandum to Phillip Garcia of August 1 in response to my inquiry concerning the funding of Spanish surnamed projects, and I appreciate receiving the information.

In that memorandum you state that as a routine procedure the grant applications for minority programs are processed through the regional office first and then forwarded to the central office for further consideration. Am I then correct in assuming that all applications for Spanish surnamed groups are treated in the same manner as are applications for other community groups?

Thank you for your attention to this matter.

Sincerely,

EDWARD I. KOCH.

## SCHOOLBUSING

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Alabama (Mr. EDWARDS) is recognized for 5 minutes.

Mr. EDWARDS of Alabama. Mr. Speaker, the House Education and Labor Committee has reported out its version of President Nixon's bill to make busing a limited, last-resort measure in school segregation cases. I stress the phrase "its version" of the President's bill. For this is a gutted, emasculated version which might provide some relief for future busing, but none for the busing decrees which are already on the books in the South.

We in the South have learned that if we are to receive the same treatment in this sensitive area as other regions of the country, we must all sit down together at the same table with the same menu. If busing is wrong in certain parts of the country, then it is wrong everywhere.

The busing ban in this bill would benefit all those school districts in the North that are faced with court orders, but the proposed ban would have no effect on

these school boards which are already under court orders.

I said last year, I said earlier this year, and I am saying it again—I cannot vote for anything that will take the pressure off the North while we in the South continue with our same situation. I call on this body to insert a "reopener provision" in this bill when it comes to the floor. If this fails, then I urge that the bill be defeated.

## LABOR-HEW APPROPRIATIONS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. HEINZ) is recognized for 5 minutes.

Mr. HEINZ. Mr. Speaker, today the House has passed, with my support, H.R. 15417, the conference report on the appropriation for the Departments of Labor and HEW for fiscal year 1973. Some have criticized this bill as being too expensive.

I sincerely share the concern that Federal expenditures must be kept in line with revenues and I, too, have several specific reservations concerning over one-half billion dollars of items which have been injudiciously added to this bill. I am particularly concerned about our appropriations for the areas of health services construction, library resources funds, and Federal impact aid. I am pleased to note, however, that for the first time school aid for category "C" children under Public Law 874 has been funded. This will bring relief to several unfairly penalized school districts in my 18th Congressional District in Pennsylvania.

I have always felt very strongly about the need to improve the quality of education, and one major item in this bill that I support is the appropriation strengthening the Office of Education programs in this regard. I would add that, earlier this year, I supported the quality education amendment to the original House appropriations bill to obtain these expanded programs.

I believe that we have to pay for what we get and, therefore, I have consistently voted to trim expenditures where out of line. I have particularly opposed the development of unsatisfactory weapon systems in the Defense Department, such as the F-14, and unnecessary and wasteful duplication of programs such as those contained in the Emergency Community Facilities and Public Investment Act of 1972.

It is my conviction that we can and must direct our national priorities more toward human beings—specifically the young—and away from programs that give us few and doubtful benefits. By doing so, we can maintain a necessary balance between expenditures and income while making a vital investment in the development of our most important national resource, the children of this Nation.

## CITIZENS PRIVACY PROTECTION ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentle-



man from Minnesota (Mr. FRENZEL) is recognized for 5 minutes.

Mr. FRENZEL. Mr. Speaker, today I introduced a bill called the Citizens Privacy Protection Act of 1972. It is designed to curb powers recently asserted by the Treasury Department under 1970 law designed to provide information on secret foreign bank accounts.

The Treasury Department's interpretation of the 1970 law would seem to force banks to reveal every citizen's personal financial transaction. The Treasury Department would make our banks, savings and loans and credit unions an arm of the Federal Government rather than agents of their customers.

I believe that privacy of personal financial records is a fundamental right which should receive protection under the first and fourth amendments to the Constitution. I do not believe that financial institutions should be forced to become stool pigeons for the Treasury by revealing what are obviously personal and private financial transactions to the Treasury which can then be referred to other agencies of Government. Apparently other groups feel as I do. Legal objections have already been filed by the California Bankers Association and ACLU.

This bill was introduced in the Senate on July 21 by Senator MATHIAS, Republican of Maryland. Its intention is to protect the ability of the Treasury to receive information on truly international transactions while at the same time protecting the right of the individuals so that his personal financial records are safe from disclosure as they would be in his own home.

The bill would require disclosure only on consent of the individual or under a court order which would give a person time to take legal defensive action himself.

I would hope that the Treasury Department would solve the breach of privacy problem by modifying its interpretation and administrative rules. Since it has shown no inclination to do so, it is important that the Congress act to preserve all of our citizens personal privacy by passing the Citizens Privacy Protection Act of 1972.

#### ADMINISTRATION INACTION ON AIR POLLUTION TAX PROPOSAL

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, 22 other Members and I recently wrote to the distinguished chairman of the Ways and Means Committee (Mr. MILLS) asking him to consider holding hearings as soon as possible on the air pollution tax bills presently before Congress.

As you know, 24 Members and I have introduced legislation that would place a 20-cent-per-pound tax on all sulfur emissions by 1975. The administration has oftentimes expressed its support of a somewhat weaker sulfur tax bill that would tax sulfur emissions on a regional basis starting in 1976.

Unfortunately, the administration's much heralded support of an air pollution tax has vanished by sleight of hand. While the administration has been talking up a sulfur tax for 2 years now it has still not found a Republican sponsor for its bill—its main environmental legislative proposal for this year—more than 6 months after the administration said the bill was being sent to Congress. In fact, out of frustration with the administration's refusal to introduce its own bill, three Democratic Congressmen introduced a bill in May while noting that their introduction of the bill did not indicate support.

In short, Mr. Speaker, it is becoming increasingly clear that the administration's supposed commitment to its own air pollution tax proposal is nothing but hot air. They have done everything possible to insure that neither of the sulfur tax proposals gets a hearing in Congress.

#### THE LATE A. EMMANUEL RIDGELL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. GONZALEZ) is recognized for 5 minutes.

Mr. GONZALEZ. Mr. Speaker, the passing of Mr. A. Emmanuel Ridgell, Superintendent of the House Office Buildings, on Sunday, August 6, leaves all of us in the House, both Members and staff with an irreplaceable loss, for his was a life of a most singular and unique devotion.

Mr. Ridgell, who was born in Scotland, St. Mary's County, Md., on November 3, 1912, began his career on Capitol Hill in 1932. He worked here for 40 years, beginning at the age of 20 as a messenger, and with the drive and ambition of the great American spirit he worked his way up to being appointed Superintendent of the House Office Buildings on July 1, 1948, by David Lynn who was then the Capitol Architect.

Between 1932 and 1948 Mr. Ridgell held several positions. He held various clerical jobs until 1940 when he was made Second Assistant Superintendent. In 1947 he was made Assistant Superintendent and finally in 1948 he was appointed Superintendent.

Mr. Ridgell's job became an ever expanding one as the country grew and the Members elected to the House of Representatives grew also. The Rayburn Building was added to his responsibilities in 1966 which greatly enlarged his staff, but he met the new challenges with increased vigor, determined to continue to provide the fine service for which he was so well known.

One of Mr. Ridgell's main responsibilities was to work closely with the Speaker of the House in assigning office space. This is certainly no easy task considering the constantly changing status of the House Members, and his interest and concern in pleasing all of the Members was always greatly appreciated.

The many whose lives he has touched through his work here on the Hill will sorely miss him, and I want to take this opportunity to extend my deepest sympathies to the Ridgell family at this time of great personal loss.

#### INTRODUCTION OF LEGISLATION TO PROHIBIT WEATHER MODIFICATION FOR MILITARY PURPOSES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mrs. ABZUG) is recognized for 10 minutes.

Mrs. ABZUG. Mr. Speaker, I am today introducing legislation that would prohibit the United States from engaging in weather modification, including cloud seeding, for military purposes.

This bill has been prompted by the recent revelations that the United States has been seeding clouds over Indochina and made a number of unsuccessful attempts to start firestorms in the forests of Vietnam. The Defense Department's studied refusal to discuss the question of cloud seeding leaves little doubt that it has been utilized—and may still be going on—in Southeast Asia.

Despite the claims of some that it has little or no ecological effect, tests have shown that cloud seeding can cause clouds to grow explosively and produce up to three times as much rain as unseeded clouds. This sort of climate modification combines with such other ecological stresses as air pollution, herbicides, and pesticides to cause catastrophic environmental effects. Once our bulldozers, herbicides and bombings clear hundreds of square miles of natural vegetation and thereby destroy the water-holding capacity of the land, the increased rainfall resulting from cloud seeding leads to extensive flooding, loss of life, and soil erosion.

The great trouble with rain, as is pointed out in the Sermon on the Mount, is that it falls on the just and unjust alike. The same cloudbursts that may flood the Ho Chi Minh Trail also drown innocent civilians and wash out their homes and fields. Congress must exercise its constitutional authority over military policy and spending to prohibit the use of weather modification techniques as weapons of war. This bill would do just that.

Mr. Speaker, I include the text of my bill, my statement to the Subcommittee on Oceans and International Environment of the Senate Committee on Foreign Affairs, and a relevant news article in the Record at the conclusion of my remarks:

H.R. 16255

A bill to prohibit the United States from engaging in weather modification activities for military purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, that, notwithstanding any other provision of law, none of the funds authorized to be appropriated by any Act may be obligated or expended for the purpose of—*

(1) weather modification activities (including, but not limited to, cloud seeding) as weapons of war;

(2) the type of activities carried out by the Department of Defense in Vietnam under the code names of Operation Sherwood Forests, Operation Hot Tip, and Operation Pink Rose in which so-called fire storms or fires over a large area were, or were attempted to be, intentionally ignited;

(3) entering into or carrying out any contract or agreement providing agents, delivery

systems, dissemination equipment, or instructions for the military application of weather modification techniques, or for deliberately igniting so-called fire storms or fires over large areas for military purposes (as described in clause (2)); or

(4) procuring or maintaining agents, delivery systems, or dissemination equipment for the purpose of modifying weather conditions for military purposes, or igniting so-called fire storms or fires over large areas for military purposes (as described in clause (2)).

STATEMENT OF REPRESENTATIVE  
BELLA S. ABZUG

Mr. Chairman, Members of the Subcommittee, I am pleased to have the opportunity to present my views on the issue of weather modification for military purposes. Let me begin with two quotations:

"Today, black is the dominant color of the northern and eastern reaches of the Plain [of Jars]. Napalm is dropped regularly to burn off the grass and undergrowth that covers the Plain and fills its many narrow ravines. The fires seem to burn constantly, creating rectangles of black."

That is from "Plain Facts", an article by T. D. Allman which appeared in the Far Eastern Economic Review of January 18, 1972. There is evidence that herbicides can cause genetic damage:

"Within the last two years, there have been numerous reports of increasing birth abnormalities throughout South Vietnam, and photographs of grotesquely deformed babies have begun to appear in Vietnamese newspapers."

According to *The Indochina Story*, written by the Committee of Concerned Asian Scholars, and published by Bantam in 1970.

In addition to the horrors of napalm and herbicide, we are using geophysical warfare in Vietnam. An article by Seymour Hersh in *The Washington Evening Star* of July 3, 1972, quoted a former CIA agent as saying: "We first used that stuff [silver iodide to seed the rain clouds] in about August of 1963, when the Diem regime was having all that trouble with the Buddhists." The former agent continued, "They would just stand around during demonstrations when the police threw tear gas at them, but we noticed that when the rains came they wouldn't stay on."

As documented in the *New York Times* by Seymour Hersh, the middle 1960's saw an expansion of the cloud seeding activities to the Ho Chi Minh Supply Trail in Laos. By 1967, the Air Force had become involved in the cloud seeding operations. Yet the results weren't always as expected. One government official has said, as quoted in the July 3, Hersh story, "Once we dumped seven inches of rain in two hours on one of our Special Forces Camps." Professor Jerzy Neyman, director of the University of California's Statistical Laboratory, who has headed a Navy research project analyzing weather control experiments since 1965, "is convinced . . . that cloud seeding does indeed yield significant results—but that the results have often proved far different from what was intended . . . I consider that, indeed, the cloud seeding in Vietnam could have increased the rainfall considerably. [Neyman has said] . . . A substantial decrease could also have occurred."

Neyman also found that in Arizona, "during seven years of experimental efforts to relieve drought by cloud seeding, the experiments yielded a significant loss of rainfall over the Santa Catalina Mountain target area, and caused an average 40 per cent loss of rainfall over an area 65 miles away."

Despite the unpredictability of cloud seeding, it still appears to be taking place in Indochina. On March 18, 1971, Jack Anderson

reported that "Intermediary-Compatriot" a "hush-hush" project which "increased the precipitation over the jungle roadways during the wet seasons . . . would be going on from May to September, 1971."

To go into somewhat more detail, Dr. Matthew Meselson, Professor of Biology at Harvard University, has stated that:

"It is obvious that weather modification used as a weapon of war has the potential for causing large scale and quite possibly uncontrollable and unpredictable destruction. Furthermore, such destruction might well have a far greater impact on civilians than on combatants. This would be especially true in areas where subsistence agriculture is practiced in food-deficit areas, and in areas subject to flooding."

The amount of damage we can do through weather modification is tremendous. Tests in Florida in 1968 and 1970 showed that seeded clouds grew explosively and produced more than three times as much rain as unseeded clouds. Other tests have shown the increase in rain production in seeded clouds could range from 30%-50% to as much as 10 or 20 times that amount. However, even a 50% increase can have tremendous impact.

In their book, "Ecological Effects on Weather Modification: A Problem Analysis," C. F. Cooper and W. C. Jolly refute many of the old theories on weather modification. The false argument that weather control has little or no biological effect because the amount of change is rejected. Instead, the authors state that the weather modification combines with other ecological stresses such as air pollution, herbicides, and pesticides to cause a greater effect than the sum of the individual effects. By using bulldozers, herbicides, and bombings, we clear hundreds of kilometers of natural vegetation, thus destroying the water-holding capacity of the land. Adding the increased rainfall caused by weather modification, the land is plagued with extensive flooding, loss of life, and soil erosion. This destroys the ecological balance as well as the possibility of further vegetation.

Two other reports on the ecological damage done by weather modification, "Hydrologic Consequences of Rainfall Augmentation" by Alan M. Lumb which appeared in *American Society of Civil Engineers Hydraulics Division Journal* of July 1971 and "Possible Effects of Precipitation Modification of Stream Channel Geometry and Sediment Yield" by Albert Rango, published in *Water Resources Research* in December 1970, agree that increased rainfall causes much land erosion and changing sedimentary patterns.

Weather modification alters the structure of plant and animal communities due to changes in three different biological rates in weather-sensitive species: reproduction, growth, and mortality. These changes may take several years to become evident, but their destructive capacity is considerable.

The most widely used cloud seeding chemical is silver iodide, AgI. The silver ion released from the breakdown of this chemical is one of the most toxic heavy metal ions, especially with regard to microorganisms and fish, but the ion sometimes forms insoluble compounds harmless to animals. The silver from cloud seeding will retard the growth of algae, fungi, bacteria, and fish in fresh water. This in turn interferes with food and nutrient cycles and the return of nutrients to the water. Other biological effects include changes in temperatures, oxygen concentration, presence or absence of other cations, and pH (acidity). So far as we now know, the iodine ion in silver iodide poses no environmental danger.

According to the July 3rd *Washington Star* article, the use in Indochina of a chemical agent, different from silver iodide, and only effective in warm stratus clouds, has

been causing an acidic rainfall which affects trucks, tanks, and radar, especially Surface-to-Air Missiles (SAM) radar. This acidity also affects the pH and thus the ecological balance of the ecosystems on which it is dropped.

There has been some dispute as to the suitability for seeding of the types of cloud patterns over North Vietnam. Some have said that the clouds over the northern part of Vietnam are stratus and therefore cannot be seeded successfully with silver iodide. However, Mr. Donald Moore, Assistant Administrator of the National Oceanic and Atmospheric Administration, has stated that, he has seen no significant difference in cloud patterns over various areas of Vietnam. He has said that significant cloud pattern changes come with climatic, rather than with minor geographic changes. During the monsoon season, cumulus clouds, which definitely can be seeded successfully, prevail over all of Vietnam. Also, Mr. Schloemer, the Assistant Director of the Environmental Data Service of N.O.A.A., has confirmed Mr. Moore's statement and has added that in the upslope and mountain areas (which would include the Ho Chi Minh trail) there may be a 10% or 15% increase in rain, which means an extra heavy rainfall.

Furthermore, even if they are not suitable for silver iodide seeding, stratus clouds can be seeded by means of the acidic chemical which I mentioned earlier.

On March 17, 1972, Senator Pell submitted Senate Resolution 281, expressing the sense of the Senate that the United States should seek negotiation of a treaty to prohibit the use of environmental or geophysical modification. I applaud and support this action, but I do not think we can wait to negotiate a treaty. We must end the indiscriminate killing and ecological destruction in Indochina now, and I will soon be introducing legislation which would end the United States' use of geophysical warfare.

Congress must take the initiative. Inordinate power has been arrogated to the President, despite the fact that our Constitution establishes the power of Congress to declare war and to make military appropriations. We must—for the sake of the American people and all humanity—reassert our constitutional responsibilities.

The only trouble with rain, as is pointed out in the Sermon on the Mount, is that it falls on the just and unjust alike. The same cloudbursts that flood the Ho Chi Minh trail also wash out the homes and fields of innocent civilians. It is our responsibility to stop the use of weather modification techniques as a weapon of war.

[From the *Washington Star*, July 3, 1972]

UNITED STATES MAKES RAIN AS VIET WEAPON

(By Seymour M. Hersh)

New York Times News Service

The United States has been secretly seeding clouds over North Vietnam, Laos and South Vietnam to increase and control the rainfall for military purposes.

Government sources, both civilian and military, said during an extensive series of interviews that the Air Force cloud-seeding program has been aimed most recently at hindering movement of North Vietnamese troops and equipment and suppressing enemy antiaircraft missile fire.

The disclosure confirms growing speculation in congressional and scientific circles, reported earlier this year in *The Star*, about the use of weather modification in Southeast Asia. Despite years of experiments with rain-making in the United States and elsewhere, scientists are not sure they understand its long-term effect on the ecology of a region.

The weather manipulation in Indochina,



which was first tried in South Vietnam in 1963, is the first confirmed use of meteorological warfare. Although it is not prohibited by any international conventions on warfare, artificial rainmaking has been strenuously opposed by some State Department officials.

It could not be determined whether the operations are now being conducted in connection with the current North Vietnamese offensive and the renewed American bombing of the North.

Beginning in 1967, some State Department officials protested that the United States, by deliberately altering the natural rainfall in parts of Indochina, was taking environmental risks of unknown proportions. But many advocates of the operation have found little wrong with using weather modification as a military weapon.

"What's worse," one official asked, "dropping bombs or rain?"

All of the officials interviewed said that the United States did not have the capability to cause heavy flooding during the summer in the northern parts of North Vietnam, where serious flooding occurred last year.

Officially, the White House and State Department declined comment on the use of meteorological warfare. "This is one of those things where no one is going to say anything," one official said.

Most officials interviewed agreed that the seeding had accomplished one of its main objectives—muddying roads and flooding lines of communication. But there were also many military and government officials who expressed doubt that the project had caused any dramatic results.

#### RAIN IS ACIDIC

The sources, without providing details, also said that a method had been developed for treating clouds with a chemical—that eventually produced an acidic rainfall capable of fouling the operation of North Vietnamese radar equipment used for directing surface-to-air missiles.

In addition to hampering SAM missiles and delaying North Vietnamese infiltration, the rainmaking program has had the following purposes:

Providing rain and cloud cover for infiltration of South Vietnamese commando and intelligence teams into North Vietnam.

Serving as a "spoiler" for North Vietnamese attacks and raids in South Vietnam.

Altering or tailoring the rain patterns over North Vietnam and Laos to aid U.S. bombing missions.

Diverting North Vietnamese men and material from military operations to keep muddied roads and other lines of communication in operation.

The cloud-seeding operations necessarily were keyed to the two main monsoon seasons that affect Laos and Vietnam. "It was just trying to add on to something that you already got," one officer said.

According to interviews, the Central Intelligence Agency initiated the use of cloud seeding over Hue, in the northern part of South Vietnam. "We first used that stuff in about August of 1963," one former CIA agent said, "when the Diem regime was having all that trouble with the Buddhists."

"They would just stand around during demonstrations when the police threw tear gas at them, but we noticed that when the rains came they wouldn't stay on" the former agent said.

The CIA expanded its cloud-seeding activities to the Ho Chi Minh supply trail in Laos sometime in the middle 1960s, a number of government sources said. By 1967, the Air Force had become involved although, as one former government official said, "the agency was calling all the shots."

The state of the art had not yet advanced to the point where it was possible to predict the results of a seeding operation with any degree of confidence, one government official said. "We used to go out flying around and looking, for a certain cloud for-

mation," the official said. "And we made a lot of mistakes. Once we dumped seven inches of rain in two hours on one of our Special Forces camps."

The Laos cloud-seeding operations provoked a lengthy and bitter, albeit secret, dispute inside the Johnson administration in 1967.

The general feeling of opponents was summarized by one former State Department official who said he was concerned that the rainmaking "might violate what we considered the general rule of thumb for an illegal weapon of war—something that would cause unusual suffering or disproportionate damage." There also was concern, he added, because of the unknown ecological risks.

#### PROTECTING OUR PROTECTORS—THE FIREFIGHTERS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. DENT) is recognized for 10 minutes.

Mr. DENT. Mr. Speaker, there is a large group of men in this country who daily risk their lives for the health and safety of all our citizens. The Nation's newspapers are filled daily with accounts not only of their diligence in performing their duties, but also of their frequent acts of bravery and heroism that can only be motivated by a concern for human life. They are the Nation's 160,000 professional firefighters.

It is only fair that Congress extend its best protection of health and safety to those who are committed to protecting ours.

A 1970 survey of fire chiefs reported that for every 100,000 firefighters, 115 died on the job during that year. This rate is higher than that of mining and quarrying—100 deaths—or law enforcement—73 deaths—or construction—72 deaths—occupations well known to be extremely hazardous.

Further, these tragic deaths are only those that occurred to firemen while on duty. During 1970 an additional 233 deaths were recorded from occupational diseases: 96 due to heart and cardiovascular disease, 126 due to lung and respiratory diseases, and 11 due to other related causes.

Firefighting is an occupation which is doubly vulnerable, vulnerable to sudden and fatal injuries as well as to long and painful illnesses often ending in heart failure and death.

Our intent when formulating a comprehensive national policy of worker safety was to create a minimum level of protection for the majority of American employees. In its statement of purpose the law reads that:

Congress declares it to be its policy . . . to assure so far as possible every working man and woman in the nation safe and healthful working conditions and to preserve our human resources.

Thus, I am introducing a bill amending the Occupational Safety and Health Act to include under its standards firefighters employed at the Federal, State, and municipal levels of government.

H.R. 16258

A bill to amend the Occupational Safety and Health Act of 1970 to extend its protection to firefighters.

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

America in Congress assembled, That section 3(5) of the Occupational Safety and Health Act of 1970 is amended by inserting before the period at the end thereof the following: "except that a State or political subdivision of a State shall be deemed an employer with respect to its employment of firefighters".

Sec. 2. Section 3 of such Act is amended by adding at the end thereof the following new paragraph:

"(15) The term 'firefighter' means an individual employed primarily to perform work directly connected with the control and extinguishment of fires or the maintenance and use of firefighting apparatus and equipment."

Sec. 3. Section 18(c)(6) of such Act is amended by striking out "to the extent permitted by its law," and by inserting before the comma at the end thereof the following: "provided that, except in the case of firefighters, this requirement shall be applicable only to the extent permitted by the law of the State".

#### EDUCATION FOR HANDICAPPED CHILDREN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. DANIELS) is recognized for 5 minutes.

Mr. DANIELS of New Jersey. Mr. Speaker, yesterday I introduced legislation which will give greater assurance that our handicapped children can develop into independent citizens and contribute to society.

As former chairman of the Select Subcommittee on Education I fully appreciate the necessity to develop adequate programs to provide effective educational opportunities for handicapped children. I am proud to have been the sponsor of the Handicapped Children's Assistance Act of 1968 which provided for model educational centers for 5.5 million handicapped children and passed the House unanimously.

Mr. Speaker, since 1968 we have learned a lot about handicapped children and their needs. With the passage of time new problems must be faced and dealt with. This new legislation, also introduced by the present chairman of the Select Subcommittee on Education, my good friend the Honorable JOHN BRADEN, recognizes that one of the major reasons that States have not been able to increase educational opportunities for their handicapped children is that they cannot afford to take needed resources from their already overburdened public school system.

Because of the tremendous costs involved in the education of handicapped children, only 40 percent of the 7 million handicapped children in America receive the special education they need to become productive and contributing citizens. This new legislation seeks to resolve that problem by authorizing the Federal Government to pay to State governments at least 75 percent of the additional cost involved in the education of a handicapped child.

Under this bill, in order for a State to participate it must establish an advisory council representative of groups involved in education of handicapped children; submit a State plan to the Commissioner of Education; and apply uniform criteria to determine the number of handicapped children to be served.

REMARKS OF HON. HALE BOGGS  
DELIVERED AT UNITY LUNCHEON

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Massachusetts (Mr. O'NEILL) is recognized for 5 minutes.

Mr. O'NEILL. Mr. Speaker, I would like to insert in the RECORD the remarks of the distinguished majority leader, HALE BOGGS, which he delivered at the unity luncheon at the Sheraton Park Hotel. The majority leader drew attention once again to the failures of the Nixon administration with regard to national economic policy. I commend the leader on his eloquent speech and suggest that all interested Members read his remarks.

## REMARKS AT UNITY LUNCHEON

Monday, Clark MacGregor, President Nixon's campaign manager, made one of the most outlandish statements of this political year. He declared that the economy is in such good shape that President Nixon, should he be re-elected, will not have to ask Congress for a tax increase in the next two years.

But if the Republicans plan to use the shape of the economy as one of their rallying points in the campaign for Mr. Nixon's re-election, they must be looking at a different set of economic indicators than we are. For almost four full years, this Administration has exhibited a callous and calculated indifference to the chronic unemployment plaguing the nation. Yet while the economic soothsayers at the White House are tolerant of a 5.5% unemployment rate, I know that the American working man is not. And neither is the Democratic Party.

Yet Mr. MacGregor has done a service to the American people, and to our Democratic Party by focusing attention on the economic policies of the present Administration. While the Democratically-controlled Congress passed the Economic Stabilization Act, giving the President authority to invoke wage and price controls, the President vowed he would never use such drastic measures to control the economy. It was not until a full 18 months after the passage of the Economic Stabilization Act that President Nixon announced the specifics of Phase I. While the President hedged for these 18 months, millions of more Americans joined the ranks of the unemployed, and inflation continued at alarming rates.

When Congress acted to give jobs to millions of unemployed workers through the Randolph-McFall accelerated Public Works Program, the President vetoed the bill as inflationary. In 1970 the President vetoed the HEW-Labor-OEO appropriations bill on the same basis, elaborating further that over four-fifths of the increase in funds was for education. Today the President calls on the Congress to appropriate money for quality education, when that is what we have been doing right along.

The Nixon Administration followed on the heels of one of the most prosperous periods in economic history. Under the Johnson Administration, unemployment dipped below the magic 4% for several months. Yet within a year's time the President sent our economy into a tailspin. Republican economic policies have resulted in the loss of more than 40 billion in Government revenues. And although the President chides Congress for overspending in the areas of human need, like education, and housing, his budget policies have given us the largest deficits in peacetime history.

Mr. MacGregor also stated that if re-elected President Nixon would be able to balance the budget by eliminating some of the Great Society programs now on the books. It is obvious from this statement that to the Republican Administration balancing figures is more important than furnishing medical care for the aged, or insuring that our

children receive good education, or guaranteeing that hungry Americans are fed. For looking at Mr. MacGregor's record in Congress, one is not surprised by these statements. He voted against Medicare when he was in Congress, he opposed the Elementary and Secondary Education Act, and he opposed the issuance of food stamps to poor people.

I hope that Mr. MacGregor will continue to make such statements as the campaign wears on, for I am sure that the American people will repudiate the Republican approach to solving this nation's problems. I am also confident that balancing the budget is not nearly so important to American working men as being gainfully employed, as being able to afford good education, and as being able to obtain adequate health care treatment. While the President may attempt to wipe out the landmark social legislation of the 1960's, he cannot wipe out unemployment, or provide equal educational opportunities through such backward and irresponsible economic policies as those he has pursued to date.

I can guarantee that the Democratic Congress is not going to sit idly by and allow the Republican Administration to dismantle major legislative commitments of the past, just so they can balance the budget. The American people deserve much more, and they will get it from the Democratic Party.

## THE PROBLEM OF GUN CONTROL

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

Mr. SIKES. Mr. Speaker, I recently testified before the Judiciary Committee on a subject about which I have deep feelings—the matter of additional controls on the sale and possession of guns.

I feel strongly that the problem which confronts America is one of enforcement of the law and punishment of criminals, not passage of additional laws. This applies in the field of gun control as well as elsewhere.

In 1901 President William McKinley was shot and died a week later. Forty-five days later his assassin died in the electric chair. In 1968 Senator Robert F. Kennedy was assassinated. Now 4 years later his assassin's sentence has been commuted to life imprisonment and he is seeking a parole. There was more law and order then. There is more crime and violence now. All the gun legislation did not improve the situation.

There is an obsession among some Americans that the way to control crime is to pass laws against the private ownership of weapons. Invariably these obsessions surface after some dramatic and deplorable incident in which a public figure is shot. This occurred very recently in the case of Gov. George Wallace.

Scarcely had the smoke cleared from that insane act than the cry arose for new controls against the ownership of handguns. Those in favor of these gun controls seemed to be telling us and the world that if law abiding citizens, sportsmen, and gun collectors were more tightly controlled, such a shooting of a presidential candidate would not have taken place. They have suggested to us that if all handguns were registered and, as has been loudly suggested, handguns ultimately outlawed, that George Wallace would not have been shot, that overall crime would be reduced, and America would be a far safer place for us all.

To my view, this is absurdity to the

extreme. Gun control laws now on the Federal and State statute books, if enforced, would have prevented the shooting of George Wallace. The man accused in the Wallace shooting had earlier been involved in a firearms incident. He transported the weapon across several State lines. On at least one prior occasion he had been picked up and questioned as a suspicious person while awaiting the arrival of Governor Wallace at a Wisconsin rally.

In short, Mr. Speaker, the emotion which has again surfaced following the terrible incident in Maryland has no relation to the need for new and more restrictive gun control legislation.

As for the contention that crime will be reduced with additional gun controls, that argument has been discounted by a great many responsible people. It is quite obvious that a person intent upon using a gun to commit a crime will not first rush to his nearest police station in order to register his weapon. I can conceive of no circumstance whereby a criminal would be more willing to abide by gun control laws than he would the laws against armed robbery.

By the same token, I can see no validity to the argument that to register the guns of law abiding citizens, collectors, and sportsmen will make our streets safer. These are not the people who roam the city streets robbing, mugging, and looting. Again, it is the criminal who takes a weapon to which he is not legally entitled and uses it in committing crimes.

And so, Mr. Speaker, we come to the essence of the problem.

I am as interested as any man in America in lowering the crime rate in this country. I want to see our streets safe for decent human beings once again. I do not like it when law-abiding citizens must huddle in their homes at night behind chained and locked doors and barred windows while the animals of society, armed with guns, knives, and clubs take over the streets.

But I can assure you, Mr. Speaker, that to pass a law which says these law-abiding citizens must register their guns and ultimately surrender them will not alter the present state of affairs for the better.

What we do need is effective enforcement of the law and prompt and vigorous handling of criminal cases by the courts. If any law is to be strengthened it should be the law concerning the use of weapons—any weapon, be it a firearm, a knife, or a stick of dynamite—used in the commission of a crime. Once the criminals of America are taught that to use a weapon in crime is to assure them, upon capture and conviction, of a long jail term with little or no hope of parole, then the crime rate will be reduced in this country.

I challenge supporters of stricter gun control legislation to detail their logic in suggesting that stricter laws against the ownership of weapons will modify the situation under present laws which allow the criminal to go free minutes after his arrest, laws which allow that same criminal to accumulate a long list of violations before he ever comes to trial on any one of them, and how the continuation of this laxity in law enforcement on



the part of police and courts will serve the interests of law-abiding citizens.

What is being suggested by proponents of new gun controls is to penalize 99 percent of the gun owners of America in the faint hope that a few of the 1 percent who use guns illegally will somehow come around to a better way of thinking.

I was interested to hear some remarks on a recent NBC television program. The program, entitled "Thou Shalt Not Kill" was an interview with two men in Utah who had been convicted of killing six persons during a 5-day spree a couple of years ago.

One of these men—one who had killed five of the six victims, one by stabbing and four by gunshot—said he hoped laws would be enacted taking guns away from the law-abiding citizen. He said that if such were accomplished, those of his ilk—those who use guns to commit crime—would no longer have to fear that in the commission of their crimes, the criminal would find himself facing a gun owned by his intended victim.

This was a most enlightening statement, Mr. Speaker. It showed me and millions of Americans, that, instead of deterring crime, stricter and restrictive gun legislation would give the criminal more courage, more boldness, and less fear of personal danger in the commission of his crime.

The principal thrust of the legislation which has been approved by a Senate committee and which is one objective of measures being considered by your committee is to reduce the availability of the so-called Saturday night special, the short barreled, cheap handgun which is found more and more in the hands of irresponsible individuals. Here I think is an area which deserves careful exploration. There is indeed a place for legislation of this type if it is soundly based to accomplish the desired purpose and not used simply as a vehicle to achieve registration and licensing. One such bill is by Senator HRUSKA. It is a bill that this Congress could well consider and one which I support in principle. I do have concern for the fact that cheap handguns are readily available even within a very few miles of the U.S. Capitol, and the fact that increasing numbers of these weapons in the hands of irresponsible individuals does add to the likelihood of crime.

The Hruska bill establishes new standards of safety and reliability against which all handguns would be tested. The control machinery under which this bill would operate is based on standardized testing on a technical basis premised on established standards of safety and reliability. The standards and tests would be promulgated in coordination with the Chief of Army Ordnance and the Bureau of Standards. The Hruska approach would eliminate the dangerous and unreliable handgun including those which are readily concealable and at the same time guarantee sportsmen and gunowners that quality firearms will be available for sporting purposes and lawful self-protection. The Hruska bill and its prohibitions would apply at the level of the manufacturer and importer. This is preferable to including the dealer and

collector in the control process which would generate vast confusion and recordkeeping for both law enforcement and business.

I know that the Congress does not want to adopt legislation which will have the effect of increasing the crime rate. Certainly that would not be intent of legislation, yet I have firm convictions that the effect would be exactly that. Let us look at the broad picture. First, the effect would be to violate the Constitution of the United States which provides that every citizen shall have the right to keep and bear arms. This constitutional protection does not extend to the criminal user any more than the right of free speech extends to the traitor who sells our Nation's secrets to our enemies.

I realize this is an election year, Mr. Speaker. Particularly it is a time when the American people look to those seeking public office to come forward with solutions to our Nation's problems. Certainly crime is among our most serious problems. But I believe we, as elected representatives of the people, would be doing those people a disservice if we were to recommend legislation which the people are led to believe will solve crime problems when, in fact, it could do the opposite.

Insofar as I can determine, the legislation under consideration by the House Judiciary Committee is much broader than should be adopted. The Bayh bill in the Senate is also very objectionable from my standpoint. The Hruska bill, which was considered and rejected in the Senate, is a more reasonable bill and should be the basis for our deliberations in the House.

I do not support legislation which would impose unrealistic burdens on the States, threaten those States with the loss of funds, deprive sportsmen in those States of money to protect wildlife, and, in effect, legislation which places the onus of criminality on the legitimate gun owner and not the criminal.

Mr. Speaker, let us go about the business of reducing crime by going to the source of that crime. And that source, I suggest, is not to be found with the sportsman, the collector, or the man concerned for his life and the lives of his family.

The sources of the trouble lies, very simply, in the fact that a criminal today can come into possession of a gun at almost any time he wants it. He can take that gun, commit a crime with it, and go scot free. The criminal scorns the law because he has no fear of it. But he applauds further restrictions on the ownership of guns by those he, the criminal, sees as his enemy—the law abiding citizen—because the criminal does fear to face a gun.

Let us continue to allow the gunowner with legitimate purposes to have his guns for sport, as a hobby, or for protection, without penalty. But, at the same time, let us embark on a concerted drive to rid America of the type of man who uses these guns for evil and illegal purposes.

Otherwise, we are deluding ourselves and, more importantly, we are misleading the American people into believing that no guns will mean no crime.

#### THE NEW YORK PORT AUTHORITY MUST PAY TO REMEDY THE MASS TRANSIT PROBLEMS IT CREATES

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

Mr. KOCH. Mr. Speaker, the Port Authority of New York-New Jersey is an agency mandated to promote transportation and commerce in New York City's port district. It has almost entirely ignored the first part of its mandate, however, by refusing to invest in urgently needed mass transit facilities.

In 1962 when transit operations in New York were rapidly deteriorating, the Port Authority, which was under public pressure to aid mass transit, devised a cynical compromise with the New York and New Jersey legislatures whereby the authority agreed to take over the Hudson tubes, a commuter rail line for New Jersey residents, on two conditions: first, that it be allowed to construct the World Trade Center; and second, that the enabling legislation be drawn so as to limit and virtually prohibit future Port Authority investments in mass transit.

In short this public authority got the right to make enormous profits in a grandiose real estate venture while flaunting its own mandate through a refusal to invest these profits in ailing transit operations. It is adding 9 million square feet of office space, in a pointless competition with private real estate developers, when an estimated 34 million square feet of available office space in the city will be unrented even before the World Trade Center's completion in 1974. It is also creating a new burden for the city's overtaxed transit facilities.

At least 130,000 people will travel, mostly by subway, to the World Trade Center each day. Clearly new and improved transit facilities are needed to service the World Trade Center and lower Manhattan. And clearly the Port Authority should be made to pay for these facilities for it has created the problem. It is not right that the MTA, which controls our already deficit-ridden subways, and the taxpayers who suffer in them should be forced to pay for the needed improvements. That would be tantamount to the Port Authority, which has done nothing over the years to help public transit in the city, rubbing salt in the public's wounds.

The Second Avenue subway is scheduled for completion in the 1980's. The Port Authority should be required to pay for a transit facility linking the Trade Center to this new subway. The Port Authority should also be required to pay for other, more immediate, transit improvements in the area.

William Roman, vice chairman of the Port Authority and chairman of the MTA, has himself said that the 1962 covenant does not really prevent the Port Authority from investing in mass transit. The Port Authority has the resources available to improve transit facilities in the World Trade Center area—they also have a moral obligation to do so. It is time for their public-be-damned attitude to stop. In the past this attitude has only contributed to the deterioration of our

subways and the discomfort of New Yorkers.

#### SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. VEYSEY) and to revise and extend their remarks and include extraneous matter:)

Mr. KEMP, for 15 minutes, today.  
Mr. EDWARDS of Alabama, for 5 minutes, today.

Mr. FRELINGHUYSEN, for 60 minutes, today.

Mr. HEINZ, for 5 minutes, today.  
Mr. FRENZEL, for 5 minutes, today.

(The following Members (at the request of Mr. MAZZOLI), to revise and extend their remarks and include extraneous matter:)

Mr. ASPIN, for 5 minutes, today.  
Mr. GONZALEZ, for 5 minutes, today.  
Mrs. ABZUG, for 10 minutes, today.  
Mr. DENT, for 10 minutes, today.  
Mr. DANIELS of New Jersey, for 5 minutes, today.

Mr. O'NEILL, for 5 minutes, today.  
Mr. HEBERT, for 30 minutes, today.

#### EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. SEIBERLING, and to include extraneous material in his remarks today during consideration of H.R. 16029, Foreign Assistance Act of 1972.

Mr. KOCH and to include extraneous material, notwithstanding an estimated cost of \$467.50.

Mr. ANDERSON of Illinois to revise and extend his remarks on conference report on H.R. 15417, Labor and HEW appropriation bill.

Mrs. GREEN of Oregon to extend her remarks prior to the vote on the conference report on the HEW appropriation bill, today.

Mr. STRATTON to include extraneous matter with his remarks made in the Committee of the Whole, today, on the Monagan amendment.

(The following Members (at the request of Mr. VEYSEY) and to include extraneous matter:)

Mr. FINDLEY.  
Mr. DERWINSKI in two instances.  
Mr. WYATT.  
Mr. HAMMERSCHMIDT.  
Mr. KEMP in three instances.  
Mr. WYDLER.  
Mr. VANDER JAGT.  
Mr. VEYSEY in two instances.  
Mr. SCHERLE.  
Mr. WINN.  
Mr. BETTS.  
Mr. HUNT.  
Mr. ASHBROOK in two instances.  
Mr. BROZMAN.  
Mr. BAKER.  
Mr. FRENZEL.  
Mr. BROYHILL of Virginia.

(The following Members (at the request of Mr. MAZZOLI) and to include extraneous matter:)

Mr. RARICK in three instances.

Mr. GONZALEZ in three instances.  
Mrs. ABZUG in 10 instances.

Mr. PATTEN.  
Mr. LEGGETT.  
Mr. JACOBS.  
Mr. ASHLEY.  
Mr. WALDIE in two instances.  
Mr. COTTER in two instances.  
Mr. HUNGATE in three instances.  
Mr. MANN in two instances.  
Mr. CAFFERY.  
Mr. HARRINGTON.  
Mrs. HANSEN of Washington.  
Mr. PEPPER in two instances.  
Mr. MIKVA.  
Mr. CAREY of New York.  
Mr. VANIK in two instances.  
Mr. GRIFFIN in two instances.  
Mr. MAHON.  
Mr. RYAN.  
Mr. BOGGS.  
Mr. ZABLOCKI in two instances.

#### ENROLLED BILLS SIGNED

Mr. HAYS, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 1462. An act to provide for the establishment of the Puukohola Heiau National Historic Site in the State of Hawaii, and for other purposes;

H.R. 9545. An act to amend section 6(b) of the Revised Organic Act of the Virgin Islands relating to qualifications necessary for election as a member of the legislature; and

H.R. 14106. An act to amend the Water Resources Planning Act to authorize increased appropriations.

#### SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 484. An act to designate the Scapegoat Wilderness, Helena, Lolo, and Lewis and Clark National Forests, in the State of Montana.

#### ADJOURNMENT

Mr. MAZZOLI. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 7 minutes p.m.), the House adjourned until tomorrow, Thursday, August 10, 1972, at 12 o'clock noon.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2239. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated January 17, 1972, submitting a report, together with accompanying papers and illustrations, on Blackwater Bay and River and East Bay, Fla., requested by resolutions of the Committees on Public Works, U.S. Senate, adopted January 26, 1966, and House of Representatives, adopted May 5, 1966; to the Committee on Public Works.

2240. A letter from the Comptroller General of the United States, transmitting a report on the examination of financial statements of the accountability of the Treasurer of the United States, Department of the

Treasury, for fiscal years 1970 and 1971; to the Committee on Government Operations.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MAHON: Committee on Appropriations. H.R. 16254. A bill making certain disaster relief supplemental appropriations for the fiscal year 1973, and for other purposes (Rept. No. 92-1318). Referred to the Committee of the Whole House on the State of the Union.

Mr. MAHON: Committee on Appropriations. House Joint Resolution 1278. Joint resolution making further continuing appropriations, for the fiscal year 1973, and for other purposes (Rept. No. 92-1319). Referred to the Committee of the Whole House on the State of the Union.

Mr. HAYS: Committee on House Administration. House Resolution 890. Resolution authorizing payment of compensation for certain officers of the House of Representatives (Rept. No. 92-1320). Referred to the House Calendar.

Mr. HOLIFIELD: Committee on Government Operations. Report on saving lives in nursing home fires (Rept. No. 92-1321). Referred to the Committee of the Whole House on the State of the Union.

Mr. STAGGERS: Committee of Conference. Conference report on H.R. 5065 (Rept. No. 92-1322). Ordered to be printed.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. MAHON:  
H.R. 16254. A bill making certain disaster relief supplemental appropriations for the fiscal year 1973, and for other purposes.

By Mrs. ABZUG:  
H.R. 16255. A bill to prohibit the United States from engaging in weather modification activities for military purposes; to the Committee on Armed Services.

By Mr. CAFFERY:  
H.R. 16256. A bill to designate the post office and Federal office building to be constructed in Houma, La., as the "Allen J. Elender Post Office and Federal Office Building"; to the Committee on Public Works.

By Mr. CAREY of New York (for himself, Mr. ROY, and Mr. WOLFF):

H.R. 16257. A bill to provide payments to States for public elementary and secondary education and 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. DENT:  
H.R. 16258. A bill to amend the Occupational Safety and Health Act of 1970 to extend its protection to firefighters; to the Committee on Education and Labor.

By Mr. FREY:  
H.R. 16259. A bill to amend the act incorporating the Veterans of World War I of the United States of America; to the Committee on the Judiciary.

By Mr. FULTON:  
H.R. 16260. A bill to amend title 38 of the United States Code to provide that the statutory social security benefit increase effective September 1, 1972, be disregarded in computing income for the purpose of determining eligibility for compensation and pension under such title; to the Committee on Veterans' Affairs.

By Mr. GRAY (for himself, Mr. BLATNIK, Mr. KLUCZYNSKI, Mr. CLARK,



Mr. WRIGHT, Mr. JOHNSON of California, Mr. DORN, Mr. GROVER, Mr. KEE, Mr. HOWARD, Mr. MILLER of Ohio, Mr. MIZELL, Mrs. ABZUG, Mr. BEGICH, Mr. RANGEL, Mr. RODINO, Mr. BROY-HILL of Virginia, Mr. BOB WILSON, Mr. YOUNG of Texas, Mr. WHALLEY, Mr. ANDERSON of Illinois, Mr. ROSENTHAL, Mr. MATSUNAGA, Mr. QUILLLEN, and Mr. VANDER JAGT):

H.R. 16261. A bill to amend the Public Buildings Act of 1959, as amended, to provide for the construction of a civic center in the District of Columbia, and for other purposes; to the Committee on Public Works.

By Mr. GRAY (for himself, Mr. BEVILL, Mr. BIESTER, Mr. BLACKBURN, Mr. GUDE, Mr. RIEGLE, Mr. WIGGINS, Mr. WARE, Mr. BADILLO, Mr. DANIELSON, Mr. ROY, Mr. SEIBERLING, Mr. CONOVER, and Mr. FAUNTROY):

H.R. 16262. A bill to amend the Public Buildings Act of 1959, as amended, to provide for the construction of a civic center in the District of Columbia, and for other purposes; to the Committee on Public Works.

By Mr. HELSTOSKI:

H.R. 16263. A bill to authorize the Secretary of the Interior and the Secretary of Agriculture to institute programs designed to reforest and restore the quality of public and private forest lands; to enhance and expend recreational opportunity on such lands; to provide financial incentives to improve management of State and private forest lands; to establish a Federal forest lands management fund; to facilitate public participation in Federal resource management; and to enhance the quality of the environment and the resources of the public lands; to the Committee on Agriculture.

H.R. 16264. A bill to amend title 38 of the United States Code so as to provide that monthly social security benefit payments and annuity and pension payments under the Railroad Retirement Act of 1937 shall not be included as income for the purpose of determining eligibility for a veteran's or widow's pension; to the Committee on Veterans' Affairs.

H.R. 16265. A bill to amend the Internal Revenue Code of 1954 to exclude from gross income the entire amount of the compensation of members of the Armed Forces of the United States who are prisoners of war, missing in action, or in a detained status during the Vietnam conflict; to the Committee on Ways and Means.

By Mr. JACOBS:

H.R. 16266. A bill to establish rewards for information leading to the conviction of certain kidnapers; to the Committee on the Judiciary.

By Mr. RYAN:

H.R. 16267. A bill to amend the Lead Based Paint Poisoning Prevention Act, and for other purposes; to the Committee on Banking and Currency.

H.R. 16268. A bill to provide that emergency unemployment compensation will be payable in a State if its rate of unemployment exceeds the national average rate of unemployment, and to lower the 120-percent requirement for purposes of the extended unemployment compensation program to 110 percent; to the Committee on Ways and Means.

By Mr. STEIGER of Arizona:

H.R. 16269. A bill to facilitate the incorporation of the reclamation townsites of Page, Ariz., Glen Canyon unit, Colorado River storage project, as a municipality under the laws of the State of Arizona, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. TEAGUE of California:

H.R. 16270. 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 Mr. CHARLES H. WILSON:

H.R. 16271. A bill to declare that the United States holds in trust for the Bridgeport Indian Colony certain lands in Mono County, Calif.; to the Committee on Interior and Insular Affairs.

By Mr. BAKER:

H.R. 16272. A bill to amend the Internal Revenue Code of 1954 to allow a deduction for income tax purposes of certain expenses incurred by the taxpayer for the education of a dependent; to the Committee on Ways and Means.

By Mr. BIAGGI:

H.R. 16273. A bill to provide payments to States for public elementary and secondary education and 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. CORMAN:

H.R. 16274. A bill to regulate trade in drugs and devices by prohibiting the dispensing of drugs or devices by medical practitioners and their participation in profits from the dispensing of such products, except under certain circumstances, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. FISH:

H.R. 16275. 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. KASTENMEIER (for himself, Mr. CONYERS, Mr. RYAN, Mr. MIKVA, Mr. DRINAN, Mr. RAILSBACK, Mr. BIESTER, Mr. FISH, and Mr. COUGHLIN):

H.R. 16276. A bill to establish an independent and regionalized Federal Board of Parole, to provide for fair and equitable parole procedures, and for other purposes; to the Committee on the Judiciary.

By Mr. FOLEY:

H.R. 16277. A bill to amend Public Law 90-335 (82 Stat. 174) relating to the purchase, sale, and exchange of certain lands on the Spokane Indian Reservation; to the Committee on Interior and Insular Affairs.

By Mr. FRENZEL:

H.R. 16278. A bill to protect the constitutional rights of citizens of the United States and to prevent unwarranted invasions of privacy by prescribing procedures and standards governing the disclosure of information to Government agencies; to the Committee on Banking and Currency.

By Mrs. HICKS of Massachusetts:

H.R. 16279. A bill to amend title II of the Social Security Act to increase the amount of a widow's or widower's benefit from 82½ to 100 percent of the insured individual's primary insurance amount; to the Committee on Ways and Means.

H.R. 16280. A bill to amend title II of the Social Security Act to provide a 50-percent across-the-board increase in benefits thereunder, with the resulting benefit costs being borne equally by employers, employees, and the Federal Government, and to remove the present limitation on the amount of outside earnings which a beneficiary may have without suffering deductions from his benefits; to the Committee on Ways and Means.

By Mr. JARMAN (for himself, Mr. DINGELL, Mr. ADAMS, Mr. POBELL, Mr. HELSTOSKI, Mr. METCALFE, Mr. DEVINE, Mr. HARVEY, Mr. KUYKENDALL, and Mr. THOMPSON of Georgia):

H.R. 16281. A bill to restore and maintain a healthy transportation system, to provide financial assistance, to improve competitive equity among surface transportation modes, to improve the process of Government regulation, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. KEMP:

H.R. 16282. A bill to provide that the deter-

mination of a State "off" indicator for purposes of the emergency and extended unemployment compensation benefit programs shall be made on the basis of whether the unemployment rate in each county in that State has fallen below the level prescribed for that State "off" indicator; to the Committee on Ways and Means.

By Mr. KYROS:

H.R. 16283. A bill to amend chapter 81 of subpart G title 5, United States Code, relating to compensation for work injuries, and for other purposes; to the Committee on Education and Labor.

By Mr. MCKINNEY:

H.R. 16284. A bill to promote more effective operations and management of the Federal parole system by reorganizing certain functions and creating new organizations, and for other purposes; to the Committee on the Judiciary.

By Mr. MALLARY:

H.R. 16285. A bill to require States to pass along to public assistance recipients who are entitled to social security benefits at least half of the 1972 increase in such benefits, either by disregarding it in determining their need for assistance or otherwise; to the Committee on Ways and Means.

By Mr. MIKVA:

H.R. 16286. A bill to amend the act entitled "An act to provide for the establishment of the Indiana Dunes National Lakeshore, and for other purposes", approved November 5, 1966; to the Committee on Interior and Insular Affairs.

By Mr. MILLS of Maryland:

H.R. 16287. A bill to amend the Commercial Fisheries Research and Development Act of 1964 to establish a comprehensive program of reimbursement with respect to losses sustained by commercial fisheries as a result of natural and environmental disasters, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. PEPPER:

H.R. 16288. A bill to amend the Small Business Act, to provide financial assistance for handicapped individuals establishing or operating small business concerns and for other purposes; to the Committee on Banking and Currency.

H.R. 16289. A bill to provide that meetings of Government agencies shall be open to the public, and for other purposes; to the Committee on Government Operations.

H.R. 16290. A bill to amend the Federal Aviation Act of 1958 in order to provide a more effective program to prevent aircraft hijacking, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. ROE:

H.R. 16291. A bill to provide for the awarding of a Medal of Honor for Policemen and a Medal of Honor for Firemen; to the Committee on Banking and Currency.

H.R. 16292. A bill to insure international cooperation in the prosecution or extradition to the United States of persons alleged to have committed aircraft piracy against the laws of the United States or international law; to the Committee on Interstate and Foreign Commerce.

H.R. 16293. A bill to permit collective negotiation by professional retail pharmacists with third-party prepaid prescription program administrators and sponsors; to the Committee on the Judiciary.

H.R. 16294. A bill to provide payments to States for public elementary and secondary education and 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. ROGERS:

H.R. 16295. A bill to extend to all unmarried individuals the full tax benefits of income splitting now enjoyed by married individuals filing joint returns; and to remove rate inequities for married persons where

both are employed; to the Committee on Ways and Means.

By Mr. WALDIE:

H.R. 16296. A bill to provide for increases in annuities payable from the civil service retirement and disability fund; to the Committee on Post Office and Civil Service.

By Mr. MAHON:

H.J. Res. 1278. Joint resolution making further continuing appropriations for the fiscal year 1973, and for other purposes; to the Committee on Appropriations.

By Mr. ROGERS:

H.J. Res. 1279. Joint resolution to authorize the President to designate the period from September 17, 1972, through Septem-

ber 23, 1972, as "National Bank-Women's Week"; to the Committee on the Judiciary.

By Mr. SCHERLE:

H.J. Res. 1280. Joint resolution authorizing the President to proclaim the fourth Monday in March of each year as "Agriculture Day"; to the Committee on the Judiciary.

By Mr. CELLER:

H. Con. Res. 881. Concurrent resolution to provide for the printing of 1,000 additional hearings entitled "Corrections" parts I through VI; to the Committee on House Administration.

By Mr. PEPPER:

H. Res. 1089. Resolution to provide that meetings of committees of the House of Rep-

resentatives shall be open to the public; to the Committee on Rules.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mrs. HICKS of Massachusetts:

H.R. 16297. A bill for the relief of Maurice H. Haddad; to the Committee on the Judiciary.

H.R. 16298. A bill for the relief of George Francis Hoo; to the Committee on the Judiciary.

## EXTENSIONS OF REMARKS

A DATE TO REMEMBER: FIFTH ANNUAL FAMILY REUNION DAY, SUNDAY, AUGUST 13, 1972

### HON. JAMES R. MANN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 9, 1972

Mr. MANN. Mr. Speaker, Kiwanis International and Freedoms Foundation at Valley Forge invite all Americans and Canadians to celebrate Family Reunion Day next Sunday, August 13. When these splendid organizations suggest that we celebrate—not just declare—this fifth annual family day, they honor and serve us all, the individual, our nations, all men everywhere.

The essential spirit of Family Reunion Day is different from that of most national events. It urges every family to plan its own activities, perhaps a reunion dinner, picnic, or outing. The day is cited as an occasion for getting family members up to date on addresses, birthdays, other anniversaries, deaths, and significant events. Kiwanis groups, in some cases, use intensive publicity to insure the entire community's awareness of and participation in the occasion. Some Kiwanis clubs will hold special Family Reunion Day celebrations—athletic events and outings, or Kiwanis family meetings at which speakers will be chosen to interest children, or wives. The importance of the spirit of the day, to both the public and the private good can scarcely be overestimated.

This one observance, increasing in importance each year, might well merit on its own the words used opposite the title page of Oren Arnold's book, "The Widening Path, An Interpretive Record of Kiwanis":

Suddenly we realize that the service clubs are perhaps the most important groupings of men in the world today; the most influential, the most impervious to criticism. If they wish to, they are now strong enough to control the nation. It is comforting to know that they work only for good.

That was true when written. It is true today and, if anything, more important.

Home, the keystone of the nations' strength, and of any society's, once called "the nursery of the infinite," is having a hard time of it everywhere today, assaulted from without, and weakened from within. It appears that we must be reminded of the obvious—the dignity of the home, its goodness and beauty, its

absolute primacy in the life of the individual and of the Nation.

In all areas, the menace of mediocrity is obviously upon us . . . rampant are powers which cheapen life, which lessen the worth of the person . . . we were a most useful people, a happier people when we had each man hitching his wagon to a star. Too long now have we said "Search not the skies for opportunity, lower your head and seek security close at hand." . . . In place of this we (Kiwanians) must have a high goal, to lift the heart and set the soul to dreaming—a goal which will impel us to besiege and batter those forces which would destroy us . . . When man feels himself a cog in a wheel, a number, he shoots his own morals, blasts his own morale . . . we make of ourselves a pygmy people when we content ourselves with less than our best . . . As never before, we in Kiwanis must build the sovereignty, the dignity, the worth, responsibility and accountability of the individual.

Those thoughts, and some below, are taken from the Kiwanis 50th anniversary address by the then president of Kiwanis International, Edward B. Moylan, Miami. Surely they apply to the work of the American home in a day when, after being advised for years that "The family that prays together stays together," some of our public counsellors are also urging us, as I heard just this week, "The family that eats together, stays together." They point up the ever-alert wisdom of Kiwanis, and Freedoms Foundation, which several years ago had some 13,000 programs to promote family prayer at meals, and family church attendance. This year the need is greater, the problems more acute. Fittingly the program is, if possible, even more fundamental, touching the family at home, asking family members to pause, consider themselves and their intra-family relationships, and plan their own celebration there, in the home. Kiwanis has been said to have the most inspiring ideal known, second only to the Christian ideal of which it may be counted a part. Home and family are surely vital to that ideal.

The men who founded Kiwanis in Detroit in 1915 wanted a name more meaningful than the wordy titles in vogue at the time, for a club which they foresaw as a vital local group with a potential top membership of 5,000. The name they discovered is quite as apt now that Kiwanis International, in 39 countries, lists not 5,000 members but more than 5,000 clubs with nearly 300,000 members. The motto derived from the name is quite as appropriate for Family Reunion Sunday, August 13, 1972, as it is for the organization

itself. "Kiwanis" is taken from "Nun Kee-wan-nis," a phrase of the Ojibwe Indian tribe which, freely translated, is "We enjoy trading, we find joy in sharing our talents." This is the spirit of the name Kiwanis, and of the Kiwanis motto, "We build."

"To build" is instinctive, intrinsic, and innate . . . building is essential to progress. It is equally essential to preservation. The ancient Noah was entrusted to "build an ark to the saving of his household." That militant, missionary apostle of the early church, Paul, used building as the criterion for judging every social indulgence. He said: "Does building edify? Does it build up?" . . . Because building is so basic to human nature, poets have used this analogy to express all kinds of development.

Here again I quote from Edward Moylan's address. Are all Americans building homes—not houses, homes? A house requires a contractor, and many craftsmen. A home is built by parents, often—of necessity—by one parent. A contemporary child psychologist says:

One trouble with children is that they all have mothers and fathers, but some of them do not have parents.

If they have real parents working at the most important job on this our earth, children will have real homes, be they the poorest places of only a room or two.

Said Josiah Holland:

Home in one form or another is the great object of life.

The late J. Edgar Hoover wrote in an article, "What I Would Tell a Son," which appeared some years ago in Family Weekly:

Above all, I would teach him to tell the truth . . . Truth telling, I have found, is the key to responsible citizenship. The thousands of criminals I have seen in 40 years of law enforcement have had one thing in common: every single one was a liar.

Of parents, we are told many things worth recalling. Said Theodore Hesburgh, college president, of fathers:

The most important thing a father can do for his children is to love their mother.

On mothers and motherhood, I take particular pleasure in quoting May Roper Coker, of Hartsville, in my own State of South Carolina, who said, on being named Mother of the Year some years ago:

I never thought that you should be rewarded for the greatest privilege of life.

The American ideal-come-true was once the boy, or girl, who came from a