HOUSE OF REPRESENTATIVES—*Saturday, October 14, 1972*

The House met at 12 o'clock noon.

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

Keep yourselves in the love of God.—Jude 21.

Almighty God, who didst lead our fathers to bring forth in this land a new Nation conceived in liberty, give Thy grace to us their children that we may be ever mindful of Thy presence without whom no nation can prosper, no people can dwell secure, and no land can be free.

Pardon, we pray Thee, our shortcomings. We have not kept Thy Commandments nor have we obeyed Thy laws. Now we turn to Thee with hearty repentance and true humility praying that Thou wilt forgive us and reveal to us Thy will in which is our peace. Uphold us in our determinations to serve our country and to guide our people in following wise and sound leadership.

Now as we face the end of this session, give us grace to seek first Thy Kingdom of truth and love that Thou canst bless our Nation and make her a blessing to all mankind.

Now unto Him who is able to keep you from falling and to present you faultless before the presence of His glory with exceeding joy, to the only wise God, our Savior, the glory and majesty, dominion, and power, both now and evermore. Amen.

MESSAGE FROM THE SENATE

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

H.R. 15735. An act to authorize the transfer of a vessel by the Secretary of Commerce to the Board of Education of the City of New York for educational purposes; and

H.R. 16883. An act relating to compensation of members of the National Commission on the Financing of Postsecondary Education.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 16810) entitled "An act to provide for a temporary increase in the public debt limit and to place a limitation on expenditures and net lending for the fiscal year ending June 30, 1973," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. LONG, Mr. TALMADGE, Mr. HARTKE, Mr. BENNETT, and Mr. MILLER to be the conferees on the part of the Senate.

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

S. 216. An act to permit suits to adjudicate certain real property quit title actions.

The message also 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. 11021. An act to control the emission of noise detrimental to the human environment, and for other purposes.

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.

Mr. ECKHARDT. Mr. Speaker, I object.

The SPEAKER. The question is on the approval of the Journal of the last day's proceedings.

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

Mr. ECKHARDT. 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 248, nays 3, not voting 180, as follows:

[Roll No. 444]

YEAS—248

Abbitt	Conable	Hillis
Abernethy	Conover	Hogan
Abzug	Conyers	Holifield
Adams	Culver	Hosmer
Addabbo	Daniel, Va.	Hull
Anderson, Calif.	Danielson	Hutchinson
Andrews, Ala.	Davis, Ga.	Ichord
Archer	de la Garza	Jacobs
Arends	Dellenback	Johnson, Calif.
Ashley	Dennis	Jonas
Aspinall	Dent	Jones, Ala.
Badillo	Dorn	Jones, N.C.
Baker	Downing	Karth
Barrett	Drinan	Kastenmeier
Bennett	Dulski	Kazen
Bergland	Duncan	Keith
Betts	Edwards, Ala.	Kemp
Bevill	Edwards, Calif.	King
Biester	Eilberg	Kluczynski
Bingham	Erlenborn	Koch
Blackburn	Eshleman	Kyl
Boggs	Evins, Tenn.	Kyros
Bow	Findley	Landgrebe
Brademas	Fish	Landrum
Brasco	Flood	Latta
Bray	Flynt	Lennon
Breaux	Foley	Lent
Brinkley	Ford, Gerald R.	Lloyd
Brooks	Forsythe	Lujan
Brown, Mich.	Fraser	McClory
Brown, Ohio	Frelinghuysen	McCloskey
Broyhill, N.C.	Frenzel	McCollister
Broyhill, Va.	Garmatz	McCormack
Buchanan	Gaydos	McCulloch
Burke, Mass.	Gettys	McDade
Burleson, Tex.	Gonzalez	McEwen
Burlison, Mo.	Goodling	McFall
Burton	Grasso	McKay
Byrnes, Wis.	Green, Pa.	McKinney
Camp	Griffin	McMillan
Carlson	Griffiths	Macdonald, Mass.
Carney	Grover	Madden
Carter	Gubser	Mahon
Casey, Tex.	Halpern	Mallary
Cederberg	Hansen, Idaho	Mann
Chamberlain	Harrington	Mathias, Calif.
Clausen, Don H.	Harsha	Mathis, Ga.
Clawson, Del	Harvey	Mazzoli
Cleveland	Hathaway	Meeds
Collier	Hechler, W. Va.	Melcher
Collins, Tex.	Heinz	Metcalfe
Colmer	Henderson	Miller, Calif.
	Hicks, Mass.	Miller, Ohio
	Hicks, Wash.	Mills, Ark.
	Rhodes	Stratton
	Riegle	Stubblefield
	Roberts	Sullivan
	Robinson, Va.	Taylor
	Robison, N.Y.	Teague, Calif.
	Roe	Teague, Tex.
	Rooney, Pa.	Tiernan
	Roy	Ullman
	Roybal	Vander Jagt
	Ruth	Vanik
	St Germain	Veysey
	Sandman	Wampler
	Sarbanes	Ware
	Satterfield	Whalen
	Saylor	Whalley
	Scheuer	White
	Schneebeli	Whitten
	Sebelius	Wiggins
	Shoup	Williams
	Shriver	Wilson, Bob
	Sikes	Wilson, Charles H.
	Slack	Wydler
	Smith, Calif.	Wyman
	Smith, Iowa	Yates
	Spence	Young, Tex.
	Stanton, J. William	Zablocki
	Steed	Zion
	Steele	Zwach
	Steiger, Wis.	
	Stephens	

NAYS—3

Eckhardt	Hall	Young, Fla.

NOT VOTING—180

Abourezk	Ford, William D.	Nichols
Alexander	Fountain	Pelly
Anderson, Ill.	Frey	Perkins
Anderson, Tenn.	Fulton	Pettis
Andrews, N. Dak.	Fuqua	Peyser
Annunzio	Galifianakis	Pirnie
Ashbrook	Gallagher	Podell
Aspin	Giaimo	Price, Tex.
Baring	Gibbons	Pryor, Ark.
Begich	Goldwater	Pucinski
Belcher	Gray	Purcell
Bell	Green, Oreg.	Quie
Biaggi	Gross	Quillen
Blanton	Gude	Randall
Blatnik	Hagan	Reid
Boland	Haley	Rodino
Bolling	Hamilton	Rogers
Broomfield	Hammer-schmidt	Roncalio
Brotzman	Hanley	Rooney, N.Y.
Burke, Fla.	Hanna	Rosenthal
Byrne, Pa.	Hansen, Wash.	Rostenkowski
Byron	Hastings	Roush
Cabell	Hawkins	Rousselot
Caffery	Hays	Runnels
Carey, N.Y.	Hébert	Ruppe
Celler	Heckler, Mass.	Scherle
Chappell	Helstoski	Schmitz
Chisholm	Horton	Schwengel
Clancy	Howard	Scott
Clark	Hungate	Seiberling
Clay	Hunt	Shipley
Collins, Ill.	Jarman	Sisk
Conte	Johnson, Pa.	Skubitz
Corman	Jones, Tenn.	Smith, N.Y.
Cotter	Keating	Snyder
Coughlin	Kee	Springer
Crane	Kuykendall	Staggers
Curlin	Leggett	Stanton, James V.
Daniels, N.J.	Link	Steiger, Ariz.
Davis, S.C.	Long, La.	Stokes
Davis, Wis.	Long, Md.	Stuckey
Delaney	McClure	Symington
Dellums	McDonald, Mich.	Talcott
Denholm	McKevitt	Terry
Derwinski	Mailliard	Thompson, Ga.
Devine	Martin	Thompson, N.J.
Dickinson	Matsunaga	Thomson, Wis.
Diggs	Mayne	Thone
Dingell	Michel	Udall
Donohue	Mikva	Van Deerlin
Dow	Mills, Md.	Vigorito
Dowdy	Minish	Waggonner
du Pont	Minshall	Waldie
Dwyer	Mollohan	Whitehurst
Edmondson	Monagan	Widnall
Esch	Morgan	Winn
Evans, Colo.	Moss	Wolff
Fascell	Murphy, N.Y.	Wright
Fisher	Nelsen	Wyatt
Flowers		Wylie
		Yatron

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So the Journal of the last day's proceedings was approved.

Mr. EVINS of Tennessee changed his vote from "present" to "yea."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

APPOINTMENT OF CONFEREES ON H.R. 16810, TEMPORARY INCREASE IN PUBLIC DEBT LIMIT

Mr. BOGGS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 16810) to provide for a temporary increase in the public debt limit and to place a limitation on expenditures and net lending for the fiscal year ending June 30, 1973, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana? The Chair hears none, and appoints the following conferees: Messrs. MILLS of Arkansas, ULLMAN, BURKE of Massachusetts, Mrs. GRIFFITHS, Messrs. BYRNES of Wisconsin, BETTS, and SCHNEEBELI.

ADDITIONAL LEGISLATIVE PROGRAM

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

Mr. BOGGS. Mr. Speaker, I take this time to announce the addition of three bills to be called up under the Suspension Calendar: H.R. 7625, to provide for an increase in the pay of police officers at National and Dulles Airports; H.R. 13895, to provide for a reclassification of pay increase for deputy U.S. marshals; and H.R. 14934, an increase in the pay level of certain positions in the Department of Justice.

Mr. Speaker, I might also take this time to say that at this time there are a total of nine suspensions to be called up. There are four travel resolutions, and there are unanimous consent bills that were previously listed from the Committee on Ways and Means, some of which will be brought up under suspensions.

Then of course there are the conference reports that must be called up, the supplemental appropriation conference report, and the continuing resolution.

I am not announcing that the above is all of the concluding business of this Congress, but that is pretty much all of it at this time.

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

Mr. BOGGS. I will be glad to yield to the gentleman from Missouri.

Mr. HALL. Mr. Speaker, I believe yesterday the leadership, or the distinguished majority leader who represents it, announced that some time today we might consider the resolution for adjournment sine die.

Could the gentleman tell us about when that might be coming along today?

Mr. BOGGS. No, I am not prepared to make any announcement at this time. We have been in consultation with the other body, but they are not prepared to set a time. But until I have that assurance we cannot make that announcement. I am sure the gentleman from Missouri knows that.

Mr. HALL. I thought perhaps the gentleman might know. Of course, I understand it would depend on a variety of factors, but I certainly hope that the leadership still has that ambition.

Mr. BOGGS. The gentleman from Missouri knows there are two very vital conference reports, one on the debt ceiling which just went to conference, and the other on H.R. 1, which is in conference. Much depends on what transpires in those conferences.

There are other conference committees which I am told are having some difficulty, one is the highway bill.

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

Mr. BOGGS. I will be glad to yield to the gentleman from California.

Mr. REES. Mr. Speaker, is it not probable that we will be meeting next Tuesday to take up H.R. 1, and the debt ceiling bill conference reports, and that we cannot finish the work tonight; that we will have to be back here next week?

Mr. BOGGS. If the gentleman had asked me that question at this time yesterday afternoon I would have said yes. But I would not use the word "probable" at this time, I would use the word that it is possible.

Mr. REES. It is probably possible that we will be here next week?

Mr. BOGGS. I will give the gentleman, if he is interested, the list to which I made a brief reference and the gentleman can get some idea of the amount of work involved. But it is possible, to put it the other way, for us to conclude the work of this session by midnight tonight.

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

Mr. BOGGS. I will be happy to yield.

Mr. BINGHAM. Just for a point of clarification, I understood the distinguished majority leader to say that some of the bills from the Committee on Ways and Means had been transferred to the list of suspensions?

Mr. BOGGS. I would say to the gentleman that they will be added to the list later today.

Mr. BINGHAM. They are not listed here.

Mr. VANIK. But they are subject to call?

Mr. BOGGS. Yes.

WHO SAID IT CANNOT HAPPEN HERE? IT IS HAPPENING

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

Mr. KOCH. Mr. Speaker, this week the Banking and Currency Committee of which I am a member, had a meeting to discuss the issuance of subpenas to a number of individuals who have engaged in reprehensible banking practices having a bearing on the Watergate espionage incident. The subpenas that should have been issued directing the appearance of those implicated in the banking matters under the direct jurisdiction of my committee could not be ordered because a quorum could not be obtained.

We are witnessing in our political life today the unfolding of events which would have been thought impossible to occur in the United States. An attempt is being made by some supporters of the present administration, to illegally destroy the Democratic Party by breaking in and bugging its Watergate headquarters, issuing bogus literature, disrupting Democratic fundraising dinners, and surveilling the political and private lives of Democratic presidential candidates during the recent primaries, and worse still, members of their families.

The tactics used by these supporters of President Richard M. Nixon can only be compared to the activities of the "Brownshirts" in Germany. Those familiar with history will recall that it was the "Brownshirts" who burned down the Reichstag in 1933 and blamed their political opposition for that dastardly act, using the incident to ban all opposition political parties. In 1935 Sinclair Lewis wrote a book entitled "It Can't Happen Here."

Mr. Speaker, it is happening.

GENERAL LEAVE

Mr. MONTGOMERY. Mr. Speaker, I have a special order today after all legislative business is concluded, and I ask unanimous consent that all Members have permission to revise and extend their remarks on the retirement of the three members of the Mississippi delegation.

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

There was no objection.

ADMINISTRATION AND CONGRESS AT FAULT FOR NOT PROVIDING INCENTIVES TO ATTRACT YOUNG AMERICANS INTO MILITARY RESERVE PROGRAMS

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

Mr. MONTGOMERY. Mr. Speaker, this administration and the Congress are seriously at fault for not providing one single incentive to attract young Americans into the military Reserve programs as we move toward the all-volunteer concept.

Manpower levels in these Reserves are 60,000 below authorized strength and continue to fall off every day.

The full-time life insurance coverage for reservists under the SGLI program was killed in the Senate. The enlistment and reenlistment bonuses for reservists passed only this week in the House will receive no action in the Senate. The national guard technician retirement bill has passed the Senate and will die in the House. Other incentive programs lying dormant in the Congress include proficiency pay and retirement at age 55 after 20 years of creditable service.

Under the Laird total forces concept, the Reserves are partners with the regular forces and have taken over some of the missions of the regulars because of the reductions in the standing Army, Air Force, Navy, and Marines, I sincerely believe we have endangered the security of this country by our inaction on incentives for the Reserves.

PERSONAL ANNOUNCEMENT

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

Mr. DRINAN. Mr. Speaker, on rollcall No. 428, October 11, 1972, regulation of strip coal mining (H.R. 6482), I was absent. Had I been able to be here, I would have voted "yea." The vote was, yeas 265, nays 75.

Mr. Speaker, on rollcall No. 429, October 11, 1972, copyright protection in certain cases (S.J. Res. 247), I was absent. Had I been able to be here, I would have voted "nay." The vote was, yeas 208, nays 92.

HON. JOHN DOWDY

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

Mr. POAGE. Mr. Speaker, it is one of the common failings of mankind that we are prone to forget those who have served as soon as they cease to be of service to us. It is an even more deplorable failing that we are all prone to accept any adverse judgment pronounced against a public figure whether we have any knowledge of the facts or not.

For a number of years, Hon. John Dowdy has represented the Second District of Texas. I have disagreed with John on many occasions. He is one of those individuals who makes his own decisions and who stands by them. He has never been one to seek the views of others or try to impress others with his views. This has probably given many Members the impression that he was cold and unfriendly. I recognize this is not the case. John Dowdy is a good friend and a dependable one.

Unfortunately for John, for the Nation, and for the Capital City, there are a number of "operators" who make their livelihood by destroying those who have earned a good reputation among their fellowmen. Unfortunately for John, he was placed on the District of Columbia Committee where he felt a responsibility to do his best to prevent some of the outrageous practices which have so long characterized many of the local public activities. Again, unfortunately for Congressman Dowdy, there is in this area some kind of feeling that those who abuse and discredit the Congress should be rewarded.

This feeling seems to be shared by several of the Federal courts in the area, and time and again admitted swindlers have been turned loose on the promise to provide testimony—not proof but their own unsupported testimony—that someone else, preferably a Member of Congress, has been likewise guilty.

Some of these unsavory characters tried to use JOHN DOWDY as a member of the committee. Clearly, they failed. They then brought in a witness, who had already been convicted and who readily stated that he had engaged in further frauds, to testify that he had bribed Congressman DOWDY. Although there was a complete failure of corroboration, Congressman DOWDY was found guilty—I think erroneously—and certainly to the benefit of a group of self-confessed fraudulent real estate operators.

His case is now on appeal and I can only hope that the higher courts will exonerate him. I don't believe JOHN DOWDY is guilty of any crime other than that he was bull-headed enough to stay on a committee where it was evident he was not wanted. He refused to submit to blackmail. For that he was framed and was forced to stand trial far from his home before a jury which had known nothing of the man except what the local commentators had wanted to present. JOHN DOWDY is a victim of his determination to serve his Nation and its Capital.

I deeply regret that he should have been so victimized and I take the floor at this time to express my confidence in, and my best wishes for, JOHN DOWDY.

BURBANK NATIONAL HISTORIC SITE

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

Mr. DON H. CLAUSEN. Mr. Speaker, I am today introducing legislation to create the Luther Burbank National Historic Site in Santa Rosa, Calif.

This new addition to our National Park System will memorialize the brilliant horticulturist by preserving his home, experimental garden and associated lands where Mr. Burbank did most of his internationally known work.

The city of Santa Rosa itself has already insured the protection of this valuable site where Mrs. Burbank still lives. However, the city recognizes the international reputation Luther Burbank earned and is aware that the location for his landmark work is entirely worthy of national recognition.

There is obviously no chance that this legislation can be considered before adjournment but I am introducing it at this time to place it on the calendar of the Interior and Insular Affairs Committee and to give the National Park Service an early opportunity to prepare its comments on the measure.

I shall reintroduce the bill when the 93d Congress convenes in January and I am confident that the preparatory work we can do between now and then will permit early enactment next year.

For the benefit of my colleagues in the House, I include a copy of a letter I have received from Mayor Clement R. Guggiana of Santa Rosa expressing the city's support for introduction and enactment of the bill in the CONGRESSIONAL RECORD following my remarks.

CITY OF SANTA ROSA,
Santa Rosa, Calif., October 10, 1972.

Hon. DON H. CLAUSEN,
House of Representatives, House Post Office, Washington, D.C.

DEAR MR. CLAUSEN: As you know, the City of Santa Rosa has been exploring for the past two years the possibility of having the Luther Burbank Memorial Park designated as a National monument.

The international reputation of the late Luther Burbank has resulted in thousands of tourists visiting this attraction each year which can be documented by the records kept on the usage of this park. As such, the City Council believes the facility to be more of a national character than of local use.

It is my understanding that a bill has been drafted by your office for introduction which would accomplish this end. As Mayor of the City of Santa Rosa, I hope that you will place this bill for introduction as soon as possible in order that the Luther Burbank home and park might appropriately be designated as a National monument.

In the event you desire any additional information, please feel free to contact the City Manager's Office. I am aware that preliminary meetings with representatives from the Park Service have been held and that the introduction of the bill in the House of Representatives is the next step to be taken. If you forsee any difficulties, please feel free to contact me directly by telephone.

Very truly yours,
CLEMENT R. GUGGIANA, *Mayor.*

PRESCHOOL CHILD DEVELOPMENT

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

Mr. RAILSBACK. Mr. Speaker, in recent years great interest has developed in the field of preschool child development.

Although relatively little is known about the actual learning process of very young children, it has been established that learning rates are much more rapid during early years than later in life. Many experiments are currently underway to try to measure early childhood learning and to develop programs to take advantage of this learning capacity.

During the past decade a major consequence of the interest in preschool child development has led many parents to start their children in school at younger and younger ages. A variety of forms of early childhood programs have been considered by the Congress during this period. I have always been a strong supporter of early childhood education.

Because our future action may well have a profound impact on our children and consequently on the development of American society, it is essential that the Members of the House be apprised of all the current information on the effects of preschool programs. I am, therefore, submitting for my colleagues' consideration a controversial and provocative study entitled "Early Schooling For All?" written by Dr. Raymond Moore and Dennis R. Moore for the Hewitt Research Center in Michigan. While I do not fully agree with all of the arguments and conclusions set forth in their report, I commend it to the attention of my colleagues because it raises the kinds of issues and asks the kinds of questions that must be considered if we are to develop a reasonable and

responsible policy for this most critical area of concern. I have discussed this educational concept with my colleague from California, DON CLAUSEN, who knows Dr. Ray Moore personally and he believes the concept has great merit and deserves very serious consideration.

The Moores' report has been given considerable attention through articles in the July issue of Harpers magazine, the July 10 issue of Time, and the October edition of the Reader's Digest. In addition, a summary of the report appears in the June 1972 issue of Phi Delta Kappan and an opportunity was given to respond to the article in the same issue. I submit two such articles by Burton L. White, director of the preschool projetc, Laboratory of Human Development, Graduate School of Education, Harvard University, and Wilson Rules, superintendent of public instruction and director of education, California Department of Education.

Mr. Speaker, notwithstanding the fact that it is estimated to cost $2,507.50 to print this research paper, I ask unanimous content to have it, along with two short articles, printed in the Extensions of Remarks.

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

There was no objection.

CONFERENCE REPORT ON H.R. 17034, SUPPLEMENTAL APPROPRIATIONS, 1973

Mr. MAHON. Mr. Speaker, I ask unanimous consent for the immediate consideration of the conference report on the bill (H.R. 17034) making supplemental appropriations for the fiscal year ending June 30, 1973, and for other purposes.

The Clerk read the title of the bill.

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

There was no objection.

Mr. MAHON. Mr. Speaker, I ask unanimous consent that the statement of the managers be read in lieu of the report.

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

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of October 13, 1972.)

Mr. MAHON (during the reading). Mr. Speaker, I ask unanimous consent that further reading of the statement of the managers be dispensed with.

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

There was no objection.

Mr. MAHON. Mr. Speaker, this is the last appropriation bill of the session except for the fact, of course, that there will be some kind of continuing resolution. It is appropriate it seems to me at the moment to touch briefly on what we have done moneywise at this session of Congress. I shall touch briefly on some of the main subjects and then later I will ask permission to revise and extend my remarks and include more details.

REDUCTIONS IN APPROPRIATIONS BILLS

The RECORD will show that in appropriation bills at this session the Congress has reduced the President's requested new budget—obligational—authority for fiscal year 1973 by approximately $5 billion, which translates into a reduction in expenditures of about $1.5 billion.

That is the general picture on the appropriation bills for fiscal 1973.

SPENDING AUTHORIZED IN NONAPPROPRIATIONS BILLS

Now, with respect to spending that is provided in other bills, I would make reference to the facts in that category. The revenue-sharing bill was an appropriation bill, but it was handled by the Committee on Ways and Means. It provided expenditures above the President's budget in the sum of $3.3 billion for fiscal 1973. That puts us over the budget there in a very substantial way.

In the social security legislation of the Committee on Ways and Means, which was not an appropriation bill, the budget is exceeded by $2.1 billion. In the black lung bill which was handled by the House Committee on Education and Labor, we are about $1 billion over the budget in spending, in this nonappropriation bill.

In the clean water bill which came out of the Committee on Public Works, which is not an appropriation bill, but which authorizes spending—backdoor spending—we are $700 million above the 1973 budget in spending. Then, in railroad retirement, we are, including the overriding of the President's veto about $350 million over the President's budget. To date in veterans' bills, we are approximately $120 million over the budget in mandated spending.

Still in process in nonappropriation bills are some veterans items that could push spending up well over another one-half a billion dollars and H.R. 1, which could add yet several more billions of dollars of spending above the President's budget.

NET CONGRESSIONAL ACTION ON THE SPENDING BUDGET

So this means generally that in fiscal year 1973 appropriation bills for this session we have cut spending by about $1.5 billion. That cut is offset, however, by the considerable increases to the spending budget resulting from action on nonappropriations bills. Including only those bills on which action is now complete, the net result of congressional action on appropriations and nonappropriations bills has been to increase spending by about $6 billion. It is impossible to have a solid estimate on the spending effect on the veterans bills and H.R. 1, which are still in the final legislative stages, but their enactment could add several billions more to the current $6 billion estimated congressional increase.

At this point I would like to amplify my remarks to cover in more detail some of the aspects of our fiscal situation, expanding in some instances on what I have already said.

ALL APPROPRIATIONS ACTION THIS SESSION BY CONGRESS—INCLUDING ACTIONS ON FISCAL YEARS 1972 AND 1973

In this session, Congress has considered 20 appropriation bills. Sixteen of these related to the current fiscal year 1973, and four related to fiscal year 1972. Including the conference agreement on the 1973 supplemental and the obligational levels for foreign asssistance contained in the continuing resolution, Congress has provided new budget—obligational—authority amounting to $180,053,320,364. This is $5,383,196,188 below budget requests totaling $185,436,-516,552. I repeat for emphasis that these figures are for the entire session and include actions on fiscal years 1972 and 1973.

FISCAL YEAR 1973 APPROPRIATIONS ACTIONS IN THIS SESSION OF CONGRESS

For fiscal year 1973—that is, the year which began last July 1—Congress has acted upon 14 regular bills, including the vetoed Labor-HEW bill, and two supplemental bills. In these bills, Congress provided new budget—obligational—authority amounting to $172,948,146,035, a reduction of $4,964,951,069 below budget requests of $177,913,097,104. These figures exclude the vetoed Labor-HEW bill and include the obligational level for foreign assistance contained in the continuing resolution.

EXPENDITURE IMPACT OF CONGRESSIONAL ACTION ON APPROPRIATION BILLS FOR FISCAL 1973

The authority to commit or obligate the Government that Congress enacts through appropriations bills, of course, is but the leading edge of spending. Actual expenditures follow appropriations and may be spread out over a considerable period of time. It is estimated that the impact of congressional reductions of close to $5 billion in new budget—obligational—authority will result in a reduction of about $1.5 billion in budgeted Federal outlays in fiscal 1973.

EXPENDITURE IMPACT OF CONGRESSIONAL ACTION ON NONAPPROPRIATION BILLS FOR FISCAL 1973

While Congress did reduce requested amounts of new budget—obligational—authority and outlays for fiscal 1973 through its appropriations process, it is also true that congressional actions on many nonappropriations bill also authorize and in some instances mandate spending. The net impact of all completed actions of Congress on both appropriations bills and nonappropriation bills will probably be to increase outlays by about $6 billion.

But action is still not complete in two major nonappropriations areas, veteran benefits and H.R. 1. It is too early to construct a solid estimate on the spending effect of the final outcome of these bills, but it can generally be stated that their enactment could easily add several billions more in spending to the $6 billion just mentioned.

SOME SIGNIFICANT FISCAL YEAR 1973 EXPENDITURE INCREASES IN NONAPPROPRIATION BILLS

By far the largest single congressional addition to spending estimates to date for fiscal year 1973 is accounted for by action on revenue sharing. As Members will recall this program was both authorized and appropriated for in one bill re-

ported by the House Committee on Ways and Means. Thus, while it is a run of the mill appropriations bill, it did circumvent the regular appropriations process and is treated separately in this account. The spending effect in fiscal year 1973 of congressional action on revenue sharing was to add about $3.1 billion to the estimates.

It should be pointed out, however, that $2.25 billion of that amount goes to the retroactive feature of the bill making the program available from the date the President first proposed. Enacting that feature of the bill resulted in the $2.25 billion congressional increase to the fiscal year 1973 estimates, but it is, nevertheless, the Executive who initiated the original request and has continued to count this program as a top priority.

By now, the most significant nonappropriations actions of Congress, which, taken together, produce the net increase of $6 billion in spending to date, are familiar to most Members. Increases in social security benefits added $2.1 billion to spending estimates for fiscal year 1973. Action to increase black lung benefits added another $1 billion. The clean water bill is estimated to increase spending up to $700 million. Action already taken on certain railroad retirement items will have an estimated spending impact of about $350 million over the budget. Completed action on veterans' items will run spending up about $120 million.

All of these actions listed here in the above paragraph, along with the revenue-sharing increase, when totaled and netted against the $1.5 billion reduction in spending in appropriations bills produce the net $6 billion addition in spending that has been cited so often in the closing weeks of this session.

Some yet uncompleted nonappropriations actions could add several billions to the $6 billion already mentioned. These items are veterans' benefits and H.R. 1.

A WAY OUT

Mr. Speaker, the air is full of solutions to the problem of congressional control of spending. We do face a serious problem and it does need study. At this point, I would make only the observation that whatever solution we embrace, it must include provision for making Members aware that, when they vote for many desirable programs in nonappropriations bills, they are also often voting directly on the budget. The recitation of the bills that contributed to congressional increases over the budget during this session is simple and direct evidence that the bills that have given us the trouble have all been nonappropriations bills.

Mr. Speaker, at this point I include tables which set forth in some detail the appropriations business of the session:

NEW BUDGET (OBLIGATIONAL) AUTHORITY IN THE APPROPRIATION BILLS FOR 1973—REVISED TO OCT. 14, 1972

[Note: As to fiscal year 1973 amounts only]

Bill	Budget request considered	Approved	Change, (+) or (−)
IN THE HOUSE			
1. Legislative	$433, 627, 004	$427, 604, 764	−$6, 022, 240
2. State-Justice-Commerce-Judiciary	4, 687, 988, 600	4, 587, 104, 350	−100, 894, 250
3. HUD-Space-Science-Veterans	20, 173, 185, 000	19, 718, 490, 000	−454, 695, 000
4. Transportaton	2, 909, 181, 095	2, 791, 614, 095	−117, 567, 000
Advance 1974 appropriation	(131, 181, 000)	(131, 181, 000)	
5. District of Columbia (Federal funds)	343, 306, 000	332, 306, 000	−11, 000, 000
6. Labor-HEW (H.R. 15417, Vetoed)	(27, 327, 323, 500)	(28, 603, 179, 500)	(+1, 275, 856, 000)
7. Labor-HEW (H.R. 16654, New bill)	28, 767, 633, 500	29, 603, 448, 500	+835, 815, 000
8. Interior	2, 520, 340, 000	2, 529, 558, 200	+9, 218, 200
9. Treasury-Postal Service-General Government	5, 066, 603, 000	5, 057, 145, 000	−9, 458, 000
10. Public Works—AEC	5, 489, 058, 000	5, 437, 727, 000	−51, 331, 000
11. Agriculture—Environmental and Consumer Protection	12, 952, 177, 400	12, 897, 010, 900	−55, 166, 500
12. Disaster Relief Supplemental, 1973	1, 569, 800, 000	1, 587, 300, 000	+17, 500, 000
13. Defense	79, 594, 184, 000	[1] 74, 577, 548, 000	−5, 016, 636, 000
14. Foreign Assistance	5, 163, 024, 000	4, 195, 155, 000	−967, 869, 000
15. Military Construction	2, 661, 384, 000	2, 280, 784, 000	−380, 600, 000
16. Supplemental, 1973	3, 573, 953, 325	3, 565, 048, 825	−8, 904, 500
Total, House bills	175, 905, 444, 924	169, 587, 844, 634	−6, 317, 600, 290
IN THE SENATE			
1. Legislative	519, 347, 899	514, 722, 880	−4, 625, 019
2. HUD-Space-Science-Veterans	[2] 20, 498, 183, 000	20, 583, 370, 000	+85, 187, 000
3. District of Columbia (Federal funds)	343, 306, 000	313, 706, 000	−29, 600, 000
4. State-Justice-Commerce-Judiciary	4, 704, 326, 600	4, 820, 717, 769	+116, 391, 169
5. Transportation	2, 909, 181, 095	2, 906, 994, 095	−2, 187, 000
Advance 1974 appropriation	(131, 181, 000)	(131, 181, 000)	
6 Treasury-Postal Service-General Government	5, 066, 603, 000	5, 057, 186, 000	−9, 417, 000
7. Labor-HEW (H.R. 15417, Vetoed)	(28, 767, 633, 500)	(31, 354, 930, 500)	(+2, 587, 297, 000)
8. Labor-HEW (H.R. 16654, New bill)	28, 767, 633, 500	[4] 30, 538, 919, 500	+1, 771, 286, 000
9. Interior	$2, 527, 154, 000	$2, 550, 922, 800	+$23, 768, 800
10. Public Works-AEC	5, 489, 058, 000	5, 571, 696, 000	+82, 638, 000
11. Agriculture-Environmental and Consumer Protection	12, 952, 190, 400	13, 561, 055, 800	+608, 865, 400
12. Disaster Relief Supplemental, 1973	1, 569, 800, 000	1, 587, 300, 000	+17, 500, 000
13. Foreign Assistance	5, 163, 024, 000	2, 823, 897, 000	−2, 339, 127, 000
14. Defense	79, 594, 184, 000	[3] 74, 571, 698, 000	−5, 022, 486, 000
15. Military Construction	2, 661, 384, 000	2, 337, 726, 000	−323, 658, 000
16. Supplemental, 1973	5, 016, 540, 610	5, 266, 690, 610	+250, 150, 000
Total, Senate bills	177, 781, 916, 104	173, 006, 602, 454	−4, 775, 313, 650
ENACTED			
1. Legislative	519, 347, 899	513, 787, 980	−5, 559, 919
2. Treasury-Postal Service-General Government	5, 066, 603, 000	5, 057, 827, 000	−8, 776, 000
3. District of Columbia (Federal funds)	343, 306, 000	316, 393, 000	−26, 913, 000
4. Interior	2, 527, 154, 000	2, 548, 935, 300	+21, 781, 300
5. HUD-Space-Science-Veterans	[2] 20, 498, 183, 000	20, 125, 951, 000	−372, 232, 000
6. Labor-HEW (H.R. 15417, Vetoed)	[28, 767, 633, 500]	[30, 538, 919, 500]	[+1, 771, 286, 000]
7. Labor-HEW (H.R. 16654, New bill)	28, 767, 633, 500	[5] 30, 538, 919, 500	+1, 771, 286, 000
8. Agriculture-Environmental and Consumer Protection	12, 952, 190, 400	13, 434, 032, 700	+481, 842, 300
9. Public Works-AEC	5, 489, 058, 000	5, 504, 914, 000	+15, 856, 000
10. Transportation	2, 909, 181, 095	2, 867, 937, 095	−41, 244, 000
Advance 1974 appropriation	(131, 181, 000)	(131, 181, 000)	
11. Disaster Relief Supplemental, 1973	1, 569, 800, 000	1, 587, 300, 000	+17, 500, 000
12. Defense	79, 594, 184, 000	[3] 74, 372, 976, 000	−5, 221, 208, 000
13. State-Justice-Commerce-Judiciary	4, 704, 326, 600	4, 681, 017, 850	−23, 308, 750
14. Military Construction	2, 661, 384, 000	2, 323, 403, 000	−337, 981, 000
15. Supplemental, 1973	5, 016, 540, 610	4, 933, 415, 610	−83, 125, 000
16. Foreign Assistance	5, 163, 024, 000	[6] 4, 010, 155, 000	−1, 152, 869, 000
Total, bills enacted	177, 781, 916, 104	172, 816, 965, 035	−4, 964, 951, 069

[1] Does not include $649,500,000 to be available by transfer from other accounts.
[2] Does not include $1,315,900,000 to be available by transfer from other accounts.
[3] Included for comparability $240,000,000 proposed in the 1973 budget under "proposed legislation" for Urban Community Development Revenue Sharing which was considered in the Senate bill.
[4] Section 409 of the Senate bill authorizes the President to reduce the total amount of the bill to $29,603,448,500, provided that no single appropriation or activity is reduced by more than 10 percent.
[5] Section 409 of the bill will authorize the President to reduce the total amount of the bill to $29,300,000,000, provided that no single appropriation or activity is reduced by more than 13 percent.
[6] Assumes amount to be provided in final continuing resolution.

Note: Prepared Oct. 14, 1972, in the House Committee on Appropriations.

ACTIONS ON BUDGET ESTIMATES OF NEW BUDGET (OBLIGATIONAL) AUTHORITY CONSIDERED IN APPROPRIATION BILLS, 92D CONG., 2D SESS.—REVISED TO OCTOBER 14, 1972

[Does not include any "back-door" type budget or spending authority in legislative bills; or any permanent (Federal or trust) authority, under earlier or "permanent" law,[1] without further or annual action by the Congress]

Bill and fiscal year	House actions			Senate actions		Enacted	(+) or (−), latest action compared with budget requests
	Budget requests considered	Reported by committee	Approved by House	Budget requests considered	Approved by Senate		
A. Bills for fiscal 1973:							
1. Legislative (H.R. 13955)	$433, 627, 004	$427, 604, 764	$427, 604, 764	$519, 347, 899	$514, 722, 880	$513, 787, 980	−$5, 559, 919
2. State-Justice-Commerce-Judiciary (H.R. 14989)	4, 687, 988, 000	4, 585, 054, 350	4, 587, 104, 350	4, 704, 326, 600	4, 820, 717, 769	4, 681, 017, 850	−23, 308, 750
3. HUD-Space-Science-Veterans (H.R. 15093)	20, 173, 185, 000	19, 718, 490, 000	19, 718, 490, 000	[4] 20, 498, 183, 000	20, 583, 370, 000	20, 125, 951, 000	−372, 232, 000
4. Transportation (H.R. 15097)	3, 040, 362, 095	2, 891, 060, 095	2, 922, 795, 095	3, 040, 362, 095	3, 038, 175, 095	2, 999, 118, 095	−41, 244, 000
Fiscal year 1973 amounts only	(2, 909, 181, 095)	(2, 759, 879, 095)	(2, 791, 614, 095)	(2, 909, 181, 095)	(2, 906, 994, 095)	(2, 867, 937, 095)	(−41, 244, 000)

Footnotes at end of article.

ACTIONS ON BUDGET ESTIMATES OF NEW BUDGET (OBLIGATIONAL) AUTHORITY CONSIDERED IN APPROPRIATION BILLS, 92D CONG., 2D SESS.—REVISED TO OCTOBER 14, 1972—Con.

[Does not include any "back-door" type budget or spending authority in legislative bills; or any permanent (Federal or trust) authority, under earlier or "permanent" law,[1] without further or annual action by the Congress]

Bill and fiscal year	House actions			Senate actions			(+) or (−), latest action compared with budget requests
	Budget requests considered	Reported by committee	Approved by House	Budget requests considered	Approved by Senate	Enacted	
5. District of Columbia (Federal funds) (H.R. 15259)	343,306,000	332,306,000	332,306,000	343,306,000	313,706,000	316,393,000	−26,913,000
6. Labor-HEW (H.R. 15417, Vetoed)	[27,327,323,500]	[28,239,346,500]	[28,603,179,500]	[28,767,633,500]	[31,354,930,500]	[30,538,919,500]	[+1,771,286,000]
7. Labor-HEW (H.R. 16654, New bill)	28,767,633,500	29,603,448,500	29,603,448,500	28,767,633,500	[2] 30,538,919,500	[3] 30,538,919,500	+1,771,286,000
8. Interior (H.R. 15418)	2,520,340,000	2,529,558,200	2,529,558,200	2,527,154,000	2,550,922,800	2,548,935,300	+21,781,300
9. Treasury-Postal Service-General Government (H.R. 15585)	5,066,603,000	5,057,145,000	5,057,145,000	5,066,603,000	5,057,186,000	5,057,827,000	−8,776,000
10. Public Works—AEC (H.R. 15586)	5,489,058,000	5,437,727,000	5,437,727,000	5,489,058,000	5,571,696,000	5,504,914,000	+15,856,000
11. Agriculture-Environmental and Consumer Protection (H.R. 15690)	12,952,177,400	12,897,010,900	12,897,010,900	12,952,190,400	13,561,055,800	13,434,032,700	+481,842,300
12. Disaster Relief Supplemental, 1973 (H.R. 16254)	1,569,800,000	1,587,300,000	1,587,300,000	1,569,800,000	1,587,300,000	1,587,300,000	+17,500,000
13. Defense (H.R. 16593)	79,594,184,000	74,577,548,000	[4] 74,577,548,000	79,594,184,000	74,571,698,000	[6] 74,372,976,000	−5,221,208,000
14. Foreign Assistance (H.R. 16705)	5,163,024,000	4,195,155,000	4,195,155,000	5,163,024,000	2,823,897,000	[8] 4,010,155,000	−1,152,869,000
15. Military Construction (H.R. 15754)	2,661,384,000	2,278,675,000	2,280,784,000	2,661,384,000	2,337,726,000	2,323,403,000	−337,981,000
16. Supplemental, 1973 (H.R. 17034)	3,573,953,325	3,565,048,825	3,565,048,825	5,016,540,610	5,266,690,610	4,933,415,610	−83,125,000
Total, bills for fiscal 1973	176,036,625,924	169,683,131,634	169,719,025,634	177,913,097,104	173,137,783,454	172,948,146,035	−4,964,951,069
B. Bills for fiscal 1972:							
1. Urgent Supplemental (H.J. Res. 1097)	957,476,059	957,476,059	957,476,059	957,476,059	957,476,059	957,476,059	
2. 2d Supplemental (H.R. 14582)	4,775,261,477	4,124,123,358	[5] 3,954,453,358	4,865,943,389	5,063,517,439	4,347,698,270	−518,245,119
3. Special Resolution, Gold Revaluation (H.J. Res. 1174)	[3] 1,600,000,000	[3] 1,600,000,000	[3] 1,600,000,000	[3] 1,600,000,000	[3] 1,600,000,000	[3] 1,600,000,000	
4. Supplemental, Disaster Relief (H.J. Res. 1238)	100,000,000	200,000,000	200,000,000	100,000,000	200,000,000	200,000,000	+100,000,000
Total, bills for fiscal 1972	7,432,737,536	6,881,599,417	6,711,929,417	7,523,419,448	7,820,993,498	7,105,174,329	−418,245,119
C. Cumulative totals for the session:							
1. House	183,469,363,460	176,564,731,051	176,430,955,051				−7,038,408,409
2. Senate				185,436,516,552	180,958,776,952		−4,477,739,600
3. Enacted				185,436,516,552		180,053,320,364	−5,383,196,188

[1] The Budget for 1973, as submitted Jan. 24, tentatively estimated total new budget authority for 1973 at $294,813,000,000 gross ($270,898,000,000 net of some $23,915,000,000 interfund and intragovernmental transactions and certain so-called proprietary receipts handled as offsets for budget summary purposes only). Of this total, an estimated $109,754,000,000 does not require current action by Congress: it involves so-called permanent appropriations such as interest, various trust funds, etc., already provided for in various basic laws. The remainder, $185,059,000,000 is for consideration at this session (mostly in the appropriation bills). About $14,394,000,000 of this $185,059,000,000 was shown in the January budget as being "for later transmittal" for new or expanded legislation, pay increases, and contingencies, and about $45,817,000,000 of the remainder requires legislative reauthorization through various annual authorization bills or where the authorization expires periodically.

[2] Reflects deletion on House floor, by point of order, of $170,000,000 for Amtrak.

[3] "Not to exceed."

[4] Included for comparability $240,000,000 proposed in the 1973 budget under "proposed legislation" for Urban Community Development Revenue Sharing which was considered in the Senate bill.

[5] Does not include $649,500,000 to be available by transfer from other accounts.

[6] Does not include $1,315,900,000 to be available by transfer from other accounts.

[7] Section 409 of the Senate bill authorizes the President to reduce the total amount of the bill to $29,603,448,500, provided that no single appropriation or activity is reduced by more than 10 percent.

[8] Section 469 of the bill will authorize the President to reduce the total amount of the bill to $29,300,000,000, provided that no single appropriation or activity is reduced by more than 13 percent.

[9] Assumes amount to be provided in final continuing resolution.

Note: Prepared Oct. 14, 1972, in the House Committee on Appropriations.

SUPPLEMENTAL APPROPRIATION BILL, 1973

Mr. MAHON. Mr. Speaker, the matter before us today is, of course, the conference report on the final supplemental of the session. The bill has 11 chapters, and includes a large number of items. Copies of the conference report are available to Members of the House, and members of the conference committee are here to help explain what action has been taken. There were 84 amendments; 84 differences between the House and the Senate versions and at this point I shall shall insert a summary table reflecting by chapter the conference action on the bill:

SUMMARY OF CONFERENCE ACTION ON SUPPLEMENTAL APPROPRIATION BILL, 1973, H.R. 17034

Chapter No.		Budget estimates	House bill	Senate bill	Conference	Conference compared with— Budget	House bill	Senate bill
I	Agriculture—Environmental and Consumer Protection	$16,500,000	$16,500,000	$18,338,000	$17,200,000	+$700,000	+$700,000	−$1,138,000
II	Housing and Urban Development, Space, Science, and Veterans	[1] 250,000,000	276,320,000	303,160,000	269,740,000	+19,740,000	−6,580,000	−33,420,000
III	Interior and Related Agencies	9,937,000	2,825,000	11,149,000	9,149,000	−788,000	+6,324,000	−2,000,000
IV	Labor, and Health, Education, and Welfare	4,284,612,000	3,072,275,000	4,403,654,000	4,190,982,000	−93,630,000	+1,118,707,000	−212,672,000
V	Legislative:							
	New budget (obligational) authority	84,838,885	28,769,100	82,484,885	82,484,885	−2,354,000	+53,715,785	
	Fiscal year 1973	(72,136,785)	(16,067,000)	(69,782,785)	(69,782,785)	(−2,354,090)	(+53,715,785)	
	Fiscal year 1972	(12,702,100)	(12,702,100)	(12,702,100)	(12,702,100)			
	By transfer	(1,160,000)	(143,000)	(1,303,000)	(1,303,000)	(+143,000)	(+1,160,000)	
VI	Public Works—AEC	2,285,000	1,435,000	6,060,000	3,915,000	+1,630,000	+2,480,000	−2,145,000
VII	State, Justice, Commerce, and Judiciary	187,264,000	11,082,000	198,582,000	189,782,000	+2,518,000	+178,700,000	−8,800,000
VIII	Transportation and Related Agencies:							
	New budget (obligational) authority	49,361,000	44,200,000	117,950,000	54,350,000	+4,989,000	+10,150,000	−63,600,000
	Increase in limitation on obligations	(35,000,000)	(10,000,000)	(10,000,000)	(10,000,000)	(−25,000,000)		
IX	Treasury, Postal Service, and General Government	76,999,000	56,899,000	70,569,000	61,069,000	−15,930,000	+4,170,000	−9,500,000
X	Claims and Judgments	54,743,725	54,743,725	54,743,725	54,743,725			
	Total:							
	New budget (obligational) authority	5,016,540,610	3,565,048,825	5,266,690,610	4,933,415,610	−83,125,000	+1,368,366,785	−333,275,000
	Fiscal year 1973	(5,003,838,510)	(3,552,346,725)	(5,253,988,510)	(4,920,713,510)	(−83,125,000)	(+1,368,366,785)	(−333,275,000)
	Fiscal year 1972	(12,702,100)	(12,702,100)	(12,702,100)	(12,702,100)			
	By transfer	(1,160,000)	(143,000)	(1,303,000)	(1,303,000)	(+143,000)	(+1,160,000)	
	Increase in limitation on obligations	(35,000,000)	(10,000,000)	(10,000,000)	(10,000,000)	(−25,000,000)		

[1] Excludes $32,900,000 heretofore submitted for the Department of Defense.

Mr. MAHON. Mr. Speaker, the conference agreement provides about $4.9 billion in new obligational authority. The House bill was $3.5 billion and the Senate bill was $5,266 million, the Senate having considered some $1.4 billion in supplemental estimates which were not before the House

The conference agreement before us is about $83 million below the budget. It is about $1.3 billion over the House bill and about $333 million below the Senate bill.

Although the bill is, in total, under the budget, it does include numerous non-

budgeted items. I will insert a listing of some of the nonbudgeted items, but before I do that, perhaps it would be well for me to explain where the main cut was made.

The reason why this bill is not above the budget is because the President had requested for emergency school assistance $487 million, and the other body cut that request by about $217 million. So there was a cut in the budget by the Senate of that amount. This was not restored in conference.

ITEMS OVER THE BUDGET

I would like to mention some of the items which are over the budget estimates submitted to Congress.

The Farmers Home Administration is a half million dollars over the budget. This is for salaries and expenses for rural development.

The National Science Foundation is technically $19 million over the budget. The President had asked for five C–130 aircraft for use in Antarctica to replace aging aircraft. That was submitted to Congress in the Navy budget. We eliminated that from the Defense appropriation bill and took credit for the reduction there, so we have to record the amount in this bill as being over the budget. The original budget was $32,900,000 for five aircraft and this bill contains $19,740,000 for three aircraft so from that standpoint we are $13,160,000 under the budget for this purpose.

The Bureau of Indian Affairs is $2.5 million over the budget. The Office of Indian Education is $18 million over. We are over the budget in higher education by $68 million. Social and rehabilitation service is $5.2 million over the budget. We are over the budget for child development by $6.6 million. We are over the budget for the OEO by $30 million. This is for programs in Puerto Rico and for the nutrition component of the emergency food and medical services program.

In Public Works general investigations we are over the budget by $1 million.

In construction we are over the budget by $450,000.

A number of Members expressed interest in that section of the bill which, when it passed the Senate, contained $40 million for new medical schools to be associated with veterans hospitals. There was no budget estimate, and hearings had not been held on this. This matter can be considered next year in the regular bill or in a supplemental bill. We have had no hearings on the subject as yet.

At this point I shall insert a table reflecting some of the conference action that is over the budget in the measure before us.

Selected Conference Actions Over the Budget

Farmers Home Administration	+500,000
National Science Foundation	+19,740,000
Bureau of Indian Affairs—scholarships	+2,500,000
Office of Education—Indian Education	+18,000,000
Higher Education	+68,400,000
Social and Rehabilitation Services	+5,200,000
Office of Child Development	+6,695,000
OEO	+30,000,000
Public Works Studies	+1,030,000
(Total Cost)	(22,465,000)
Construction	+450,000
(Total Cost)	(98,450,000)
Mississippi River	+1,000,000
Spokane Ecological Exposition	+3,500,000
Amtrak	+9,100,000

Mr. MAHON. Unless there are questions, Mr. Speaker, I will not discuss this conference report further. As I indicated earlier, the report is here and available to Members. I have a table reflecting selected items in conference and their disposition, which under leave to extend, I shall place in the RECORD at this point:

SELECTED MAJOR ITEMS IN CONFERENCE AND THEIR DISPOSITION—H.R. 17034—SUPPLEMENTAL, 1973

	Senate over House	Conference over House
CHAPTER I		
Agric. Research Service (Amd. No. 1)	+$388,000	0
Farmers Home Administration (Amd. No. 2)	+1,250,000	+$500,000
National Study Commission (Amd. No. 4)	+200,000	+200,000
CHAPTER II		
VA: New State Medical Schools (Amd. No. 7) Floor amendment	+40,000,000	0
CHAPTER III		
Bureau of Indian Affairs: Education & Welfare Services (Amd. No. 8)	+4,500,000	+2,500,000
Construction (Amd. No. 9)	+118,000	+118,000
National Park Service Const. (Amd. No. 11)	+350,000	+350,000
CHAPTER IV		
Emergency school assistance (Amd. No. 16) Senate decrease	+270,640,000	+270,640,000
Indian Education (Amd. No. 17)	+36,000,000	+18,000,000
Higher Education (Amd. No. 18)	+689,960,000	+577,500,000
Social & Rehabilitation Services (Amd. No. 24) Includes $17 million floor amendment	+22,820,000	+5,200,000
Model Secondary School for the Deaf (Amd. No. 27)	+7,545,000	0
Child Development—Head-start (Amd. No. 28)	+14,000,000	+7,500,000
OEO (Amd. No. 33)	+79,800,000	+30,000,000
CHAPTER VI		
Corps of Engineers—Civil: General investigations (Amd. No. 63)	+1,705,000	+1,030,000
Construction, general (Amd. No. 64)	+1,070,000	+450,000
Flood Control, Mississippi River (Amd. No. 65)	+1,000,000	+1,000,000
CHAPTER VII		
Commerce: Participation in U.S. Exposition on the Environment (Amd. No. 70)	+11,500,000	+3,500,000
Commission on Organization of Govt. for Conduct of Foreign Policy (Amd. No. 72)	+1,000,000	+200,000
CHAPTER VIII		
Grants to Amtrak (Amd. No. 74)	+57,000,000	+9,100,000
CAB—Payments to Air Carriers (Amd. No. 75)	+11,400,000	0
Commission on Highway Beautification (Amd. No. 76)	+250,000	+250,000

Mr. MAHON. Mr. Speaker, I yield to the distinguished gentleman from Mississippi (Mr. WHITTEN) the ranking majority member of the Committee on Appropriations.

Mr. WHITTEN. Mr. Speaker, I wish to thank the chairman for yielding to me.

I would like to call the attention of the Members to page 5 of the conference report which shows who is holding up rural development in all its parts.

After noting that the bill contains an additional $500,000 for rural development activities in the Farmers' Home Administration, the report goes on to note that the conferees agree that funds heretofore appropriated by the Congress and unexpended will enable the Department to implement the Rural Development Act, which the conferees fully support.

The report also states that the Department of Agriculture is expected to begin implementation of the act by utilizing the fiscal year 1973 funds for rural development which are currently available under Public Law 92–399—1973 Agriculture-Environmental and Consumer Protection Appropriation Act—but which have not been released by the Office of Management and Budget. At this point in the RECORD, Mr. Speaker, I would like to insert this list which totals $396,325,000.

Cooperative State Research Service	$1,500,000
Extension Service	3,000,000
Farmer Cooperative Service	100,000
Rural environmental assistance program	85,500,000
Rural Electrification Administration loans	177,000,000
Rural water and waste disposal	108,000,000
Rural housing and domestic farm labor	1,250,000
Conservation operations	5,000,000
Resource conservation and development	6,000,000
Watershed planning	500,000
Watershed and flood prevention operations	8,412,500
Great Plains conservation program	62,500

Finally, Mr. Speaker, I would point out that this report calls on the Department of Agriculture to relax personnel ceilings to the degree necessary for the implementation of this program.

Mr. Speaker, we all get much mail as to why we do not have adequate funds for watershed and flood-prevention programs, for rural housing, for rural water and waste disposal grants, and for all the other programs which are so important to help prevent our people from leaving rural America—which they are doing at such an alarming rate.

As chairman of the Appropriations Subcommittee on Agriculture-Environmental and Consumer Protection I believe I am in a better position than almost any other Member of this House to comment on what this Congress has done to help rural development, and it is a very impressive record.

I think the table clearly shows that this Congress is deeply committed to rural development, and has provided adequate funds for this purpose. The problem now is to get the Office of Management and Budget to release these impounded or frozen funds which it is withholding contrary to the desires of Congress and to the detriment of our rural citizens who have suffered too much already.

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

Mr. MAHON. I yield to the distinguished gentleman from Missouri (Mr. HALL).

Mr. HALL. Mr. Speaker, I appreciate the gentleman's statement, and particularly his elaborating on the position of the Committee on Appropriations thus far, as we consider this final bill, except for the continuing resolution in relation to the executive budget.

Mr. Speaker, I agree that they are simply proposing a project and we should simply dispose of it, and, of course, I am one of the Members who truly believes we should tighten the purse strings and exercise more than a modicum of control and jurisdiction and review through that technique, if none other is available.

However, Mr. Speaker, I wish the gentleman would explain just a little bit more and, in fact, run down through the list of items that I presume were added on in the other body—or in conference—which make a difference of $1½ billion in this supplemental bill over that figure as it was when it left the House.

I am well aware that it is a half billion dollars under what the other body proposed while $1½ billion over ours, but could we just have a quick and a rather terse listing of the areas in which they jumped the appropriation for supplemental matters and deficiencies over in the other body, Mr. Speaker?

BUDGET ESTIMATES NOT CONSIDERED BY THE HOUSE

Mr. MAHON. Mr. Speaker, according to the figures which I have, the supplemental estimates which were not considered by the House because they were not available for submission when we drafted the bill show a total of $1,442,587,285. Now, the large proportion of that is for the HEW chapter having to do principally with education, specifically with higher education, which was not considered by the House.

Mr. HALL. One of the current "sacred cows"—that is busting our treasury—by birds that surely come home to roost?

Mr. MAHON. Well, it is popular with some Members.

Mr. HALL. Mr. Speaker, will the Chairman yield further to me?

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

Mr. HALL. Further, may I ask the gentleman, was there anything therein in this $1.368 billion add-on in the other body or in conference that established a Defense chapter in the supplemental appropriations bill?

Mr. MAHON. No; there is no Defense chapter in the supplemental appropriation bill.

Mr. HALL. Mr. Speaker, I thank the Chairman.

Now, could we go on down the list a little further than the Department of Health, Education, and Welfare?

Mr. MAHON. I would be pleased to cover the entire list.

Mr. HALL. I would appreciate it, Mr. Speaker.

Mr. MAHON. For the construction of ships, the budget estimate is $175 million for the Maritime Commission. The conference agreement includes that figure for the construction of ships.

Then under HEW, the Education Division, the expenses for the Assistant Secretary of Education are $2.2 million; for the Office of Education, the Emergency School Assistance, the budget request was $487 million, but this was reduced to $270 million.

Mr. HALL. Mr. Speaker, if the distinguished gentleman would let me interrupt again, without me being rude which I fear I am, his very efficient staff has handed me this list, and in the interest of time may I thank the gentleman under the assumption he will put the list in the RECORD?

Mr. MAHON. Yes. I thank my friend, the gentleman from Missouri, and I assure him this will be placed in the RECORD.

The material follows:

Supplemental estimates not considered by House

Commerce	
Maritime Administration, ship construction	$175,000,000
HEW	
Education Division: Salaries and expenses, Assistant Secretary for Education	2,242,000
Office of Education:	
Emergency school assistance	487,500,000
Higher education	509,100,000
Library resources	17,857,000
National Commission on the Financing of Postsecondary Education	1,500,000
Educational renewal	81,165,000
Salaries and expenses	13,905,000
National Institute of Education	92,082,000
Office of the Secretary	0
Office of Civil Rights	$1,322,000
Departmental management	541,000
Subtotal	1,382,214,000
Senate and miscellaneous items	65,373,285
Grand total	1,442,587,285

Mr. MAHON. Mr. Speaker, I have no further requests for time at this time.

Mr. BOW. Mr. Speaker, I agree with the distinguished chairman in the explanation he has given. I think this is a good supplemental bill, with a few exceptions I have taken to it. I think this bill should pass and we should get out of here. I suggest that the chairman move the previous question.

Mr. HAMMERSCHMIDT. Mr. Speaker, in supporting the conference report on the fiscal year 1973 supplemental appropriations bill currently before the House, I would like to express my particular appreciation to the House conferees for their acceptance of the Senate amendment providing funds for a project of great importance to the citizens of Arkansas.

I had been in touch with the House conferees on behalf of the line item appropriation of $100,000 for preconstruction planning of a highway bridge across the Norfork Reservoir in north-central Arkansas.

Construction of the bridge was authorized in the Omnibus Rivers and Harbors and Flood Control Act (H.R. 16832), which was approved by the House on October 2 and is now awaiting the President's signature. Due to this very recent action on the authorizing legislation, the important Norfork bridge project did not come to the attention of the House Appropriations Committee in time for inclusion in the House version of the supplemental appropriations bill. A floor amendment to include the funds in the bill, which I had intended to offer at that time, would also have been subject to a point of order.

The appropriation was included in the Senate version of the bill through the commendable efforts of Arkansas' distinguished senior Senator, JOHN L. MCCLELLAN. With its acceptance by the House conferees, House and Senate approval of the conference report today will constitute the final step in clearing the Norfork bridge appropriation for the President's signature.

Mr. Speaker, this House action will also mark the successful conclusion of extensive efforts on the part of many concerned citizens of Arkansas, numerous organizations and officials of the State government, and the entire congressional delegation from our State to rectify a longstanding inequity and bring about long-overdue relief to a constant transportation problem in north-central Arkansas. The problem originated when the construction of the Norfork Dam and Reservoir in 1943 caused the inundation of the bridge serving U.S. Highway 62 and Arkansas State Highway 101. For almost 30 years transportation along these two routes has been dependent upon what has long since become a totally inadequate and outdated ferry service.

I urge approval of the conference report on H.R. 17034, providing fiscal year 1973 supplemental appropriations.

GENERAL LEAVE

Mr. MAHON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the various amendments in disagreement and the conference report under consideration.

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

There was no objection.

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

The previous question was ordered.

The SPEAKER. The question is on the conference report.

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

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

The SPEAKER. Evidently a quorum is not present.

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

The question was taken; and there were—yeas 250, nays 15, not voting 166, as follows:

[Roll No. 445]

YEAS—250

Abbitt	Andrews, Ala.	Bergland
Abernethy	Arends	Betts
Abzug	Ashley	Bevill
Adams	Aspinall	Biester
Addabbo	Badillo	Bingham
Anderson, Calif.	Barrett	Blatnik
	Bennett	Bow

Brademas	Hammer-schmidt	Natcher
Brasco	Hansen, Idaho	Nedzi
Bray	Harrington	Nix
Breaux	Harsha	Obey
Brinkley	Harvey	O'Hara
Brooks	Hathaway	O'Konski
Brown, Mich.	Hechler, W. Va.	O'Neill
Brown, Ohio	Heckler, Mass.	Passman
Broyhill, N.C.	Heinz	Patman
Broyhill, Va.	Helstoski	Patten
Buchanan	Henderson	Pepper
Burke, Mass.	Hicks, Mass.	Pickle
Burleson, Tex.	Hicks, Wash.	Pike
Burlison, Mo.	Hillis	Poage
Burton	Hogan	Powell
Byrnes, Wis.	Holifield	Preyer, N.C.
Camp	Hosmer	Price, Ill.
Carlson	Hull	Quie
Carney	Hutchinson	Railsback
Carter	Ichord	Rangel
Casey, Tex.	Jacobs	Reuss
Cederberg	Jarman	Rhodes
Chamberlain	Johnson, Calif.	Riegle
Chisholm	Jonas	Roberts
Clausen, Don H.	Jones, Ala.	Robinson, Va.
Clawson, Del	Jones, N.C.	Robison, N.Y.
Cleveland	Karth	Rodino
Collier	Kastenmeier	Roe
Colmer	Kazen	Rooney, Pa.
Conable	Keith	Rosenthal
Conyers	Kemp	Roy
Coughlin	King	Roybal
Culver	Kluczynski	Ruppe
Daniel, Va.	Koch	St Germain
Daniels, N.J.	Kyl	Sandman
Danielson	Kyros	Sarbanes
de la Garza	Latta	Satterfield
Dellenback	Leggett	Scheuer
Dennis	Lennon	Schneebeli
Dent	Lent	Shoup
Dorn	Lloyd	Shriver
Downing	Long, Md.	Sikes
Drinan	Lujan	Sisk
Dulski	McClory	Slack
Duncan	McCloskey	Smith, Calif.
Eckhardt	McCollister	Smith, Iowa
Edwards, Ala.	McCulloch	Stanton, J. William
Edwards, Calif.	McDade	Steed
Eilberg	McEwen	Steiger, Wis.
Erlenborn	McFall	Stokes
Eshleman	McKay	Stratton
Evins, Tenn.	McKevitt	Stubblefield
Fish	McKinney	Sullivan
Flood	McMillan	Taylor
Flynt	Macdonald, Mass.	Teague, Calif.
Foley	Madden	Teague, Tex.
Ford, Gerald R.	Mahon	Tiernan
Ford, William D.	Mallary	Vanik
Forsythe	Mann	Veysey
Fraser	Mathias, Calif.	Wampler
Frelinghuysen	Mazzoli	Ware
Frenzel	Meeds	Whalen
Frey	Melcher	Whalley
Garmatz	Metcalfe	White
Gaydos	Miller, Calif.	Whitten
Goldwater	Miller, Ohio	Wiggins
Gonzalez	Mills, Ark.	Williams
Goodling	Mills, Md.	Wilson, Charles H.
Grasso	Minish	Wyatt
Gray	Mink	Wydler
Green, Pa.	Mitchell	Wyman
Griffiths	Mizell	Yates
Grover	Montgomery	Young, Tex.
Gubser	Moorhead	Zablocki
Gude	Mosher	Zion
Hagan	Murphy, Ill.	Zwach
Halpern	Myers	

NAYS—15

Archer	Griffin	Ruth
Baker	Hall	Saylor
Collins, Tex.	Landgrebe	Sebelius
Conover	Mathis, Ga.	Spence
Findley	Rarick	Young, Fla.

NOT VOTING—166

Abourezk	Boland	Cotter
Alexander	Bolling	Crane
Anderson, Ill.	Broomfield	Curlin
Anderson, Tenn.	Brotzman	Davis, Ga.
Andrews, N. Dak.	Burke, Fla.	Davis, S.C.
Annunzio	Byrne, Pa.	Davis, Wis.
Ashbrook	Byron	Delaney
Aspin	Cabell	Dellums
Baring	Caffery	Denholm
Begich	Carey, N.Y.	Derwinski
Belcher	Celler	Devine
Bell	Chappell	Dickinson
Biaggi	Clancy	Diggs
Blackburn	Clark	Dingell
Blanton	Clay	Donohue
Boggs	Collins, Ill.	Dow
	Conte	Dowdy
	Corman	du Pont
	Cotter	
	Crane	
	Curlin	
	Davis, Ga.	
	Davis, S.C.	
	Davis, Wis.	
	Delaney	
	Dellums	
	Denholm	
	Derwinski	
	Devine	
	Dickinson	
	Diggs	
	Dingell	
	Donohue	
	Dow	
	Dowdy	
	du Pont	
Dwyer	McCormack	Schmitz
Edmondson	McDonald, Mich.	Schwengel
Esch	Mailliard	Scott
Evans, Colo.	Martin	Selberling
Fascell	Matsunaga	Shipley
Fisher	Mayne	Skubitz
Flowers	Michel	Smith, N.Y.
Fountain	Mikva	Snyder
Fulton	Minshall	Springer
Fuqua	Mollohan	Staggers
Galifianakis	Monagan	Stanton, James V.
Gallagher	Morgan	Steele
Gettys	Moss	Steiger, Ariz.
Giaimo	Murphy, N.Y.	Stephens
Gibbons	Nelsen	Stuckey
Green, Oreg.	Nichols	Symington
Gross	Pelly	Talcott
Haley	Perkins	Terry
Hamilton	Pettis	Thompson, Ga.
Hanley	Peyser	Thompson, N.J.
Hanna	Pirnie	Thomson, Wis.
Hansen, Wash.	Podell	Thone
Hastings	Price, Tex.	Udall
Hawkins	Pryor, Ark.	Ullman
Hays	Pucinski	Van Deerlin
Hébert	Purcell	Vander Jagt
Horton	Quillen	Vigorito
Howard	Randall	Waggonner
Hungate	Rees	Waldie
Hunt	Reid	Whitehurst
Johnson, Pa.	Rogers	Widnall
Jones, Tenn.	Roncalio	Wilson, Bob
Keating	Rooney, N.Y.	Winn
Kee	Rostenkowski	Wolff
Kuykendall	Roush	Wright
Landrum	Rousselot	Wylie
Link	Runnels	Yatron
Long, La.	Scherle	
McClure		

So the conference report was agreed to.

The Clerk announced the following pairs:

Mr. Annunzio with Mr. Anderson of Illinois.
Mr. Thompson of New Jersey with Mr. Widnall.
Mr. Hébert with Mr. Clancy.
Mr. Boggs with Mr. Martin.
Mr. Waggonner with Mr. Quillen.
Mr. Wolff with Mr. Hastings.
Mr. McCormack with Mr. Thompson of Georgia.
Mr. Hays with Mr. Devine.
Mr. Shipley with Mr. Michel.
Mr. Staggers with Mr. Bob Wilson.
Mr. Celler with Mr. Hunt.
Mr. Davis of South Carolina with Mr. Burke of Florida.
Mr. Delaney with Mr. Horton.
Mr. Dingell with Mr. Nelsen.
Mr. Davis of Georgia with Mr. Scherle.
Mr. Rooney of New York with Mr. Minshall.
Mr. Rostenkowski with Mr. Derwinski.
Mr. Reid with Mr. Bell.
Mr. Roush with Mr. Springer.
Mr. Podell with Mr. Peyser.
Mr. Murphy of New York with Mr. Smith of New York.
Mr. Morgan with Mr. Steele.
Mr Mikva with Mr. Crane.
Mr. Matsunaga with Mr. Broomfield.
Mr. Chappell with Mr. Talcott.
Mr. Cabell with Mr. Kuykendall.
Mr. Howard with Mr. Schwengel.
Mrs. Hansen of Washington with Mr. Andrews of North Dakota.
Mr. Hamilton with Mr. Esch.
Mr. Begich with Mr. Skubitz.
Mr. Biaggi with Mr. Price of Texas.
Mr. Boland with Mr. Conte.
Mr. Denholm with Mr. Mayne.
Mr. Fascell with Mr. Dickinson.
Mr. Flowers with Mr. Scott.
Mr. Fountain with Mr. Davis of Wisconsin.
Mr. Corman with Mr. Mailliard.
Mr. Cotter with Mr. Vander Jagt.
Mr. Carey of New York with Mr. Brotzman.
Mr. Jones of Tennessee with Mr. Steiger of Arizona.
Mr. Hungate with Mr. Pettis.
Mr. Hawkins with Mr. Gallagher.
Mr. Giaimo with Mrs. Green of Oregon.
Mr. Pucinski with Mr. Terry.
Mr. Clay with Mr. Perkins.
Mr. Purcell with Mr. Schmitz.
Mr. Fuqua with Mr. Ashbrook.
Mr. Monagan with Mr. Keating.
Mr. Mollohan with Mr. Thone.
Mr. Clark with Mr. Pirnie.
Mr. Byron with Mr. Whitehurst.
Mr. Anderson of Tennessee with Mr. Snyder.
Mr. Hanley with Mrs. Dwyer.
Mr. Hanna with Mr. Thomson of Wisconsin.
Mr. Stephens with Mr. Blackburn.
Mr. Udall with Mr. du Pont.
Mr. Wright with Mr. Winn.
Mr. Yatron with Mr. Johnson of Pennsylvania.
Mr. Ullman with Mr. Wylie.
Mr. Van Deerlin with Mr. Rousselot.
Mr. Vigorito with Mr. Runnels.
Mr. Nichols with Mr. Keith.
Mr. Evans of Colorado with McDonald of Michigan.
Mr. Dow with Mr. Selberling.
Mr. Donohue with Mr. McClure.
Mr. Rees with Mr. Long of Louisiana.
Mr. Randall with Mr. Belcher.
Mr. Rogers with Mr. Byrne of Pennsylvania.
Mr. Roncalio with Mr. Pelly.
Mr. Gettys with Mr. Blanton.
Mr. Gibbons with Mr. Aspin.
Mr. Diggs with Mr. Galifianakis.
Mr. Alexander with Mr. Abourezk.
Mr. Collins of Illinois with Mr. Baring.
Mr. Caffery with Mr. Curlin.
Mr. Dellums with Mr. Dowdy.
Mr. Fisher with Mr. Edmondson.
Mr. Foley with Mr. Fulton.
Mr. Haley with Mr. Pryor of Arkansas.
Mr. Waldie with Mr. Landrum.
Mr. Stuckey with Mr. Symington.
Mr. Moss with Mr. Link.
Mr. James V. Stanton with Mr. Gross.

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: on page 3, line 1, insert:

1972 RURAL ENVIRONMENTAL ASSISTANCE PROGRAM

The 1972 program of soil-building and soil- and water-conserving practices previously authorized to be carried out under sections 7 to 15, 16(a), and 17 of the Soil Conservation and Domestic Allotment Act, approved February 29, 1936, as amended (16 U.S.C. 590g–590o, 590p(a), and 590q) may be carried out through June 30, 1973, and sums appropriated by Public Law 92–399 (86 Stat. 607) for such program may be used for practices carried out under such program through June 30, 1973.

MOTION OFFERED BY MR. MAHON

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

The Clerk read as follows:

Mr. MAHON 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:

Senate amendment No. 4: page 3, line 11, insert:

NATIONAL STUDY COMMISSION

For an additional amount for the National Study Commission authorized by Section 315 of the Federal Water Pollution Control Act Amendments of 1972, $200,000: *Provided*, That this sum shall be available only to the extent authorized by law.

MOTION OFFERED BY MR. MAHON

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

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 4 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. 9: On page 4, line 23, insert:

Construction

For an additional amount for "Construction", $118,000, to remain available until expended: *Provided*, That these funds shall be available to assist the Lummi Tribe of Indians in the construction of a fish hatchery.

MOTION OFFERED BY MR. MAHON

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

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 9 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. 10: Page 5, line 1, insert:

Alaska Native Fund

Any of the funds heretofore or hereafter advanced under authority of the Second Supplemental Appropriations Act, 1972 (Public Law 92-306), or the Act of August 10, 1972 (Public Law 92-369), to a Regional Corporation organized pursuant to the Alaska Native Claims Settlement Act of December 18, 1971 (Public Law 92-203), may be used by such Regional corporations to contribute or lend to, and such Regional Corporation may also guarantee loans by third parties to, the Alaska Federation of Natives or the Alaska Federation of Natives, Inc., in such amounts and upon such terms and conditions as may be determined by such Regional Corporation, and in recognition of the service of the Alaska Federation of Natives or the Alaska Federation of Natives, Inc., in advancing land claims settlement legislation.

MOTION OFFERED BY MR. MAHON

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

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 10 and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment, insert the following:

Alaska Native Fund

Any of the funds heretofore or hereafter advanced under authority of the Second Supplemental Appropriations Act, 1972 (Public Law 92-306), or the Act of August 10, 1972 (Public Law 92-369), to a Regional Corporation organized pursuant to the Alaska Native Claims Settlement Act of December 18, 1971 (Public Law 92-203), may be used by such Regional Corporation to loan to, and such Regional Corporation may also guarantee loans by third parties to the Alaska Federation of Natives and/or Alaska Federation of Natives, Inc., in such amounts and upon such terms and conditions as may be determined by such Regional Corporation, and in recognition of the services of said organizations in advancing land claims settlement legislation.

The motion was agreed to.

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

The Clerk read as follows:

Senate amendment No. 11: On page 5, line 22, insert:

CONSTRUCTION

For an additional amount for "Construction", $350,000, to remain available until expended.

MOTION OFFERED BY MR. MAHON

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

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 11 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. 12: On page 6, line 4, strike out: "*Provided*, That this appropriation shall be available for reimbursement of obligations incurred by the John F. Kennedy Center for the Performing Arts for the same purposes from July 1, 1972,".

And insert: ", of which not to exceed $630,000 shall be available for reimbursement to the Board of Trustees of the John F. Kennedy Center for operation and maintenance costs incurred for the period July 1 to October 31, 1972."

MOTION OFFERED BY MR. MAHON

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

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 12 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. 13: On page 6, line 20, insert:

RELATED AGENCIES

HISTORICAL AND MEMORIAL COMMISSIONS

AMERICAN REVOLUTION BICENTENNIAL COMMISSION

SALARIES AND EXPENSES

For expenses to carry out the provisions of the Act of July 4, 1966 (P.L. 89-491), as amended, through February 15, 1973, $3,356,000, of which not to exceed $1,200,000 shall be for grants-in-aid as authorized by section 9(1) of the said Act, to remain available until expended: *Provided*, That none of the funds appropriated in this paragraph shall be available for obligation except upon the enactment into law of authorizing legislation.

MOTION OFFERED BY MR. MAHON

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

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 13 and concur therein.

The motion was agreed to.

The SPEAKER. The clerk will report the next amendment is disagreement.

The clerk read as follows:

Senate amendment No. 18: On page 9, line 14, insert:

HIGHER EDUCATION

For carrying out, to the extent not otherwise provided, titles I, III, parts A, section 420, B, and E of title IV, and section 1202, of the Higher Education Act, as amended, section 506(b) of the Education Amendments of 1972, the Emergency Insured Student Loan Act of 1969, as amended, and sections 400, 404, and 421 of the General Education Provisions Act, section 207 of the National Defense Education Act, section 22 of the Act of June 29, 1935, as amended (7 U.S.C. 329), and S.J. Resolution 265, $689,960,000 of which $75,000,000 shall be for Veterans Cost of Instruction payments to institutions of higher education, and $215,000,000 to remain available until expended shall be for subsidies on guaranteed student loans: *Provided*, That the funds to carry out S.J. Resolution 265 shall be available only upon enactment of authorizing legislation.

MOTION OFFERED BY MR. MAHON

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

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 18 and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment insert:

HIGHER EDUCATION

For carrying out, to the extent not otherwise provided, title I, parts A, section 420, B, and E of title IV, and section 1202, of the Higher Education Act, as amended, section 506(b) of the Education Amendments of 1972, the Emergency Insured Student Loan Act of 1969, as amended, and sections 400, 404, and 421 of the General Education Provisions Act, section 207 of the National Defense Education Act, section 22 of the Act of June 29, 1935, as amended (7 U.S.C. 329), and S.J. Resolution 265, $577,500,000, of which $25,000,000 shall be for Veterans Cost of Instruction payments to institutions of higher education, and $215,000,000 to remain available until expended shall be for subsidies on guaranteed student loans: *Provided*, That the funds to carry out S.J. Resolution 265 shall be available only upon enactment of authorizing legislation.

The motion was agreed to.

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

The Clerk read as follows:

Senate amendment No. 20: On page 10, line 11, insert:

NATIONAL COMMISSION ON THE FINANCING OF POSTSECONDARY EDUCATION

For expenses necessary to carry out section 140 of the Education Amendments of 1972, including compensation for members of the Commission at rates not to exceed the per diem equivalent for grade GS-18, $1,500,000, to remain available until June 30, 1974.

MOTION OFFERED BY MR. MAHON

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

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 20 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. 22: page 10, line 23, insert:

SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses", $13,905,000 of which $300,000 shall be transferred to Health Services and Mental Health Administration for expenses of the Youth Camp Safety Study.

MOTION OFFERED BY MR. MAHON

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

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 22 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. 23 Page 11, line 3, insert:

NATIONAL INSTITUTE OF EDUCATION

For carrying out section 405 of the General Education Provisions Act, and for the necessary expenses of the National Institute of Education, including rental of conference rooms in the District of Columbia; and not to exceed $500 for official reception and representation expenses; $92,082,000, which shall remain available until expended: *Provided*, That funds included in the regular fiscal year 1973 appropriation for "Educational renewal" and "Salaries and expenses, Office of Education" for dissemination activities, except general program dissemination, and the District of Columbia schools project shall be transferred to the National Institute of Education.

MOTION OFFERED BY MR. MAHON

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

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 23 and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment insert:

NATIONAL INSTITUTE OF EDUCATION

For carrying out section 405 of the General Education Provisions Act, and for the necessary expenses of the National Institute of Education, including rental of conference rooms in the District of Columbia; and not to exceed $500 for official reception and representation expenses; $92,082,000: *Provided*, That funds included in the regular fiscal year 1973 appropriation for "Educational renewal" and "Salaries and expenses, Office of Education" for dissemination activities, except general program dissemination, and the District of Columbia schools project shall be transferred to the National Institute of Education.

The motion was agreed to.

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

The Clerk read as follows:

Senate amendment No. 24: Page 11, line 22, strike "$893,448,000," and insert "$899,268,000,".

MOTION OFFERED BY MR. MAHON

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

The Clerk read as follows:

Mr. MAHON 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 named in said amendment insert: "$898,648,000".

The motion was agreed to.

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

The Clerk read as follows:

Senate amendment No. 25: Page 12, line 5, insert: *Provided further*, That the $5,000,000 contained within this appropriation for the construction of the National Center for Deaf/Blind youths and adults shall remain available until expended.

MOTION OFFERED BY MR. MAHON

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

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 25 and concur therein.

The motion was agreed to.

Mr. MAHON. Mr. Speaker, inasmuch as amendments numbered 39 through 53 relate solely to housekeeping operations of the other body, in which by practice the House concurs without intervention, I ask unanimous consent that the Senate amendments numbered 39 through 53, inclusive, be considered as read and printed in the RECORD, and that they be considered en bloc.

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

There was no objection.

Senate amendments No. 39 through 53 are as follows:

(39) SENATE

(40) For payment to Allen J. Ellender, Jr., son of Allen J. Ellender, late a Senator from the State of Louisiana, $49,500.

(41) SALARIES, OFFICERS AND EMPLOYEES

(42) OFFICE OF THE SECRETARY

For an additional amount for "Office of the Secretary", $8,980: *Provided*, That effective November 1, 1972, the Secretary may appoint and fix the compensation of a clerk in the office of the official reporters of debates at not to exceed $13,468 per annum, an assistant librarian at not to exceed $17,871 per annum in lieu of a senior reference assistant at not to exceed such rate, a senior reference assistant at not to exceed $12,691 per annum in lieu of an assistant librarian at not to exceed such rate, a clerk at not to exceed $9,583 per annum in lieu of a messenger at not to exceed such rate, seven clerks at not to exceed $8,806 per annum each in lieu of seven messengers at not to exceed such rate, and the title of the position chief messenger in the Secretary's office is hereby changed to deputy special assistant.

(43) OFFICE OF SERGEANT AT ARMS AND DOORKEEPER

For an additional amount for "Office of Sergeant at Arms and Doorkeeper", $42,305: *Provided*, That effective November 1, 1972, the Sergeant at Arms may appoint and fix the compensation of a manager programmer at not to exceed $22,533 per annum, and two senior programmer analysts at not to exceed $20,461 per annum each.

(44) CONTINGENT EXPENSES OF THE SENATE

(45) INQUIRIES AND INVESTIGATIONS

For an additional amount for "Inquiries and Investigations", fiscal year 1972, $140,000, to be derived by transfer from the appropriation "Salaries, Officers and Employees", fiscal year 1972.

(46) MISCELLANEOUS ITEMS

For an additional amount for "Miscellaneous Items", fiscal year 1972, $1,020,000, to be derived by transfer from the appropriation "Salaries, Officers and Employees", fiscal year 1972.

(47) ADMINISTRATIVE PROVISIONS

(48) SEC. 501. Clause (2) of the fourth paragraph under the heading "Administrative Provisions" in the appropriations for the Senate in the Legislative Branch Appropriation Act, 1972, is amended by striking out "Federal Code Annotated" wherever it appears and inserting in lieu thereof "United States Code Service".

(49) SEC. 502. The first sentence of the third paragraph under the heading "Administrative Provisions" in the appropriations for the Senate in the Legislative Branch Appropriation Act, 1959, as amended by the Legislative Branch Appropriation Act, 1972 (2 U.S.C. 43b), is amended to read as follows:

"The contingent fund of the Senate is hereby made available for reimbursement of actual transportation expenses incurred by each Senator in traveling on official business and such expenses incurred by employees in that Senator's office in making round trips on official business by the nearest usual route between Washington, District of Columbia, and the home State of the Senator involved, and in traveling within that State (other than transportation expenses incurred by an employee assigned to a Senator's office within that State (A) while traveling in the general vicinity of such office, (B) pursuant to a change of assignment within such State, or (C) in commuting between home and office)."

(50) SEC. 503. The first paragraph under the heading "Payment of Sums Due Deceased Congressional Personnel" in the appropriation for the Legislative Branch in the Second Supplemental Appropriation Act, 1951 (2 U.S.C. 36a), is amended to read as follows:

"Under regulations prescribed by the Secretary of the Senate, a person serving as a Senator or officer or employee whose compensation is disbursed by the Secretary of the Senate may designate a beneficiary or beneficiaries to be paid any unpaid balance of salary or other sums due such person at the time of his death. When any person dies while so serving, any such unpaid balance shall be paid by the disbursing officer of the Senate to the designated beneficiary or beneficiaries. If no designation has been made, such unpaid balance shall be paid to the widow or widower of that person, or if there is no widow or widower, to the next of kin of heirs at law of that person."

(51) SEC. 504. The Secretary of the Senate is hereafter authorized to advance, in his discretion, to any designated employee under his jurisdiction, such sums as may be necessary, not exceeding $1,500, to defray official travel expenses in assisting the Secretary in carrying out his duties under the Federal Election Campaign Act of 1971. Any such employee shall, as soon as practicable, furnish to the Secretary a detailed voucher for such expenses incurred and make settlement with respect to any amount so advanced.

(52) SEC. 505. Subsection (e) (3) (B) of section 105 of the Legislative Branch Appropriation Act, 1968, as amended, and as modified by Orders of the President pro tempore of the Senate (2 U.S.C. 61–1), is amended by striking out the word "two" and inserting in lieu thereof "three".

(53) SEC. 506. (a) Effective January 1, 1973, and thereafter, the contingent fund of the Senate is made available for payment to or on behalf of each Senator, upon certification of the Senator, for the following expenses incurred by the Senator and his staff:

(1) official telegrams and long-distance telephone calls and related services (in the manner authorized immediately prior to January 1, 1973, by the Committee on Rules and Administration, or as may be hereafter authorized by that committee);

(2) stationery and other office supplies procured through the Senate stationery room for use for official business;

(3) reimbursement to each Senator for air mail and special delivery postage for expenses incurred in the mailing of postal matters relating to official business;

(4) rental charges for office space at not more than three places designated by the Senator in the State he represents;

(5) reimbursement to each Senator for official office expenses incurred in his State (other than equipment and furniture);

(6) reimbursement to each Senator for telephone service charges officially incurred outside Washington, District of Columbia.

(7) reimbursement to each Senator for charges for subscriptions to magazines, periodicals, or clipping or similar services; and

(8) reimbursement of actual transportation expenses incurred by the Senator in traveling on official business by the nearest usual route between Washington, District of Columbia, and the State he represents and within such State, and actual transportation expenses incurred by employees in that Senator's office subject to the provisions of subsection (e) of this section.

Reimbursement to a Senator and his employees under this section shall be made only upon presentation of itemized vouchers for expenses incurred.

(b)(1) Except as otherwise provided in paragraph (2) of this subsection, the total amount of expenses authorized to be paid to or on behalf of a Senator under this section shall not exceed for calendar year 1973 or any calendar year thereafter the aggregate of the following, rounded to the next higher multiple of $12:

(A) the applicable amount authorized for official telegrams and long-distance telephone calls and related services under rules and regulations of the Committee on Rules and Administration in effect immediately prior to January 1, 1973, or such different amount as may be authorized for such purposes under rules and regulations hereafter prescribed by that committee;

(B) the applicable full fiscal year amount authorized by the proviso under the heading "Stationery (Revolving Fund)" appearing under the heading "SENATE" in chapter IV of the Supplemental Appropriations Act, 1972 (2 U.S.C. 46a), as in effect immediately prior to January 1, 1973;

(C) the applicable full fiscal year amount authorized by the proviso under the heading "Postage Stamps" appearing under the heading "SENATE" in the Legislative Branch Appropriation Act, 1972 (2 U.S.C. 42a), as in effect immediately prior to January 1, 1973;

(D) the amount authorized a Senator for home offices and home office expenses for a full calendar year in the fourth sentence following the proviso in the second full paragraph under the heading "Miscellaneous Items" appearing under the heading "SENATE" in chapter IV of the Supplemental Appropriations Act, 1972 (2 U.S.C. 53), as in effect immediately prior to January 1, 1973; and

(E) the applicable full fiscal year amount authorized by the third paragraph, relating to reimbursement of transportation expenses to Senators and their staff, under the heading "ADMINISTRATIVE PROVISIONS" appearing under the heading "SENATE" in the Legislative Branch Appropriation Act, 1959, as amended (2 U.S.C. 43b), as in effect immediately prior to January 1, 1973.

(2) In any such calendar year in which a Senator does not hold the office of Senator at least part of each month of that year, the aggregate amount available to the Senator shall be the aggregate amount computed under paragraph (1) of this subsection, divided by 12, and multiplied by the number of months the Senator holds such office during that year, counting any fraction of a month as a full month.

(c) The aggregate of payments made to or on behalf of a Senator under this section shall not exceed at any time during each calendar year one-twelfth of the amount computed under subsection (b)(1) of this section multiplied by the number of months (counting a fraction of a month as a month) elapsing from the first month in that calendar year in which the Senator holds the office of Senator through the date of payment. Payments for rentals due for office space occupied in the State which the Senator represents shall not exceed at any time during each calendar year $300 multiplied by the number of months (counting a fraction of a month as a month) elapsing from the first month in that calendar year in which the Senator holds the office of Senator through the month of payment.

(d) The Sergeant at Arms shall secure for each Senator office space suitable for the Senator's official use at not more than three places designated by him in the State he represents. That space shall be secured in post offices or other Federal buildings at such places. In the event suitable office space is not available in post offices or Federal buildings, the amount made available to the Senator under this section may, subject to subsection (c), be expended to secure other office space in such places.

(e) Actual transportation expenses incurred by an employee in a Senator's office shall be paid under this section only for such expenses incurred in making round trips on official business by the nearest usual route between Washington, District of Columbia, and the home State of the Senator involved, and in traveling within that State (other than transportation expenses incurred by an employee assigned to a Senator's office within that State (1) while traveling in the general vicinity of such office, (2) pursuant to a change of assignment within such State, or (3) in commuting between home and office). No payment shall be made under this section to or on behalf of a newly appointed employee to travel to his place of employment.

(f) The amount available to each Senator during fiscal year 1973, (1) for air mail and special delivery postage by the proviso under the heading "POSTAGE STAMPS" appearing under the heading "SENATE" in the Legislative Branch Appropriation Act, 1972 (2 U.S.C. 42a), as in effect immediately prior to January 1, 1973, (2) for actual transportation expenses under the third paragraph under the heading "ADMINISTRATIVE PROVISIONS" appearing under the heading "SENATE" in the Legislative Branch Appropriation Act, 1959, as amended (2 U.S.C. 43b), as in effect immediately prior to January 1, 1973, and (3) for stationery by the proviso under the heading "STATIONERY (REVOLVING FUND)" appearing under the heading "SENATE" in chapter IV of the Supplemental Appropriations Act, 1972 (2 U.S.C. 46a), as in effect immediately prior to January 1, 1973, shall be, notwithstanding such paragraph and provisos, reduced by 50 percent of the applicable amount made available to a Senator under such paragraph and provisos for the entire fiscal year. If, immediately prior to January 1, 1973, any Senator has expended any sum in excess of an amount made available as the result of the reduction made in clause (2) or (3) by this subsection, any such excess sum (but not more than the applicable amount of the reduction) shall be charged against the amount made available to that Senator under this section for calendar year 1973.

(g) In the case of the death of any Senator, the chairman of the Committee on Rules and Administration may certify for such deceased Senator for any portion of such sum already obligated but not certified to at the time of such Senator's death, and for any additional amount which may be reasonably needed for the purpose of closing such deceased Senator's State offices, for payment to the person or persons designated as entitled to such payment by such chairman.

(h) Effective January 1, 1973, the following provisions of law are repealed:

(1) that part of the paragraph under the heading "Contingent Expenses of the Senate", relating to the procurement of air mail and special delivery postage stamps by the Secretary of the Senate, appearing under the heading "SENATE" in the Legislative Branch Appropriation Act, 1942, as amended and supplemented (2 U.S.C. 42a), insofar as such part and any such amendment and supplement relate to Senators;

(2) the third paragraph, relating to reimbursement of transportation expenses to Senators and their staff, under the heading "Administrative Provisions" appearing under the heading "SENATE" in the Legislative Branch Appropriation Act, 1959, as amended (2 U.S.C. 43b);

(3) the paragraph relating to stationery expenses under the heading "SENATE" in the Act entitled "An Act making appropriations for the Legislative, Executive, and Judicial Expenses of the Government for the year ending the thirtieth of June, eighteen hundred and seventy", approved March 3, 1869, as amended and supplemented (2 U.SC. 46a), insofar as such paragraph and any such amendment and supplement relate to Senators;

(4) section 106 of the Legislative Branch Appropriation Act, 1969 (2 U.S.C. 46a–3);

(5) the last paragraph under the heading "Administrative Provisions" appearing under the heading "SENATE" in the Legislative Branch Appropriations Act, 1968 (2 U.S.C. 46d–4);

(6) the paragraph relating to the payment from the Senate contingent fund of telegrams under the heading "CONTINGENT EXPENSES OF THE SENATE" appearing under the heading "SENATE" in the Legislative Branch Appropriations Act, 1947 (2 U.S.C. 46e); and

(7) the proviso and the succeeding six sentences relating to home offices and home office expenses under the heading "MISCELLANEOUS ITEMS" appearing under the heading "SENATE" in chapter IV of the Supplemental Appropriations Act, 1972 (2 U.S.C. 53).

(i) Effective January 1, 1973, clause (2) of the last paragraph under the heading "CONTINGENT EXPENSES OF THE SENATE" appearing under the heading "SENATE" in chapter XI of the Third Supplemental Appropriation Act, 1957 (2 U.S.C. 46a–1), is amended by striking out "and of Senators".

(j)(1) $191,100 of the funds appropriated for "STANTIONERY (REVOLVING FUND)", fiscal year 1973, and $55,495 of the funds appropriated for "POSTAGE STAMPS", fiscal year 1973, are hereby transferred to the appropriation "MISCELLAI EOUS ITEMS," fiscal year 1973.

(2) $12,575 of the funds appropriated for "POSTAGE STAMPS", fiscal year 1973, are hereby made available for the maintenance of a supply of stamps in the Senate Post Office.

MOTION OFFERED BY MR. MAHON

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

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendments of the Senate numbered 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, and 53, and concur therein.

The SPEAKER. The gentleman from Texas is recognized.

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

Mr. MAHON. I yield to the gentleman.

Mr. HALL. May I ask the distinguished gentleman from Texas (Mr. MAHON) if these added-on amendments of the other body which we ordinarily honor out of comity include any new Senate Office Building program?

Mr. MAHON. Not in these amendments which are now being considered. The Senate Office Building proposal is not in the block of amendments which are now being considered. That is in amendment No. 58.

Mr. HALL. That's quite all right.

Mr. Speaker, may I ask the gentleman, is there any provision for construction in these comity amendments other than office buildings on the part of the other body, such as a garage, for example?

Mr. MAHON. Mr. Speaker, there is an amendment that concerns a plan on the construction of a garage.

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

Mr. MAHON. I yield to the gentleman.

Mr. STRATTON. Mr. Speaker, may I ask the distinguished chairman this question: Is there any money or any consideration in the amendments for the west front?

Mr. MAHON. There is no money in the bill for the west front. I assume the gentleman is speaking about the west front of the Capitol?

Mr. STRATTON. Yes.

Mr. MAHON. No, there is no money in the bill for that.

Mr. STRATTON. Mr. Speaker, I thank the gentleman.

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

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: On page 30, line 12, insert:

SEC. 507, Section 1824 of the Revised Statutes (40 U.S.C. 210) is amended by adding at the end thereof the following new sentence: "Such arms so furnished shall be carried by each officer and member of the Capitol Police, while in the Capitol Buildings (as defined in section 16(a)(1) of the Act of July 31, 1946, as amended (40 U.S.C. 193m)), and while within or outside of the boundaries of the United States Capitol Grounds (as defined in the first section of the Act of July 31, 1946, as amended (40 U.S.C. 193a)), in such manner and at such times as the Sergeant at Arms of the Senate and the Sergeant at Arms of the House of Representatives may, by regulations, prescribe."

MOTION OFFERED BY MR. MAHON

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

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 54 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. 55: Page 31, strike out:

"The provisions of House Resolution 890, Ninety second Congress, relating to compensation of the Clerk, the Doorkeeper, and the Sergeant at Arms of the House of Representatives, and the Chief of Staff of the Joint Committee on Internal Revenue Taxation, shall be the permanent law with respect thereto."

And insert:

"The provisions of House Resolution 890, Ninety-second Congress, relating to compensation of the Clerk, the Doorkeeper, and the Sergeant at Arms of the House of Representatives, and the Chief of Staff of the Joint Committee on Internal Revenue Taxation, shall be the permanent law only with respect to the compensation of the Clerk, the Doorkeeper, and the Sergeant at Arms of the House of Representatives. Such House Resolution 890 shall not apply with respect to the compensation of the Chief of Staff of the Joint Committee on Internal Revenue Taxation."

MOTION OFFERED BY MR. MAHON

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

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 55 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. 56: page 32, line 13 insert:

OFFICE OF THE ATTENDING PHYSICIAN

For an additional amount for the "Office of the Attending Physician", $5,000, to be available as an allowance for a medical consultant.

Upon assuming his duty as Attending Physician to the United States Congress, and while so serving, the incumbent shall be considered to hold the rank of Rear Admiral, Medical Corps, United States Naval Reserve, for all purposes, and shall receive the pay and allowances with his length of service of an officer of the upper half of that grade (O–8) and when retired under any provision of law shall be advanced on the retired list to such grade and shall receive retired pay based on that grade.

MOTION OFFERED BY MR. MAHON

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

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 56 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. 57: Page 33, line 9, insert:

SENATE OFFICE BUILDINGS

For an additional amount for "Senate Office Buildings", $110,000, to remain available until expended.

MOTION OFFERED BY MR. MAHON

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

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 57 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. 58: Page 33, line 11 insert:

CONSTRUCTION OF AN EXTENSION TO THE NEW SENATE OFFICE BUILDING

To enable the Architect of the Capitol, under the direction of the Senate Office Building Commission, to provide for the construction and equipment of an extension to the New Senate Office Building, in accordance with plans approved by such Commission and by the Senate Committee on Public Works, on the east half of square 725 including the public alley separating the east and west halves of such square, but excluding lot 885 in such square, containing office rooms and such other rooms and accommodations as may be approved by the Senate Office Building Commission and by the Senate Committee on Public Works, including structural and other changes in the existing New Senate Office Building necessitated by such construction, together with approaches, connections with the Capitol Power Plant and public utilities, and architectural landscape treatment of the grounds: *Provided*, That upon completion of the project, the building and the grounds and sidewalks surrounding the same shall be subject to the provisions of the Act of June 8, 1942 (40 U.S.C. 174(c) and (d)), and the Act of July 31, 1946 (40 U.S.C. 193a–193m, 212a and 212b) in the same manner and to the same extent as the present Senate Office Buildings and the grounds and sidewalks surrounding the same: *Provided further*, That during each fiscal year, the Senate Committee on Public Works shall examine the progress and costs of construction of such building and take steps as are necessary to insure its economical construction: *Provided further*, That the Architect of the Capitol, under the direction of the Senate Office Building Commission, is authorized and directed to enter into such contracts, incur such obligations, and make such expenditures, including expenditures for personal and other services, as may be necessary to carry out the provisions of this paragraph; $47,925,000, to remain available until expended.

MOTION OFFERED BY MR. MAHON

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

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 58 and concur therein.

Mr. MAHON. Mr. Speaker, I would like to read the following into the RECORD at this point from page 45 of the Senate report on the supplemental appropriation bill before us with respect to the new Senate Office Building completion:

NEW SENATE OFFICE BUILDING COMPLETION

The committee recommends an appropriation of $47,925,000 for the completion of the New Senate Office Building by construction on the east half of square 725. The proposed addition would contain approximately 654,800 gross square feet, as compared to 712,900 gross square feet in the existing new building. Also, studies indicate that the greatest need of the Senate is for additional office rooms, rather than hearing rooms. The new structure would have between 400 to 450 rooms as compared to approximately 500 in the existing new building.

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

The motion was agreed to.

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

The Clerk read as follows:

Senate amendment No. 59: Page 34, line 21, insert:

ACQUISITION OF PROPERTY AS A SITE FOR PARKING FACILITIES FOR THE UNITED STATES SENATE

To enable the Architect of the Capitol, under the direction of the Senate Office Building Commission, in addition to the real property contained in square 724 in the District of Columbia heretofore acquired under Public Law 85–429, approved May 29, 1958 (72 Stat. 148–149), Public Law 91–382, approved August 13, 1970 (84 Stat. 819), and Public Law 92–184, approved December 15, 1971 (85 Stat. 637), to acquire, on behalf of the United States, by purchase, condemnation, transfer, or otherwise, as a site for parking facilities for the United States Senate, all publicly or privately owned real property contained in lots 79, 80, 86, 94, 805, 806, 833, 838, 839, 840, and 844 in square 724 in the District of Columbia, and all alleys or parts of alleys and streets contained within the curblines surrounding such square, as such square appears on the records in the office of the surveyor of the District of Co-

lumbia as of the date of the approval of this Act: *Provided*, That for the purposes of this paragraph, square 724 shall be deemed to extend to the outer face of the curbs surrounding such square: *Provided further*, That, upon acquisition of any real property under this paragraph, the jurisdiction of the Capitol Police shall extend over such property, and any property acquired under this paragraph shall become a part of the United States Capitol Grounds and be subject to the provisions of sections 193a–193m, 212a, and 212b of title 40, United States Code: *Provided further*, That any proceeding for condemnation brought under this paragraph shall be conducted in accordance with the Act of December 23, 1963 (16 D.C. Code, secs. 1351–1368; *Provided further*, That, notwithstanding any other provision of law, any real property owned by the United States and any public alleys or parts of alleys and streets contained within the curblines surrounding square 724, shall, upon request of the Architect of the Capitol, made with the approval of the Senate Office Building Commission, be transfered to the jurisdiction and control of the Architect of the Capitol without reimbursement or transfer of funds, and any alleys or parts of alleys or streets contained within the curblines of said square shall be closed and vacated by the Commissioner of the District of Columbia, appointed pursuant to part III of Reorganization Plan numbered 3 of 1967, in accordance with any request therefor made by the Architect of the Capitol with the approval of such Commission: *Provided further*, That, upon acquisition of any real property pursuant to this paragraph, the Architect of the Capitol, when directed by the Senate Office Building Commission to so act, is authorized to provide for the demolition and/or removal of any buildings or other structures on, or constituting a part of, such property and, pending demolition, to use the property for Government purposes or to lease any or all of such property for such periods and under such terms and conditions as he may deem most advantageous to the United States and to incur any necessary expenses in connection therewith: *Provided further*, That nothing herein shall be construed to prohibit the continued use of areas in square 724, acquired under authority of the Acts of May 29, 1958, August 18, 1970, and December 15, 1971, hereinbefore cited, for the parking of automobiles, until such times as such areas may be required for construction purposes: *Provided further*, That the Architect of the Capitol, under the direction of the Senate Office Building Commission, is authorized to enter into such contracts, incur such obligations, and make such expenditures, including expenditures for personal and other services, and expenditures authorized by Public Law 91–646, approved January 2, 1971 (84 Stat. 1894–1907) applicable to the Architect of the Capitol, as may be necessary to carry out the provisions of this paragraph; $4,075,000, to remain available until expended.

MOTION OFFERED BY MR. MAHON

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

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 59 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. 60: Page 37, line 15 insert:

PLANS FOR GARAGE AND RELATED FACILITIES FOR THE UNITED STATES SENATE

To enable the Architect of the Capitol to initiate and conduct a study, after consultation with the appropriate Federal agencies and individuals experienced in the design of vehicle parking structures, to explore design and cost alternatives for construction, on square 724, of a parking garage with limited commercial facilities, and report his preliminary findings and recommendations to the Senate Committee on Public Works: *Provided*, That the Architect of the Capitol, concurrently with such study, is authorized to establish, for the purpose of development of a basic concept therefor, an architectural design competition, in order to encourage the preparation of an imaginative design for the garage structure, including limited commercial facilities and landscaping and to assure a pleasant transition to and maximum coordination with the surrounding residential and commercial community in that area of Northeast Washington within sight of or adjoining the Capitol Grounds: *Provided further*, That such design concept may consider and include existing and future land use and structures in said surrounding community, and shall consider any existing model cities or other governmental planning for such Northeast area, including that of the National Capital Planning Commission: *Provided further*, That guidelines and criteria specifically defining the limits, scope, and all aspects of the competition shall be developed and promulgated by the Architect of the Capitol, with the approval of the Senate Office Building Commission, and an award for the best design or designs shall be determined by a committee jointly designated for this purpose by the Architect of the Capitol and the Senate Office Building Commission, in such amount as they may deem to be appropriate: *Provided further*, That the Architect of the Capitol, under the direction of the Senate Office Building Commission, is authorized and directed to enter into such contracts, incur such obligations, and make such expenditures, including expenditures for personal and other services, as may be necessary to carry out the provisions of this paragraph; $50,000, to remain available until expended.

MOTION OFFERED BY MR. MAHON

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

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 60 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. 61: Page 39, line 4, insert:

ACQUISITION OF PROPERTY AS AN ADDITION TO THE CAPITOL GROUNDS

To enable the Architect of the Capitol to acquire on behalf of the United States, as an addition to the United States Capitol Grounds, by purchase, condemnation, transfer, or otherwise, all publicly or privately owned property contained in square 764 in the District of Columbia, and all alleys or parts of alleys contained within the curblines surrounding such square, as such square appears on the records in the office of the surveyor of the District of Columbia as of the date of the approval of this Act: *Provided*, That any proceeding for condemnation brought under this paragraph shall be conducted in accordance with the Act of December 23, 1963 (16 D.C. Code, secs. 1351–1368): *Provided further*, That for the purposes of this paragraph, square 764 shall be deemed to extend to the outer face of the curbs surrounding such square: *Provided further*, That, notwithstanding any other provision of law, any real property owned by the United States and any public alleys or parts of alleys and streets contained within the curblines surrounding such square shall, upon request of the Architect of the Capitol, be transferred to the jurisdiction and control of the Architect of the Capitol without reimbursement or transfer of funds, and any alleys or parts of alleys or streets contained within the curblines of said square shall be closed and vacated by the Commissioner of the District of Columbia, appointed pursuant to part III of Reorganization Plan numbered 3 of 1967, in accordance with any request therefor made by the Architect of the Capitol: *Provided further*, That upon acquisition of such real property pursuant to this paragraph, the Architect of the Capitol is authorized to use such property as a green park area, pending its development for permanent use as the site of the John W. McCormack Residential Page School, subject to the approval of the Senate Office Building Commission and the House Office Building Commission: *Provided further*, That the jurisdiction of the Capitol Police shall extend over any real property acquired under this paragraph and such property shall become a part of the United States Capitol Grounds and be subject to the provisions of sections 193a–193m, 212a, and 212b of title 40, United States Code: *Provided further*, That the Architect of the Capitol, under the direction of the Senate Office Building Commission, is authorized and directed to enter into such contracts, incur such obligations, and make such expenditures, including expenditures for personal and other services, as may be necessary to carry out the provisions of this paragraph; $1,450,000, to remain available until expended.

MOTION OFFERED BY MR. MAHON

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

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 61 and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment, insert the following:

ACQUISITION OF PROPERTY AS AN ADDITION TO THE CAPITOL GROUNDS

To enable the Architect of the Capitol to acquire on behalf of the United States, as an addition to the United States Capitol Grounds, by purchase, condemnation, transfer, or otherwise, all publicly or privately owned property contained in square 764 in the District of Columbia, and all alleys or parts of alleys contained within the curblines surrounding such square, as such square appears on the records in the office of the surveyor of the District of Columbia as of the date of the approval of this Act: *Provided*, That any proceeding for condemnation brought under this paragraph shall be conducted in accordance with the Act of December 23, 1963 (16 D.C. Code, secs. 1351–1368): *Provided further*, That for the purposes of this paragraph, square 764 shall be deemed to extend to the outer face of the curbs surrounding such square: *Provided further*, That, notwithstanding any other provision of law, any real property owned by the United States and any public alleys or parts of alleys and streets contained within the curblines surrounding such square shall, upon request of the Architect of the Capitol, be transferred to the jurisdiction and control of the Architect of the Capitol without reimbursement or transfer of funds, and any alleys or parts of alleys or streets contained within the curblines of said square shall be closed and vacated by the Commissioner of the District of Columbia, appointed pursuant to part III of Reorganization Plan numbered 3 of 1967, in accordance with any request therefor made by the Architect of the Capitol: *Provided further*, That, upon acquisition of such real property pursuant to this paragraph, the Architect of the Capitol is authorized to use such property as a green park area, pending its development for permanent use as the site of the John W. Mc-

Cormack Residential Page School, subject to the approval of the Senate Office Building Commission and the House Office Building Commission: *Provided further,* That the jurisdiction of the Capitol Police shall extend over any real property acquired under this paragraph and such property shall become a part of the United States Capitol Grounds and be subject to the provisions of sections 193a–193m, 212a, and 212b of title 40, United States Code: *Provided further,* That the Architect of the Capitol, under the direction of the Senate Office Building Commission and the House Office Building Commission, is authorized and directed to enter into such contracts, incur such obligations, and make such expenditures, including expenditures for personal and other services, as may be necessary to carry out the provisions of this paragraph; $1,450,000, to remain available until expended.

Mr. MAHON (during the reading). Mr. Speaker, I ask unanimous consent that further reading of the motion be dispensed with, and that it be printed in the RECORD.

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

There was no objection.

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 45, line 6, insert:

PARTICIPATION IN UNITED STATES EXPOSITIONS

For expenses necessary for Federal participation in the 1974 International Exposition on the Environment, $11,500,000, to remain available until expended: *Provided,* That none of the funds appropriated in this paragraph shall be available for obligation except upon the enactment into law of authorizing legislation.

MOTION OFFERED BY MR. MAHON

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

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 70 and concur therein with an amendment, as follows: In lieu of the sum named in said amendment insert: "$3,500,000".

The motion was agreed to.

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

The Clerk read as follows:

Senate amendment No. 71: Page 45, line 13, insert:

MARITIME ADMINISTRATION

SHIP CONSTRUCTION

For an additional amount for "Ship Construction", $175,000,000, to remain available until expended: *Provided,* That this appropriation shall be available only upon the enactment into law of S. 4036, 92d Congress, or similar legislation.

MOTION OFFERED BY MR. MAHON

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

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 71 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 47, line 19, insert:

COMMISSION ON HIGHWAY BEAUTIFICATION

For necessary expenses of the Commission on Highway Beautification, established by section 123 of the Federal-Aid Highway Act of 1970 (84 Stat. 1727–1728), an additional $250,000, to remain available until expended: *Provided,* That this appropriation shall be available only upon the enactment into law of authorizing legislation by the 92d Congress.

MOTION OFFERED BY MR. MAHON

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

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 76 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. 78:

Page 48, line 18, insert: "*Provided,* That section 102 of the Treasury, Postal Service, and General Government Appropriation Act, 1973, is amended by striking out 'March 31, 1973' and inserting in lieu thereof 'June 30, 1973'."

MOTION OFFERED BY MR. MAHON

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

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 78 and concur therein with an amendment, as follows: In lieu of the language proposed by the Senate, insert the following: ": *Provided,* That section 102 of the Treasury, Postal Service, and General Government Appropriation Act, 1973, is amended by striking out "March 31, 1973" and inserting in lieu thereof "May 15, 1973"."

The motion was agreed to.

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

The Clerk read as follows:

Senate amendment No. 84: Page 52, line 84, insert:

SEC. 1102. Each department, agency, or corporation shall report to the Congress no later than July 31, 1973, the total amount of appropriated funds used for the support (direct or indirect) of executive dining rooms or similar facilities during the fiscal year ending June 30, 1973.

MOTION OFFERED BY MR. MAHON

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

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 84 and concur therein.

The SPEAKER. The gentleman from Texas is recognized.

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

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

Mr. HALL. Mr. Speaker, I just want to say that I appreciate the work that is done, and particularly the work that has been done, under pressure, in order to bring this supplemental appropriation bill before the House

I voted against the supplemental appropriation bill. I believe I was one of only about 15 that did. In principle, so-called deficiencies should be better and more promptly handled by both the executive branch and the Congress.

There are many areas here that were deficiencies and did need supplemental help. But it is almost unconscionable, Mr. Speaker, whether we do it in the name of comity with the other body, or whether we do it with our eyes wide open, that we would grant in this supplemental bill, in the blessed name of "deficiency," a new Senate Office Building, plus new land acquisition, when they already have over seven offices each over there not to mention the hideaway ones in the Capitol out of which to run; and where they can put together staff for any one of the 100 or less—and I say less because there has never been, to my knowledge, 100 on the floor at any one time—to run for any high office that they may choose. They get most of their entire staff or equipment at the taxpayers' expense, then added to this there is additional land acquisition for garages—and notably for the last 12 years since I have been here they have always had extra garage space. I must say that by comity they have let House Members park their cars who did not mind walking across the Capitol, and I have parked my car in the Senate garage to get it out of the weather.

Finally, when we are approving here at great expense to the taxpayers the final purchase of old Providence Hospital grounds down there to make a green park and hold in abeyance for the Page School, and all the other flowery language herein, I cannot be charitable about all these expenditures at the sacrifice of the Nation's taxpayers, and whether it was in technical disagreement and we acceded or whether we acceded with amendment or not, the fact is that we are permitting excessive expenditures here and now.

So far as this particular request for this specific unanimous-consent request is concerned, I withdraw my reservation of objection.

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

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. MAHON. Mr. Speaker, earlier in the afternoon I asked unanimous consent that all Members be permitted to revise and extend their remarks on the conference report and on the various amendments which have been considered, and I would like to expand that unanimous-consent request to include tables and extraneous material.

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

There was no objection.

ADDITIONAL LEGISLATIVE PROGRAM

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

Mr. BOGGS. Mr. Speaker, I take this time to supply for the benefit of the Members who are interested a list of four bills, and the description thereof, which

will be added to the Suspension Calendar, from the Committee on Ways and Means list which was filed last week.

The four bills are as follows:

H.R. 7175, equipment and repair for U.S. vessels;

H.R. 12991, copying shoe lathes;

H.R. 15442, suspension of duty on istle; and

H.R. 15795, suspension of duty on tanning and dyeing materials.

CALL OF THE HOUSE

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

The SPEAKER. Evidently a quorum is not present.

Mr. BOGGS. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

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

[Roll No. 446]

Abbitt	Evans, Colo.	Pelly
Abernethy	Fascell	Pepper
Abourezk	Fish	Perkins
Adams	Fisher	Pettis
Alexander	Flowers	Peyser
Anderson, Ill.	Fountain	Pirnie
Anderson, Tenn.	Frenzel	Podell
	Fulton	Price, Tex.
Andrews, N. Dak.	Fuqua	Pryor, Ark.
	Galifianakis	Pucinski
Annunzio	Gallagher	Purcell
Ashbrook	Gettys	Quillen
Aspin	Giaimo	Randall
Baring	Gibbons	Rees
Begich	Green, Oreg.	Rogers
Belcher	Gross	Roncalio
Bell	Haley	Rooney, N.Y.
Biaggi	Hamilton	Rostenkowski
Blackburn	Hanley	Roush
Blanton	Hanna	Rousselot
Boland	Hansen, Wash.	Runnels
Bolling	Harsha	Satterfield
Broomfield	Hawkins	Scherle
Brotzman	Hays	Schmitz
Burke, Fla.	Hébert	Schwengel
Burlison, Mo.	Horton	Scott
Byrne, Pa.	Howard	Selberling
Byron	Hungate	Shipley
Cabell	Jarman	Sisk
Carter	Johnson, Pa.	Skubitz
Cederberg	Jones, Tenn.	Smith, Iowa
Caffery	Keating	Smith, N.Y.
Carey, N.Y.	Kemp	Snyder
Celler	Kluczynski	Springer
Chamberlain	Kuykendall	Staggers
Chappell	Link	Stanton, James V.
Clancy	Long, La.	
Clark	McCloskey	Steed
Clay	McClure	Steele
Collins, Ill.	McCormack	Steiger, Ariz.
Conte	McCulloch	Stephens
Conyers	McDonald, Mich.	Stokes
Corman		Stuckey
Cotter	McEwen	Symington
Coughlin	McKevitt	Talcott
Crane	McMillan	Teague, Tex.
Curlin	Mailliard	Terry
Davis, Ga.	Martin	Thompson, Ga.
Davis, S.C.	Matsunaga	Thompson, N.J.
Davis, Wis.	Mayne	Thomson, Wis.
Delaney	Melcher	Thone
Dellums	Michel	Udall
Denholm	Mikva	Van Deerlin
Derwinski	Minshall	Vigorito
Devine	Mitchell	Waggonner
Dickinson	Mizell	Waldie
Diggs	Mollohan	Whitehurst
Dingell	Monagan	Widnall
Donohue	Moorhead	Wilson, Charles H.
Dow	Morgan	
Dowdy	Mosher	Winn
du Pont	Moss	Wolff
Dwyer	Murphy, N.Y.	Wright
Edmondson	Nelsen	Wylie
Esch	Nichols	Yatron

The SPEAKER. On this rollcall 241 Members have answered to their names, a quorum.

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

LONGSHOREMEN'S AND HARBOR WORKERS' COMPENSATION ACT AMENDMENTS OF 1972

Mr. DANIELS of New Jersey. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 12006) to amend the Longshoremen's and Harbor Workers' Compensation Act, and for other purposes, as amended.

The Clerk read as follows:

H.R. 12006

To amend the Longshoremen's and Harbor Workers' Compensation Act, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Longshoremen's and Harbor Workers' Compensation Act Amendments of 1972".

COVERAGE

SEC. 2. (a) Section 2(3) of the Longshoremen's and Harbor Workers' Compensation Act (44 Stat. 1424, 33 U.S.C. 902) is amended to read as follows:

"(3) The term 'employee' means any person engaged in maritime employment, including any longshoreman or other person engaged in longshoring operations, and any harbor-worker including a ship repairman, shipbuilder, and ship-breaker, but such term does not include a master or member of a crew of any vessel, or any person engaged by the master to load or unload or repair any small vessel under eighteen tons net."

(b) Section 2(4) of such Act is amended by striking out "(including any dry dock)" and inserting in lieu thereof "(including any adjoining pier, wharf, dry dock, terminal, building way, marine railway, or other adjoining area customarily used by an employer in loading, unloading, repairing, or building a vessel)".

(c) Section 3(a) of such Act is amended by striking out "(including any dry dock) and if recovery for the disability or death through workmen's compensation proceedings may not validly be provided by State law", and inserting in lieu thereof "(including any adjoining pier, wharf, dry dock, terminal, building way, marine railway, or other adjoining area customarily used by an employer in loading, unloading, repairing, or building a vessel)".

STUDENT BENEFITS

SEC. 3. (a) Section 2 of the Longshoremen's and Harbor Workers' Compensation Act is amended by redesignating paragraph (19) as paragraph (20) and adding a new paragraph (19) as follows:

"(19) The term 'student' means a person regularly pursuing a full-time course of study or training at an institution which is—

"(A) a school or college or university operated or directly supported by the United States, or by any State or local government or political subdivision thereof,

"(B) a school or college or university which has been accredited by a State or by a State recognized or nationally recognized accrediting agency or body,

"(C) a school or college or university not so accredited but whose credits are accepted, on transfer, by not less than three institutions which are so accredited, for credit on the same basis as if transferred from an institution so accredited, or

"(D) an additional type of educational or training institution as defined by the Secretary,

but not after he reaches the age of twenty-three or has completed four years of education beyond the high school level, except that, where his twenty-third birthday occurs during a semester or other enrollment period, he shall continue to be considered a student until the end of such semester or other enrollment period. A child shall not be deemed to have ceased to be a student during any interim between school years if the interim does not exceed five months and if he shows to the satisfaction of the Secretary that he has a bona fide intention of continuing to pursue a full-time course of education or training during the semester or other enrollment period immediately following the interim or during periods of reasonable duration during which, in the judgment of the Secretary, he is prevented by factors beyond his control from pursuing his education. A child shall not be deemed to be a student under this Act during a period of service in the Armed Forces of the United States."

(b) The last sentence of section 2(14) of such Act is amended to read as follows: "'Child', 'grandchild', 'brother', and 'sister' include only a person who is under eighteen years of age, or who, though eighteen years of age or over, is (1) wholly dependent upon the employee and incapable of self-support by reason of mental or physical disability, or (2) a student as defined in paragraph (19) of this section."

TIME FOR COMMENCEMENT OF COMPENSATION

SEC. 4. Section 6(a) of the Longshoremen's and Harbor Workers' Compensation Act is amended by striking out "more than twenty-eight days" and inserting in lieu thereof "more than fourteen days".

MAXIMUM AND MINIMUM LIMITS OF DISABILITY COMPENSATION AND ALLOWANCE

SEC. 5. (a) Section 6 of the Longshoremen's and Harbor Workers' Compensation Act is amended by striking out subsection (b) and inserting in lieu thereof the following new subsections:

"(b)(1) Except as provided in subsection (c), compensation for disability shall not exceed the following percentages of the applicable national average weekly wage as determined by the Secretary under paragraph (3):

"(A) 125 per centum or $167, whichever is greater, during the period ending September 30, 1973.

"(B) 150 per centum during the period beginning October 1, 1973, and ending September 30, 1974.

"(C) 175 per centum during the period beginning October 1, 1974, and ending September 30, 1975.

"(D) 200 per centum beginning October 1, 1975.

"(2) Compensation for total disability shall not be less than 50 per centum of the applicable national average weekly wage determined by the Secretary under paragraph (3), except that if the employee's average weekly wages as computed under section 10 are less than 50 per centum of such national average weekly wage, he shall receive his average weekly wages as compensation for total disability.

"(3) As soon as practicable after June 30 of each year, and in any event prior to October 1 of such year, the Secretary shall determine the national average weekly wage for the three consecutive calendar quarters ending June 30. Such determination shall be the applicable national average weekly wage for the period beginning with October 1 of that year and ending with September 30 of the next year. The initial determination under this paragraph shall be made as soon as practicable after the enactment of this subsection.

"(c) The maximum rate of compensation

for a nonappropriated fund instrumentality employee shall be equal to 66⅔ per centum of the maximum rate of basic pay established for a Federal employee in grade GS–12 by section 5332 of title 5, United States Code, and the minimum rate of compensation for such an employee shall be equal to 66⅔ per centum of the minimum rate of basic pay established for a Federal employee in grade GS–2 by such section.

"(d) Determinations under this subsection with respect to a period shall apply to employees or survivors currently receiving compensation for permanent total disability or death benefits during such period, as well as those newly awarded compensation during such period."

(b) Section 2 of such Act as amended by this Act is further amended by redesignating paragraph (20) thereof as paragraph (21) and by inserting immediately after paragraph (19) the following:

"(20) The term 'national average weekly wage' means the national average weekly earnings of production or nonsupervisory workers on private nonagricultural payrolls."

(c) Section 8(d) of such Act is amended to read as follows:

"(d)(1) If an employee who is receiving compensation for permanent partial disability pursuant to section 8(c)(1)–(20) dies from causes other than the injury, the total amount of the award unpaid at the time of death shall be payable to or for the benefit of his survivors, as follows:

"(A) if the employee is survived only by a widow or widower, such unpaid amount of the award shall be payable to such widow or widower,

"(B) if the employee is survived only by a child or children, such unpaid amount of the award shall be paid to such child or children in equal shares,

"(C) if the employee is survived by a widow or widower and a child or children, such unpaid amount of the award shall be payable to such survivors in equal shares,

"(D) if there be no widow or widower and no surviving child or children, such unpaid amount of the award shall be paid to the survivors specified in section 9(d) (other than a wife, husband, or child); and the amount to be paid each such survivor shall be determined by multiplying such unpaid amount of the award by the appropriate percentage specified in section 9(d), but if the aggregate amount to which all such survivors are entitled, as so determined, is less than such unpaid amount of the award, the excess amount shall be divided among such survivors pro rata according to the amount otherwise payable to each under this subparagraph.

"(2) Notwithstanding any other limitation in section 9, the total amount of any award for permanent partial disability pursuant to section 8(c)(1)–(20) unpaid at time of death shall be payable in full in the appropriate distribution.

"(3) If an employee who was receiving compensation for permanent partial disability pursuant to section 8(c)(21) dies from causes other than the injury, his survivors shall receive death benefits as provided in section 9(b)–(g), except that the percentage figures therein shall be applied to the weekly compensation payable to the employee at the time of his death multiplied by 1.5, rather than to his average weekly wages.

"(4) An award for disability may be made after the death of the injured employee. Except where compensation is payable under section 8(c)(21), if there be no survivors as prescribed in this section, then the compensation payable under the subsection shall be paid to the special fund established under section 44(a) of this Act.

(d) The first phrase of section 9 of such Act, preceding the first colon, is amended to read as follows:

"If the injury causes death, or if the employee who sustains permanent total disability due to the injury thereafter dies from causes other than the injury, the compensation shall be known as a death benefit and shall be payable in the amount and to or for the benefit of the persons following:"

(e) Section 14 of such Act is amended by striking out subsection (m).

MEDICAL SERVICES

SEC. 6. (a) Section 7 of the Longshoremen's and Harbor Workers' Compensation Act is amended to read as follows:

MEDICAL SERVICES AND SUPPLIES

"SEC. 7. (a) The employer shall furnish such medical, surgical, and other attendance or treatment, nurse and hospital service, medicine, crutches, and apparatus, for such period as the nature of the injury or the process of recovery may require.

"(b) The employee shall have the right to choose an attending physician authorized by the Secretary to provide medical care under this Act as hereinafter provided. If, due to the nature of the injury, the employee is unable to select his physician and the nature of the injury requires immediate medical treatment and care, the employer shall select a physician for him. The Secretary shall actively supervise the medical care rendered to injured employees, shall require periodic reports as to the medical care being rendered to injured employees, shall have authority to determine the necessity, character, and sufficiency of any medical aid furnished or to be furnished, and may, on his own initiative or at the request of the employer, order a change of physicians or hospitals when in his judgment such change is desirable or necessary in the interest of the employee. Change of physicians at the request of employees shall be permitted in accordance with regulations of the Secretary.

"(c) The Secretary may designate the physicians who are authorized to render medical care under the Act. The names of physicians so designated in the community shall be made available to employees through posting or in such other form as the Secretary may prescribe.

"(d) An employee shall not be entitled to recover any amount expended by him for medical or other treatment or services unless he shall have requested the employer to furnish such treatment or services, or to authorize provision of medical or surgical services by the physician selected by the employee, and the employer shall have refused or neglected to do so, or unless the nature of the injury required such treatment and services and the employer or his superintendent or foreman having knowledge of such injury shall have neglected to provide or authorize the same; nor shall any claim for medical or surgical treatment be valid and enforceable, as against such employer, unless within ten days following the first treatment the physician giving such treatment furnish to the employer and the Secretary a report of such injury and treatment, on a form prescribed by the Secretary. The Secretary may, however, excuse the failure to furnish such report within ten days when he finds it to be in the interest of justice to do so, and he may, upon application by a party in interest, make an award for the reasonable value of such medical or surgical treatment so obtained by the employee. If at any time the employee unreasonably refuses to submit to medical or surgical treatment, or to an examination by a physician selected by the employer, the Secretary may, by order, suspend the payment of further compensation during such time as such refusal continues, and no compensation shall be paid at any time during the period of such suspension, unless the circumstances justified the refusal.

"(e) In the event that medical questions are raised in any case, the Secretary shall have the power to cause the employee to be examined by a physician employed or selected by the Secretary and to obtain from such physician a report containing his estimate of the employee's physical impairment and such other information as may be appropriate. Any party who is dissatisfied with such report may request a review or reexamination of the employee by one or more different physicians employed or selected by the Secretary. The Secretary shall order such review or reexamination unless he finds that it is clearly unwarranted. Such review or reexamination shall be completed within two weeks from the date ordered unless the Secretary finds that because of extraordinary circumstances a longer period is required. The Secretary shall have the power in his discretion to charge the cost of examination or review under this subsection to the employer, if he is a self-insurer, or to the insurance company which is carrying the risk, in appropriate cases, or to the special fund in section 44.

"(f) An employee shall submit to a physical examination under subsection (e) at such place as the Secretary may require. The place, or places, shall be designated by the Secretary and shall be reasonably convenient for the employee. No physician selected by the employer, carrier, or employee shall be present at or participate in any manner in such examination, nor shall conclusions of such physicians as to the nature or extent of impairment or the cause of impairment be available to the examining physician unless otherwise ordered, for good cause, by the Secretary. Such employer or carrier shall, upon request, be entitled to have the employee examined immediately thereafter and upon the same premises by a qualified physician or physicians in the presence of such physician as the employee may select, if any. Proceedings shall be suspended and no compensation shall be payable for any period during which the employee may refuse to submit to examination.

"(g) All fees and other charges for medical examinations, treatment, or service shall be limited to such charges as prevail in the community for such treatment, and shall be subject to regulation by the Secretary. The Secretary shall issue regulations limiting the nature and extent of medical expenses chargeable against the employer without authorization by the employer or the Secretary.

"(h) The liability of an employer for medical treatment as herein provided shall not be affected by the fact that his employee was injured through the fault or negligence of a third party not in the same employ, or that suit has been brought against such third party. The employer shall, however, have a cause of action against such third party to recover any amounts paid by him for such medical treatment in like manner as provided in section 33(b) of this Act.

"(i) Unless the parties to the claim agree, the Secretary shall not employ or select any physician for the purpose of making examinations or reviews under subsection (e) of this section who, during such employment, or during the period of two years prior to such employment, has been employed by, or accepted or participated in any fee relating to a workmen's compensation claim from any insurance carrier or any self-insurer."

DISFIGUREMENTS

SEC. 7. Section 8(c)(20) of the Longshoremen's and Harbor Workers' Compensation Act is amended to read as follows:

"(20) Disfigurement: Proper and equitable compensation not to exceed $3,500 shall be awarded for serious disfigurement of the face, head, or neck or of other normally exposed areas likely to handicap the employee in securing or maintaining employment."

SPECIAL FUND

SEC. 8. (a) Section 44(a) of the Longshoremen's and Harbor Workers' Compensation

Act is amended by adding a period after the word "fund" in the first sentence thereof and deleting the remainder of the sentence.

(b) Section 44 of such Act is further amended by redesignating subsections (d), (e), (f), and (g) as (f), (g), (h), and (i), respectively and by striking out subsection (c) and inserting in lieu thereof the following:

"(c) Payments into such fund shall be made as follows:

"(1) Whenever the Secretary determines that there is no person entitled under this Act to compensation for the death of an employee which would otherwise be compensable under this Act, the appropriate employer shall pay $5,000 as compensation for the death of such an employee.

"(2) At the beginning of each calendar year the Secretary shall estimate the probable expenses of the fund during that calendar year and each carrier or self-insurer shall make payments into the fund on a prorated assessment by the Secretary in the proportion that the total compensation and medical payments made on risks covered by this Act by each carrier and self-insurer bears to the total of such payments made by all carriers and self-insurers under the Act in the prior calendar year in accordance with a formula and schedule to be determined from time to time by the Secretary to maintain adequate reserves in the fund.

"(3) All amounts collected as fines and penalties under the provisions of this Act shall be paid into such fund.

"(d)(1) For the purpose of making rules, regulations, and determinations under this section under and for providing enforcement thereof, the Secretary may investigate and gather appropriate data from each carrier and self-insurer. For that purpose, the Secretary may enter and inspect such places and records (and make such transcriptions thereof), question such employees, and investigate such facts, conditions, practices, or matters as he may deem necessary or appropriate.

"(2) Each carrier and self-insurer shall make, keep, and preserve such records, and make such reports and provide such additional information, as prescribed by regulation or order of the Secretary, as the Secretary deems necessary or appropriate to carry out his responsibilities under this section.

"(3) For the purpose of any hearing or investigation related to determinations or the enforcement of the provisions of this section, the provisions of sections 9 and 10 (relating to the attendance of witnesses and the production of books, papers, and documents) of the Federal Trade Commission Act of September 16, 1914, as amended (U.S.C., title 15, secs. 49 and 50), are hereby made applicable to the jurisdiction, powers, and duties of the Secretary of Labor.

"(e) There is hereby authorized to be appropriated to the Secretary the sum of $2,000,000 which the Secretary shall immediately deposit into the fund. Upon deposit in the fund such moneys shall be treated as the property of such fund. This sum, without additional payments for interest, shall be repaid from the money or property belonging to the fund on a schedule of repayment set by the Secretary: *Provided*, That full repayment must be made no later than five years from the date of deposit into the fund. Each such repayment, as made, shall be covered into the Treasury of the United States as miscellaneous receipts."

(d) Section 44 of such Act is further amended by adding the following new subsections (j) and (k):

"(j) The proceeds of this fund shall be available for payments:

"(1) Pursuant to section 10 and 11 with respect to initial and subsequent annual adjustments in compensation for total permanent disability or death which occurred prior to the effective date of this subsection.

"(2) Under section 8 (f) and (g), under section 18(b), and under section 39(c).

"(3) To repay the sums deposited in the fund pursuant to subsection (d).

"(4) To defray the expense of making examinations as provided in section 7.

"(k) At the close of each fiscal year the Secretary, shall submit to the Congress a complete audit of the fund."

INJURY FOLLOWING PREVIOUS IMPAIRMENT

SEC. 9. (a) Section 8(f)(1) of the Longshoremen's and Harbor Workers' Compensation Act is amended to read as follows: "(1) In any case in which an employee having an existing permanent partial disability suffers injury, the employer shall provide compensation for such disability as is found to be attributable to that injury based upon the average weekly wages of the employee at the time of the injury. If, following an injury falling within the provisions of section 8(c)(1)–(20), the employee is totally and permanently disabled, and the disability is found not to be due solely to that injury, the employer shall provide compensation for the applicable prescribed period of weeks provided for in that section for the subsequent injury or for one hundred and four weeks, whichever is the greater. In all other cases of total permanent disability or of death, found not to be due solely to that injury, of an employee having an existing permanent partial disability, the employer shall provide in addition to compensation under paragraphs (b) and (e) of this section, compensation payments or death benefits for one hundred and four weeks only. If, following an injury falling within the provisions of 8(c)(1)–(20), the employee has a permanent partial disability and the disability is found not to be due solely to that injury, and such disability is materially and substantially greater than that which would have resulted from the subsequent injury alone, the employer shall provide compensation for the applicable period of weeks provided for in that section for the subsequent injury, or for one hundred and four weeks, whichever is the greater.

"In all other cases in which the employee has a permanent partial disability, found not to be due solely to that injury, and such disability is materially and substantially greater than that which would have resulted from the subsequent injury alone, the employer shall provide in addition to compensation under paragraphs (b) and (e) of this section, compensation for one hundred and four weeks only.

(2) After cessation of the payments for the period of weeks provided for herein, the employee or his survivor entitled to benefits shall be paid the remainder of the compensation that would be due out of the special fund established in section 44."

(b) Section 8(f) of such Act is further amended by striking out paragraph (2).

DEATH BENEFITS

SEC. 10. (a) Section 9(a) of the Act is amended by striking out "$400" and inserting in lieu thereof "$1,000".

(b) Sections 9 (b) and (c) of such Act are amended by striking "35" and "15" wherever they appear, and substituting "50" and "16⅔" respectively.

(c) The first sentence of section 9(d) of such Act is amended to read as follows: "If there be no surviving wife or husband or child, or if the amount payable to a surviving wife or husband and to children shall be less in the aggregate than 66⅔ per centum of the average wages of the deceased; then for the support of grandchildren or brothers and sisters, if dependent upon the deceased at the time of the injury, and any other persons who satisfy the definition of the term 'dependent' in section 152 of title 26 of the United States Code, but are not otherwise eligible under this section, 20 per centum of such wages for the support of each such person during such dependency and for the support of each parent, or grandparent, of the deceased if dependent upon him at the time of the injury, 25 per centum of such wages during such dependency."

(d) Section 9(e) of such Act is amended to read as follows:

"(e) In computing death benefits the average weekly wages of the deceased shall be considered to have been not less than the applicable national average weekly wage as prescribed in section 6(b) but the total weekly benefits shall not exceed the average weekly wages of the deceased."

DETERMINATION OF PAY

SEC. 11. Section 10 of the Act is amended by adding the following new subsections:

"(f) Effective October 1 of each year, the compensation or death benefits payable for permanent total disability or death arising out of injuries sustained after the date of enactment of this subsection shall be increased by a percentage equal to the percentage (if any) by which the applicable national weekly wage for the period beginning on such October 1, as determined under section 6(b), exceeds the applicable national average weekly wage, as so determined, for the period beginning with the preceding October 1.

"(g) The weekly compensation after adjustment under subsection (f) shall be fixed at the nearest dollar. No adjustment of less than $1 shall be made, but in no event shall compensation or death benefits be reduced.

"(h)(1) Not later than ninety days after the date of enactment of this subsection, the compensation to which an employee or his survivor is entitled due to total permanent disability or death which commenced or occurred prior to enactment of this subsection shall be adjusted. The amount of such adjustment shall be determined in accordance with regulations of the Secretary by designating as the employee's average weekly wage the applicable national average weekly wage determined under section 6(b) and (A) computing the compensation to which such employee or survivor would be entitled if the disabling injury or death had occurred on the day following such enactment date and (B) subtracting therefrom the compensation to which such employee or survivor was entitled on such enactment date; except that no such employee or survivor shall receive total compensation amounting to less than that to which he was entitled on such enactment date. Notwithstanding the foregoing sentence, where such an employee or his survivor was awarded compensation as the result of death or permanent total disability at less than the maximum rate that was provided in this Act at the time of the injury which resulted in the death or disability, then his average weekly wage shall be determined by increasing his average weekly wage at the time of such injury by the percentage which the applicable national average weekly wage has increased between the year in which the injury occurred and the first day of the first month following the enactment of this section. Where such injury occurred prior to 1947, the Secretary shall determine, on the basis of such economic data as he deems relevant, the amount by which the employee's average weekly wage shall be increased for the pre-1947 period.

"(2) Fifty per centum of any additional compensation or death benefit paid as a result of the adjustment required by paragraphs (1) and (3) of this subsection shall be paid out of the special fund established under section 44 of this Act, and 50 per centum shall be paid from appropriations.

"(3) For the purposes of subsections (f) and (g) an injury which resulted in permanent total disability or death which occurred prior to the date of enactment of this subsection shall be considered to have occurred on the day following such enactment date."

TIME FOR NOTICE AND CLAIMS

SEC. 12. (a) Section 12(a) of the Longshoremen's and Harbor Workers' Compensation Act is amended to read as follows:

"SEC. 12. (a) Notice of an injury or death in respect of which compensation is payable under this Act shall be given within thirty days after the date of such injury or death, or thirty days after he employee or beneficiary is aware or in the exercise of reasonable diligence should have been aware of a relationship between the injury or death and the employment. Such notice shall be given (1) to the deputy commissioner in the compensation district in which the injury occurred, and (2) to the employer."

(b) Section 13(a) of such Act is amended to read as follows:

"SEC. 13. (a) Except as otherwise provided in this section, the right to compensation for disability or death under this Act shall be barred unless a claim therefor is filed within one year after the injury or death. If payment of compensation has been made without an award on account of such injury or death, a claim may be filed within one year after the date of the last payment. Such claim shall be filed with the deputy commissioner in the compensation district in which such injury or death occurred. The time for filing a claim shall not begin to run until the employee or beneficiary is aware, or by the exercise of reasonable diligence should have been aware, of the relationship between the injury or death and the employment."

FEE FOR SERVICES

SEC. 13. Section 28 of the Longshoremen's and Harbor Workers' Compensation Act is amended to read as follows:

"FEES FOR SERVICES

"SEC. 28. (a) If the employer or carrier declines to pay any compensation on or before the thirtieth day after receiving written notice of a claim for compensation having been filed from the deputy commissioner, on the ground that there is no liability for compensation within the provisions of this Act, and the person seeking benefits shall thereafter have utilized the services of an attorney at law in the successful prosecution of his claim, there shall be awarded, in addition to the award of compensation, in a compensation order, a reasonable attorney's fee against the employer or carrier in an amount approved by the deputy commissioner, Board, or court, as the case may be, which shall be paid directly by the employer or carrier to the attorney for the claimant in a lump sum after the compensation order becomes final.

"(b) If the employer or carrier pays or tenders payment of compensation without an award pursuant to section 14 (a) and (b) of this Act, and thereafter a controversy develops over the amount of additional compensation, if any, to which the employee may be entitled, the deputy commissioner or Board shall set the matter for an informal conference and following such conference the deputy commissioner or Board shall recommend in writing a disposition of the controversy. If the employer or carrier refuse to accept such written recommendation, within fourteen days after its receipt by them, they shall pay or tender to the employee in writing the additional compensation, if any, to which they believe the employee is entitled. If the employee refuses to accept such payment or tender of compensation, and thereafter utilizes the services of an attorney at law, and if the compensation thereafter awarded is greater than the amount paid or tendered by the employer or carrier, a reasonable attorney's fee based solely upon the difference between the amount awarded and the amount tendered or paid shall be awarded in addition to the amount of compensation. The foregoing sentence shall not apply if the controversy relates to degree or length of disability, and if the employer or carrier offers to submit the case for evaluation by physicians employed or selected by the Secretary, as authorized in section 7(e) and offers to tender an amount of compensation based upon the degree or length of disability found by the independent medical report at such time as an evaluation of disability can be made. If the claimant is successful in review proceedings before the Board or court in any such case an award may be made in favor of the claimant and against the employer or carrier for a reasonable attorney's fee for claimant's counsel in accord with the above provisions. In all other cases any claim for legal services shall not be assessed against the employer or carrier.

"(c) In all cases fees for attorneys representing the claimant shall be approved in the manner herein provided. If any proceedings are had before the Board or any court for review of any action, award, order, or decision, the Board or court may approve an attorney's fee for the work done before it by the attorney for the claimant. An approved attorney's fee, in cases in which the obligation to pay the fee is upon the claimant, may be made a lien upon the compensation due under an award; and the deputy commissioner, Board, or court shall fix in the award approving the fee, such lien and manner of payment.

"(d) In cases where an attorney's fee is awarded against an employer or carrier there may be further assessed against such employer or carrier as costs, fees and mileage for necessary witnesses attending the hearing at the instance of claimant. Both the necessity for the witness and the reasonableness of the fees of expert witnesses must be approved by the hearing officer, the Board, or the court, as the case may be. The amounts awarded against an employer or carrier as attorney's fees, costs, fees and mileage for witnesses shall not in any respect affect or diminish the compensation payable under this Act.

"(e) Any person who receives any fees, other consideration, or any gratuity on account of services rendered as a representative of a claimant, unless such consideration or gratuity is approved by the deputy commissioner, Board, or court or who makes it a business to solicit employment for a lawyer, or for himself in respect of any claim or award for compensation, shall upon conviction thereof, for each offense be punished by a fine of not more than $1,000 or by imprisonment for not more than one year, or by both such fine and imprisonment."

HEARING PROCEDURE

SEC. 14. Section 19(d) of the Longshoremen's and Harbor Workers' Compensation Act is amended to read as follows:

"(d) Notwithstanding any other provisions of this Act, any hearing held under this Act shall be conducted in accordance with the provisions of section 554 of title 5 of the United States Code. Any such hearing shall be conducted by a hearing examiner qualified under section 3105 of that title. All powers, duties, and responsibilities vested by this Act, on the date of enactment of the Longshoremen's and Harbor Workers' Compensation Act Amendments of 1972, in the deputy commissioners with respect to such hearings shall be vested in such hearing examiners."

REVIEW BOARD

SEC. 15. (a) Section 21(b) of the Longshoremen's and Harbor Workers' Compensation Act is amended to read as follows:

"(b)(1) There is hereby established a Benefits Review Board which shall be composed of three members appointed by the Secretary from among individuals who are especially qualified to serve on such Board. The Secretary shall designate one of the members of the Board to serve as chairman.

"(2) For the purpose of carrying out its functions under this Act, two members of the Board shall constitute a quorum and official action can be taken only on the affirmative vote of at least two members.

"(3) The Board shall be authorized to hear and determine appeals raising a substantial question of law or fact taken by any part in interest from decisions with respect to claims of employees under this Act and the extensions thereof. The Board's orders shall be based upon the hearing record. The findings of fact in the decision under review by the Board shall be conclusive if supported by substantial evidence in the record considered as a whole. The payment of the amounts required by an award shall not be stayed pending final decision in any such proceeding unless ordered by the Board. No stay shall be issued unless irreparable injury would otherwise ensue to the employer or carrier.

"(4) The Board may, on its own motion or at the request of the Secretary, remand a case to the hearing examiner for further appropriate action. The consent of the parties in interest shall not be a prerequisite to a remand by the Board.

"(c) Any person adversely affected or aggrieved by a final order of the Board may obtain a review of that order in the United States court of appeals for the circuit in which the injury occurred, by filing in such court within sixty days following the issuance of such Board order a written petition praying that the order be modified or set aside. A copy of such petition shall be forthwith transmitted by the clerk of the court, to the Board, and to the other parties, and thereupon the Board shall file in the court the record in the proceedings as provided in section 2112 of title 28, United States Code. Upon such filing, the court shall have jurisdiction of the proceeding and shall have the power to give a decree affirming, modifying or setting aside, in whole or in part, the order of the Board and enforcing same to the extent that such order is affirmed or modified. The orders, writs, and processes of the court in such proceedings may run, be served, and be returnable anywhere in the United States. The payment of the amounts required by an award shall not be stayed pending final decision in any such proceeding unless ordered by the court. No stay shall be issued unless irreparable injury would otherwise ensue to the employer or carrier. The order of the court allowing any stay shall contain a specific finding, based upon evidence submitted to the court and identified by reference thereto, that irreparable damage would result to the employer, and specifying the nature of the damage."

(b) Redesignate subsections (c) and (d) of such section as (d) and (e), respectively.

(c) Section 2 of such Act as amended by this Act is further amended by redesignating paragraph 21 as paragraph 22 and inserting after paragraph 20 the following new paragraph:

"(21) The term 'Board' shall mean the Benefits Review Board."

(d) Section 14(f) of such Act is amended by striking everything after the words "section 21" and adding in lieu thereof the following: "and an order staying payment has been issued by the Board or court."

(e) Sections 23 and 27 of such Act are each amended by adding "or Board" after every reference to "deputy commissioner".

(f) Section 33(b) of such Act is amended by adding the term "or Board" after the term "deputy commissioner".

(g) Section 33(e)(1)(A) of such Act is amended by adding the words "or Board" after the term "deputy commissioner".

(h) Section 33(g) of such Act is amended to read as follows:

"(g) If compromise with such third person is made by the person entitled to compensation or such representative of an amount less than the compensation to which

such person or representative would be entitled to under this Act, the employer shall be liable for compensation as determined in subdivision (f) only if the written approval of such compromise is obtained from the employer and its insurance carrier by the person entitled to compensation or such representative at the time of or prior to such compromise on a form provided by the Secretary and filed in the office of the deputy commissioner having jurisdiction of such injury or death within thirty days after such compromise is made."

(i) Section 35 of such Act is amended by adding the words "the Board, or" after the words "deputy commissioner".

(j) Section 40(f) of such Act is amended by adding the words "or Board member" after the words "deputy commissioner," whenever they occur.

APPEARANCE FOR SECRETARY OF LABOR

SEC. 16. Section 21a of the Act is amended to read as follows:

"SEC. 21a. Attorneys appointed by the Secretary shall represent the Secretary, the deputy commissioner, or the Board in any court proceedings under section 21 or other provisions of this Act except for proceedings in the Supreme Court of the United States."

CLAIMANT ASSISTANCE

SEC. 17. (a) Section 39(c) of the Longshoremen's and Harbor Workers' Compensation Act is amended by redesignating subsection (c) as paragraph (2) of such subsection and by inserting after subsection (b) thereof the following paragraph:

"(c)(1) The Secretary shall, upon request, provide persons covered by this Act with information and assistance relating to the Act's coverage and compensation and the procedures for obtaining such compensation including assistance in processing a claim. The Secretary may, upon request, provide persons covered by this Act with legal assistance in processing a claim. The Secretary shall also provide employees receiving compensation information on medical, manpower, and vocational rehabilitation services and assist such employees in obtaining the best such services available."

THIRD-PARTY LIABILITY

SEC. 18. (a) Section 5 of the Longshoremen's and Harbor Workers' Compensation Act is amended to read as follows:

"EXCLUSIVENESS OF REMEDY AND THIRD-PARTY LIABILITY

"SEC. 5. (a) The liability of an employer prescribed in section 4 shall be exclusive and in place of all other liability of such employer to the employee, his legal representative, husband or wife, parents, dependents, next of kin, and anyone otherwise entitled to recover damages from such employer at law or in admiralty on account of such injury or death, except that if an employer fails to secure payment of compensation as required by this Act, an injured employee, or his legal representative in case death results from the injury, may elect to claim compensation under the Act, or to maintain an action at law or in admiralty for damages on account of such injury or death. In such action the defendant may not plead as a defense that the injury was caused by the negligence of a fellow servant, or that the employee assumed the risk of his employment, or that the injury was due to the contributory negligence of the employee.

"(b) In the event of injury to a person covered under this Act caused by the negligence of a vessel, then such person, or anyone otherwise entitled to recover damages by reason thereof, may bring an action against such vessel as a third party in accordance with the provisions of section 33 of this Act, and the employer shall not be liable to the vessel for such damages directly or indirectly and any agreements or warranties to the contrary shall be void. If such person was employed by the vessel to provide stevedoring services, no such action shall be permitted if the injury was caused by the negligence of persons engaged in providing stevedoring services to the vessel. If such person was employed by the vessel to provide ship building or repair services, no such action shall be permitted if the injury was caused by the negligence of persons engaged in providing ship building or repair services to the vessel. The liability of the vessel under this subsection shall not be based upon the warranty of seaworthiness or a breach thereof at the time the injury occurred. The remedy provided in this subsection shall be exclusive of all other remedies against the vessel except remedies available under this Act."

(b) Section 2 of such Act as amended by this Act is further amended by redesignating paragraph 22 as paragraph 23 and inserting after paragraph 21 the following new paragraph:

"(22) The term 'vessel' means any vessel upon which or in connection with which any person entitled to benefits under this Act suffers injury or death arising out of or in the course of his employment, and said vessel's owner, owner pro hac vice, agent, operator, charter or bare boat charterer, master, officer, or crew member."

PROHIBITION AGAINST CERTAIN DISCRIMINATION AGAINST EMPLOYEES

SEC. 19. The Longshoremen's and Harbor Workers' Compensation Act is further amended by redesignating sections 49, 50, and 51 as sections 50, 51, and 52, respectively, and by inserting immediately after section 48 the following new section:

"DISCRIMINATION AGAINST EMPLOYEES WHO BRING PROCEEDINGS

"SEC. 49. It shall be unlawful for any employer or his duly authorized agent to discharge or in any other manner discriminate against an employee as to his employment because such employee has claimed or attempted to claim compensation from such employer, or because he has testified or is about to testify in a proceeding under this Act. Any employer who violates this section shall be liable to a penalty of not less than $100 or more than $1,000, as may be determined by the deputy commissioner. All such penalties shall be paid to the deputy commissioner for deposit in the special fund as described in section 44, and if not paid may be recovered in a civil action brought in the appropriate United States district court. Any employee so discriminated against shall be restored to his employment and shall be compensated by his employer for any loss of wages arising out of such discrimination: *Provided*, That if such employee shall cease to be qualified to perform the duties of his employment, he shall not be entitled to such restoration and compensation. The employer alone and not his carrier shall be liable for such penalties and payments. Any provision in an insurance policy undertaking to relieve the employer from the liability for such penalties and payments shall be void."

MISCELLANEOUS PROVISIONS

SEC. 20. (a) Section 8(1) of the Longshoremen's and Harbor Worker's Compensation Act is amended to read as follows:

"(1)(A) Whenever the deputy commissioner determines that it is for the best interests of an injured employee entitled to compensation, he may approve agreed settlements of the interested parties, discharging the liability of the employer for such compensation, notwithstanding the provisions of section 15(b) and section 16 of this Act: Provided, That if the employee should die from causes other than the injury after the deputy commissioner has approved an agreed settlement as provided for herein, the sum so approved shall be payable, in the manner prescribed in this subsection, to and for the benefit of the persons enumerated in subsection (d) of this section.

"(B) Whenever the Secretary determines that it is for the best interests of the injured employee entitled to medical benefits, he may approve agreed settlements of the interestetd parties, discharging the liability of the employer for such medical benefits, notwithstanding the provisions of section 16 of this Act: Provided, That if the employee should die from causes other than the injury after the Secretary has approved an agreed settlement as provided for herein, the sum so approved shall be payable, in the manner prescribed in this subdivision, to and for the benefit of the persons enumerated in subdivision (d) of this section."

(b) Section 17 of such Act is amended by inserting "(a)" immediately after the section designation and by adding at the end thereof the following new subsection:

"(b) Where a trust fund which complies with section 302(c) of the Labor-Management Relations Act of 1947 (29 U.S.C. 186(c)) established pursuant to a collective-bargaining agreement in effect between an employer and an employee entitled to compensation under this Act has paid disability benefits to an employee which the employee is legally obligated to repay by reason of his entitlement to compensation under this Act, the Secretary may authorize a lien on such compensation in favor of the trust fund for the amount of such payments."

(c)(1) Section 2 of the Longshoremen's and Harbor Workers' Compensation Act as amended by this Act is further amended by striking out subsections (16) and (17) and inserting in lieu thereof the following new section (16) and by redesignating subsections 2 (18), (19), (20), (21), (22), and (23) as 2 (17), (18), (19), (20), (21), and (22), respectively.

"(16) The terms 'widow or widower' includes only the decedent's wife or husband living with or dependent for support upon him or her at the time of his or her death; or living apart for justifiable cause or by reason of his or her desertion at such time."

(2) Section 9 of the Longshoremen's and Harbor Workers' Compensation Act, as amended by this Act, is further amended by striking the phrase "surviving wife or dependent husband" each time it appears and inserting in lieu thereof the phrase "widow or widower".

(3) The amendments made by this subsection shall apply only with respect to deaths or injuries occurring after the enactment of this Act.

TECHNICAL AMENDMENT

SEC. 21. Section 3(a)(1) of the Longshoremen's and Harbor Workers' Compensation Act is amended by striking out the word "nor" and inserting in lieu thereof the word "or".

EFFECTIVE DATE

SEC. 22. The amendments made by this Act shall become effective thirty days after the date of enactment of this Act.

The SPEAKER. Is a second demanded?

Mr. ECKHARDT. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. REUSS. Mr. Speaker, will the gentleman yield to me?

Mr. DANIELS of New Jersey. I yield for a unanimous-consent request only.

Mr. REUSS. I thank the gentleman for yielding.

I take this time to ask the distinguished majority leader whether the four items he referred to right before the quorum call; namely, H.R. 15795 with respect to tanning materials, H.R. 15442 with respect to the importation of istle,

H.R. 12991, shoe laces, H.R. 12775, oil ships—whether those items which are now to be handled under suspension will have as their order of recognition that they be considered after the 10 items already listed for suspension and before the four listed travel resolutions.

Mr. MILLS of Arkansas. Will the gentleman yield? I do not propose to call up any of these bills under suspension. The only bills that I will call up—and I want to call them up by unanimous consent—are bills that have to do with matters involving the continued suspension of duties on certain articles that come into the United States which are not produced in the United States, such as shoe laces, and I believe one of them is tanning acid and another, the copper one, we will not call up because Mr. RHODES and Mr. STEIGER both told me they had made a commitment to their constituents and would object to the further suspension of the duty on copper.

The one Mr. BOGGS introduced having to do with repair of seagoing vessels——

Mr. BOGGS. Will the gentleman yield to me?

Mr. MILLS of Arkansas. I gave you the list.

Mr. BOGGS. Yes. But my understanding was that those bills would not be called up under unanimous consent but they were the ones to be called up under suspension.

Mr. MILLS of Arkansas. I am sorry. I did not mean to convey that impression.

Mr. BOGGS. That was the list that the clerk of the committee gave me.

Mr. MILLS of Arkansas. That is right. I will call them up by unanimous consent.

Mr. BOGGS. Those are the ones by unanimous consent.

Mr. MILLS of Arkansas. That is right.

Mr. BOGGS. Does that mean you want to call up the others by suspension?

Mr. MILLS of Arkansas. No. I am not going to because there is no real emergency about them.

Mr. DANIELS of New Jersey. Mr. Speaker, I decline to yield any further. I yield myself such time as I may consume.

Mr. Speaker, amendments to the Longshoremen's and Harbor Workers Compensation Act are long overue. The benefit structure of the Longshoremen's and Harbor Workers Compensation Act has not been improved by Congress since 1961, 12 long years ago. On September 14 of this year the other body passed a bill similar to the one we are considering here today, and therefore there is very little time remaining in this session to consider this bill.

I wish to point out that this bill has strong bipartisan support as well as the approval of almost all elements of labor and management involved in the maritime industry as well as the administration.

I inserted in the CONGRESSIONAL RECORD of October 10, 1972, the endorsements of the principal unions and organizations supporting this bill. It appears on pages H9440 to H9442.

This bill has the full support and endorsement of Harry Bridges, the president of the International Longshoremen and Warehousemen's Association, on the west coast, Thomas W. Gleason, president of the International Longshoremen's Association, AFL–CIO, which is the leading longshoremen's association on the east coast, as well as the building and construction trades department, the New York Shipping Association, the Greater Washington Central Labor Council AFL–CIO, and Andrew Biemiller, director of the Department of Legislation of the AFL–CIO, the national maritime compensation committee as well as John Hall, president of the Seafarers' International Union, AFL–CIO.

There is a great need for this legislation.

In 1961 the maximum benefit to an injured worker and his family under the act was set at $70 a week. Today the average longshoreman's or ship repairman's wage is over $200 a week in some ports. In order to provide adequate income replacement for disabled workers covered under this law, a substantial increase in benefits is needed.

Although employer groups indicated their willingness to increase worker benefits, they sought a modification of a long line of Supreme Court rulings whereby an injured worker can sue the shipowner for "unseaworthiness."

These decisions ruled that a shipowner was liable, under the doctrine of seaworthiness, for damages caused by any injury, regardless of fault. In addition, shipping companies generally have succeeded in recovering the damages to which they are held liable to injured longshoremen from the stevedore's employer on theories of express or implied warranty, thereby transferring their liability to the actual employer of the longshoremen.

Mr. Speaker, I would like to go into the major provisions of this bill.

A basic requirement of the act is for the injured worker to receive 66⅔ percent of his average weekly wage. As the result of the 12-year freeze, very few workers now actually receive this figure. The bill seeks to correct this deficiency. It provides that the maximum compensation for disability shall not exceed a percentage of the national average weekly wage to be determined by the Secretary of Labor.

With this change, about 90 percent of the work force covered by this act will receive two-thirds of their average weekly wage. In order to accomplish this, the bill provides a four-step sequence.

Specifically, subsection 5(b)(1) of H.R. 12006 states that compensation may not exceed the following percentages of the applicable national average weekly wage as determined by the Secretary.

In the first step, 125 percent, or $167, whichever is higher, before September 30, 1973.

The second step is 150 percent, beginning October 1, 1973, and ending September 30, 1974.

The third step, 175 percent during the period beginning October 1, 1974, and ending September 30, 1975.

And the fourth step, 200 percent, beginning October 1975.

This bill also provides a number of other far-reaching improvements such as a requirement of an annual redetermination by the Secretary which will allow any increase in the national average weekly wage to be reflected by an appropriate increase in compensation under the act. Automatic adjustment of benefit levels on an annual basis in reflected increases in the cost of living. Improved medical service and rehabilitative assistance and hospitalization for injured workers.

It provides free choice of doctors by injured workers.

It provides payment of attorney's fees by employers in contested actions.

It eliminates the maximum of $24,000 on temporary total disability claims.

It provides increased benefits to widows and dependent children.

It increases funeral benefits from $400 to $1,000.

It provides increased benefits to survivors of workers killed as a result of job injuries.

It provides substantial upgrading of benefits to injured workers or survivors, presently receiving payments—now as low as $25 per week in some cases.

It expands the coverage which was limited to the ship in the present law, to the piers, wharves, and terminals.

It provides that minimum benefits would also be increased to not less than 50 percent of the national average weekly or the average weekly wage, whichever is less.

There is also new mechanism for the Secretary of Labor to provide assistance to workers so that they may obtain the maximum benefits due them under the act.

These provisions are regarded as essential to a modern workmen's compensation program by industry and labor experts in workmen's compensation.

With the exception of a few local unions, the strongest opposition to this bill comes from a group of attorneys engaged in the specialized practice of Admiralty law. I know of no opposition to it. And I will talk on that subject in a few minutes later.

I would like to state that given the vast improvement in the compensation benefits which this bill provides, it is now fair and reasonable to place an employee injured aboard a vessel in the same position he would be if he were injured in nonmaritime employment ashore, and to eliminate the special maritime doctrine of unseaworthiness.

Our bill amends the doctrine of the "Ryan case" which permits the vessel to recover the damages for which it is liable to an injured worker where it can show that the stevedore breaches an expressed or implied warranty of workmanlike performance. Under the proposed bill, the vessel may not by contractual agreement or otherwise require the employer to indemnify it, in whole or in part for damages.

We do not believe that the compensation payable to a longshoreman or harbor worker should depend on the fortuitous circumstance of whether the injury occurred on land or over water. Accordingly, section 2 of our bill amends the act to provide coverage of longshoremen, harbor workers, ship repairmen, shipbuilders, shipbreakers, and other employees engaged in maritime employment—excluding masters and members

of the crew of a vessel—if the injury occurred either upon the navigable waters of the United States or any adjoining pier, wharf, drydock, terminal, buildingway, marine railway, or other area adjoining such navigable waters customarily used by an employer in loading, unloading, repairing, or building a vessel.

While this bill was pending in the House for this entire week, one of my colleagues, the gentleman from California (Mr. BURTON) inquired whether or not if this bill were to become law, it would apply to a longshoreman who was injured yesterday or a week ago or 6 months ago, and who may have or did institute an action.

I would like the record to establish the legislative history that it is the intention of the committee that any longshoreman who has sustained injuries or whose dependents have a cause of action by reason of his death against a shipowner which cause of action arose prior to the effective date of this act—that such cause of action survives the effective date of this act.

Congress demonstrated a deep concern for providing adequate workmen's compensation protection for injured American workers, when they amended the Federal Employees' Compensation Act of 1966.

Now, we take a reasonable approach in this bill. The objective of the Congress in the matter of workmen's compensation is clear, and it is to provide a modern workmen's compensation program for a substantial number of American workers and their families.

I believe that the bill H.R. 12006, as amended, accomplishes this result, and I urge the support of all of my colleagues in the House for this bill, because I am firmly convinced that it is a fair and reasonable step to take after 12 long years.

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

Mr. DANIELS of New Jersey. I am happy to yield to the gentleman.

Mr. ECKHARDT. Will the distinguished gentleman from New Jersey inform this Member concerning the net difference in compensation or rather in the insurance payout that would result on the passage of this bill?

What I mean to say is—when one considers the total amount paid out in compensation to longshoremen plus the amount paid out in third-party suits—how would the present situation compare with that which would occur were this bill passed? I do not find that in the report.

The question I am asking might be amplified by this statement. The insurance persons who have contacted me, and who are supposed to know about how much it would cost, tell me that with respect to that portion of the act insuring the stevedoring companies, and available for longshoremen, their payout in the first year of the act would be decreased by 30 percent.

Mr. DANIELS of New Jersey. Let me say in response to the distinguished gentleman from Texas according to a statement of Francis A. Scanlon, a distinguished attorney representing the National Maritime Compensation Committee, who testified before our committee, stevedore companies in the Port of Philadelphia had a manual rate of $34.55 for each $100 of payroll in 1972. Considering the retrospective grading adjustment used by the insurance company, the actual rate is between $40 and $45 for each $100 of payroll in 1972.

In New York on July 1 the manual rate was $29.90 for each $100 of payroll, and the rate in Texas, the gentleman's State, as of 1972, was $23.93.

Mr. ECKHARDT. The gentleman has been saying that the rate would go down because insurance companies would have to pay out less money for injuries if this act is passed; is that correct?

Mr. DANIELS of New Jersey. No, I did not say that.

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

Mr. HALL. Mr. Speaker, will the gentleman yield for another type of question?

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

Mr. HALL. I will make it as brief as possible. I appreciate the Member's extremis. I think I could go along with it, barring the technical and legal aspects for which I am not trained for increasing the rate for longshoremen. What about the peculiar area under the old 1928 Compensation Act putting District construction workers under this benefit, which would double or triple in the occupation of construction workers the cost to the construction workers in trades working in the District of Columbia? It seems to me that is an area that needs discussion.

Mr. DANIELS of New Jersey. I might say to the distinguished gentleman that it has been historical for the District of Columbia to be under this act, and I believe, as is the opinion of the committee, that when the District of Columbia has home rule, they can provide for their own compensation act for the people here in the District of Columbia.

Mr. HALL. I think this may be important legislation as far as getting some of the longshoremen's "legal beagles" off of the bonanza and out of the picture, as the gentleman explained. I would hate to remove all construction pending the time that construction workers and the building trades are taken out from under this if it depends on when they have home rule in the District, the Federal City.

Mr. DANIELS of New Jersey. I anticipated that that question would arise by the gentleman, and I had a memorandum on that to respond to the gentleman's question. I just cannot find it among my notes at this moment. Perhaps I can locate it and if so will bring it to the gentleman's attention.

Mr. HALL. I hope the gentleman will make it available and at the proper time put it in the RECORD, because this is an area of real concern. As I say, otherwise I have no objection to it.

Mr. ECKHARDT. Mr. Speaker, Members of the House, the time is extremely short to explain a bill that drastically changes decisions that stem back in 100 years of admiralty law and which affects the rights of longshoremen established through Supreme Court decisions for at least a quarter of a century. Because the time is short I have prepared a brief paper here that runs about 2½ pages of explanation, which is at the back desk and which is at the Speaker's desk.

I shall attempt as well as I can under suspension of the rules to explain a deeply complex item that certainly this House should not be confronted with in this situation in which there is no more time to debate than is permitted here.

This matter is such a difficult question that it should be considered by and it should have been available to members of the Judiciary Committee and members of the Interstate and Foreign Commerce Committee and members of the Merchant Marine and Fisheries Committee to consider their aspects of the bill.

Indeed, the most important change is essentially a legal change, a judicial change: The provision for removing what is called the warranty of seaworthiness from the available bases of recovery for injured workers. For this the worker is traded an increase in compensation rates. The information I have received—though I have not been able to get final tallies on figures in the short time available, from the Insurance Alliance, which is an association including those insurance companies that primarily insure stevedoring companies and who are for the bill—is that if this bill were passed, their payments after the passage of the bill and in the first year would be decreased by 30 percent.

All right, what does that mean? That means that in the Port of New York, where the seaworthiness cases and negligence cases constituted a pay out of approximately $2 million in 1967 to persons desperately injured, that $2 million would not have to be paid out by the insurance companies that underwrite the stevedoring companies.

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

Mr. ECKHARDT. Mr. Speaker, I have so little time I would like to complete my explanation and then I will yield.

Mr. WILLIAM D. FORD. Mr. Speaker, will the gentleman yield? As a member of the subcommittee that attended hearings I would like to ask the gentleman a question.

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

Mr. WILLIAM D. FORD. Mr. Speaker, on what does the gentleman base the assertion that the third-party cases in New York would come to an end? The cause of accidents in New York would be the same in New York State as in any other State.

Mr. ECKHARDT. I will get to that. I will explain. It is not only in New York. I mention New York first because New York also has a guaranteed annual wage for longshoremen working for the stevedoring companies. For that reason, of course, the difference occasioned by higher compensation rates would be minimized. They in many instances continue to receive their regular wages while away from work on injury.

But now let me talk about the gulf coast, which is where I am from. I shall answer the gentleman's question in just a minute and I will answer it right now if the gentleman likes, but I shall have to explain the doctrine of seaworthiness.

The doctrine of seaworthiness does two things. The courts have determined that because the work at sea and in loading and unloading ships, as the Sieracki case calls it "the work of the ship service" is extremely hazardous work, that therefore the ship should guarantee its equipment and should guarantee that equipment used in its loading and unloading, and if such equipment fails it will result in a reimbursement for injury of the person using that equipment.

Now, the Sieracki case held that the traditional work of a seaman was also to load and unload ships.

At such time as the vessel began to employ an agent, the stevedoring company, to do that job, it nevertheless could not delegate its duty to maintain a safe place to work, so the seaworthiness doctrine includes two important factors:

One, the requirement that the vessel maintain a safe place for seamen and all persons doing the work of the ship's service to work; and two, the requirement that the ship take on that responsibility and not delegate it.

Now, if this bill is passed, you wipe out these decisions of a quarter of a century. You wipe out the nondelegable duty of the ship to protect the worker, and you permit the ship to simply leave the entire job to the stevedoring company; thereby, of course, limiting the remedy of the injured person to that afforded under the Longshoremen's and Harbor Worker's Act, which operates like ordinary workmen's compensation and operates on a percentage of the earnings of an individual rather than reimbursing him for his actual injury, and puts a lid on his recovery.

Mr. WILLIAM D. FORD. Will the gentleman yield for a question?

Mr. ECKHARDT. If I may finish one more point.

Mr. WILLIAM D. FORD. The gentleman certainly does not mean to suggest to this body that this legislation would deprive the worker of his third party claim for negligence against the shipowner or any other third party?

The gentleman is saying that it is being taken away, and that is not true.

Mr. ECKHARDT. I do assert that at least 95 percent of the area in which a longshoremen can now recover on a third party basis would be wiped out by this bill. That is the reason I say that this bill is so important.

I know that there will be debate on this point by those who do not fully understand what this nondelegable duty means. The nondelegable duty means that one cannot substitute the immediate employer of the longshoreman for the vessel. Therefore, most of the work performed by the longshoreman must fall under protection of a duty which is accepted by a third party, the vessel, as a matter of law.

As soon as you remove this doctrine, that third party area, not only involving the seaworthiness doctrine, but also the doctrine of negligence, is wiped out.

Mr. STEIGER of Wisconsin. Will the gentleman yield?

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

Mr. STEIGER of Wisconsin. I appreciate the gentleman yielding to me.

Let us go back and agree that under section 5 of the Act as presently constituted, there is an exclusive remedy.

Mr. ECKHARDT. That is correct.

Mr. STEIGER of Wisconsin. And the decisions of the courts over 25 years have eroded that exclusive remedy that the Congress——

Mr. ECKHARDT. I do not accept the word "eroded." I think they have enforced the duty of the vessel to protect those who are employed in the work of the ship's service.

Mr. STEIGER of Wisconsin. They have eroded the doctrine of exclusive remedy that was intended by the Congress when it enacted the Longshoremen's and Harbor Workers' Act.

Mr. ECKHARDT. I appreciate the gentleman's comment on that point but I do not agree with his conclusions.

Mr. STEIGER of Wisconsin. Will the gentleman yield further?

Mr. ECKHARDT. Will the gentleman get his time from the other party? I am sorry, I cannot yield further, because I will not be able to finish my statement.

Mr. STEIGER of Wisconsin. I must say, Mr. Speaker, if the gentleman will yield, that I hate to see us arguing the legal doctrines in this situation when the opposition is coming from the American Trial Lawyers and others.

Mr. ECKHARDT. I refuse to yield further on that point.

The SPEAKER. The gentleman from Texas has the floor.

Mr. ECKHARDT. Let me explain, in answer to the gentleman's question, that it is true that there are certain third party actions which would be retained, but those would be limited to a situation, for instance, where a power company's powerline fell on the deck of a ship and electrocuted a person; or a situation in which some workman for a contractor on the ship caused the injury of the workman on board the ship. But, the important thing is the elimination of the duty of the vessel itself to maintain safe premises, regardless of whom it seeks to job out those duties to.

What this bill does is abolish that. In our ports in the gulf—and my city of Houston and my district are in the heart of that area—there was approximately $2.6 million paid out in 1967 in these types of suits. That $2.6 million would be virtually wiped out. That means a lot of people who would otherwise be given relief will be caused to suffer because they cannot receive relief as the result of such third party actions.

Mr. DANIELS of New Jersey. Mr. Speaker, will the gentleman yield?

Mr. ECKHARDT. I am glad to yield to the distinguished subcommittee chairman.

Mr. DANIELS of New Jersey. Based on the amount of money paid out under compensation to the employees, can the gentleman tell this House what the total sum of judgments is in third-party suits throughout the country, as well as the amount of settlements they receive year after year?

Mr. ECKHARDT. These are the actual total sum recoveries plus settlements in the areas I have described.

Now, the total amount which is paid out in the seaworthiness cases and negligence cases, the third-party cases, as compared with the compensation cases, is just at one-third of the total pay-out.

I believe the figures I have received more or less tally. If we strike out something like 95 percent of the third-party cases comprising that one-third—that would reduce the total pay-out of insurance companies to injured workers by about 30 percent, as the insurance alliance informed me.

That is the harm of this bill. Should we treat this bill on suspension, when I have 20 minutes to argue the complicated questions related to the doctrine of seaworthiness, and additionally discuss and balance the very salubrious provisions of the bill concerning compensation against abolishing this avenue of relief?

I have not even touched on the point yet that the bill now covers not only 100,000 longshoremen but 700,000 other employees, and the longshoremen are trading their advantage under the seaworthiness clause for the advantage in increased compensation of others who are not giving up anything.

Should these bills be linked? Should we not be permitted to amend the legislation? Should we not consider this legislation with more deliberation and under circumstances in which compromises may be arrived at?

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

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

Mr. BURTON. I want to rise in support of the legislation, and insert in the RECORD at this point statements in support of this legislation by the ILWU and the AFL–CIO:

TELEGRAM

Hon. PHIL BURTON,
House of Representatives,
Washington, D.C.

ILWU International offices and coast committee give full support to the recently passed Senate bill amending Longshore Harbor Workers Compensation Act. We urge your full support in House of Representatives.

HARRY BRIDGES,
President.

AMERICAN FEDERATION OF LABOR AND CONGRESS OF INDUSTRIAL ORGANIZATIONS,
Washington, D.C., September 28, 1972.

Hon. PHILLIP BURTON,
U.S. House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN BURTON: On Monday, October 2, the House of Representatives will vote on H.R. 12006, a bill to amend the Longshoremen's and Harbor Workers' Compensation Act. The AFL–CIO urges that you support this bill. It has the support of the International Longshoremen's Association and all other AFL–CIO affiliates where membership is covered by the bill.

The companion bill, S. 2318, has already passed the Senate and if the House acts favorably on Monday, long overdue improvements in the workmen's compensation benefit structure for approximately 800,000 workers can become a reality. The basic legislation, the Longshoremen's and Harbor Worker's Compensation Act, was last amended in 1961. It covers longshoremen and harbor workers, ship repairmen, workers in private industry in the District of Columbia, workers employed in nonappropriate fund instrumentalities (P. X. etc.), American workers employed on defense bases overseas—who are primarily building and construction trades

workers—and workers employed on the outer continental shelf.

After 12 years without amendment, the Longshoremen's Act has become outdated. The amendments, proposed in H.R. 12006, are consistent with recommendations of the National Commission On State Workmen's Compensation Laws, and upon enactment would restore this federal workmen's compensation program to its former place of prominence in the field of workmen's compensation.

Sincerely,

ANDREW J. BIEMILLER,
Director, Department of Legislation.

Mr. BURTON. There is one point I should like to have confirmed by the manager of the bill on the other side, which is the point raised by the gentleman from New Jersey (Mr. DANIELS).

Mr. ECKHARDT. I understand the gentleman from New Jersey (Mr. DANIELS) has 2 more minutes. My time is extremely limited.

Mr. BURTON. I am sure my dear friend would realize the wisdom of this question if I have an opportunity to propound it.

Does the gentleman from Minnesota (Mr. QUIE) concur in the judgment of the bill managers and of the subcommittee chairman (Mr. DANIELS) that any cause of action arising prior to the date of enactment of this legislation would be in no way aborted, frustrated, or reduced in any manner, shape or form?

There are no existing remedies available to an injured longshoreman as of this date that would be affected or diminished for any cause of action arising prior to the effective date of this act. Any effort made through motions to dismiss actions in the Federal courts would be unavailing if this clear intention of the Congress is followed.

Mr. ECKHARDT. Mr. Speaker, I do not yield further.

Mr. QUIE. The answer to the gentleman's answer is "yes."

Mr. ECKHARDT. I do not yield further at this time.

I will state, in answer to the gentleman, that of course this bill is not retroactive.

Mr. YATES. Mr. Speaker, will the gentleman yield for a question?

Mr. ECKHARDT. Mr. Speaker, I yield to the gentleman.

Mr. YATES. May I ask the gentleman, what will be the effect of releasing the vessels from liability? Will there be adequate coverage for the longshoremen under the provisions of this bill through the insurance of the stevedoring company?

Mr. ECKHARDT. Well, Mr. Speaker, there will be 30 percent less coverage, and I do not believe that to be adequate.

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

Mr. ECKHARDT. I yield to the gentleman from New York, Mr. BINGHAM.

Mr. BINGHAM. Mr. Speaker, I have in my hand a mailgram from two international vice presidents of the ILA stating that if the doctrine of seaworthiness is not to be eliminated from this bill, if that section is not to be eliminated, then they ask for a vote against it.

I also have a telegram of the same date from Mr. Gleason, the president of ILA asking for support of the bill.

May I ask the gentleman, will he enlighten me on that?

Mr. ECKHARDT. Mr. Speaker, I think I can enlighten the gentleman.

I have had the same experience. I have had telegrams from Houston local officials against the bill, from Galveston local officials to the same effect. Both are big locals down there.

In New Orleans, there has been some rocking back and forth, as the distinguished majority leader could verify. Mobile locals are against it; Philadelphia locals are against it; certain San Francisco union leaders are against it; many Washington State local officials are against it; and we have expressions in writing of some 3,500 individuals in ILA against it.

Mr. Speaker, I would say the reason for that is that the membership is simply not behind the leadership, because they know more about the value of these suits than the leadership does.

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

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

Mr. DENT. Mr. Speaker, may I ask the gentleman, is it not true that for many, many years that with the American Merchant Marine, in the loading and unloading of ships, practically all American bottoms, the shipowners tried time after time to remove the seaworthiness doctrine?

Mr. ECKHARDT. That has been true for approximately a quarter of a century.

Mr. DENT. Is it not true that about 95 percent of all the ships which would be relieved by this act today are foreign-flag ships?

Mr. ECKHARDT. Ninety-five percent are foreign-flag ships in our ports.

Mr. DENT. Is it not true that when a ship unloads, a ship that is containerized comes into port and loads or unloads goods in this country, that ship may only be in port as long as 3, or 4, or 5, or sometimes 15 hours, but seldom more than a day, because that is the essence of the containerization shipping practice: speed and hurry?

Mr. Speaker, may I also ask, is it not true that a negligence case, to be proven against that ship which leaves port would be very difficult, because the ship would have left port long before the extent of the injury has been determined, and perhaps long before it is determined whether the injury will be fatal, and that under no circumstances on the face of the earth can we bring that ship back to that port if it had something wrong with its boom or something wrong with its loading and unloading mechanism, and that may be true even before it got back to its own port?

Mr. ECKHARDT. Mr. Speaker, I agree with the gentleman.

Mr. DENT. Mr. Speaker, is it not true that there is a great deal of difference between conditions of employment under which a man has to work and the conditions which you find that are in his own hands or under his control, that in this situation they are only under the control of the owner of the ship?

When we are talking about third-party cases in automobile accidents and things of that nature, we are not talking about places of employment, because you are there in that place in your own car when the wreck comes about; you are there because you want to be there on your own, and you are not at your place of employment.

We have to put it under the doctrine of compensation.

Mr. Speaker, since the early days of the common law, we have wiped that out in every State of the Union, and we have to prove negligence, and in this instance you never could prove negligence, and now we are not going to be able to pay the widow anything, give her any help at all, because any lawyer that takes a case under those circumstances would have to be dumber than I am about the law, and I will concede that I am pretty dumb when it comes to law.

Mr. ECKHARDT. Mr. Speaker, I do not think the gentleman is at all dumb. I think he has hit the nail on the head.

One of the leading cases on the subject, is one where a man was injured in the hold of a ship because chocks were not properly placed under rolls of cardboard. There was no way that man going in the hold could know that some stevedoring company, say, in Brazil had put dunnage instead of chocks down to hold two heavy rolls of cardboard.

Mr. Speaker, neither the longshoreman nor the stevedoring company can control the workers environment; in that instance he ought to have a cause of action against the vessel.

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

Mr. ECKHARDT. I yield to the gentleman.

Mr. ASHLEY. I thank the gentleman for yielding.

It seems to me, Mr. Speaker, in the short time that the gentleman has to present the bill it is clear to all of us that he has raised some very complex questions that this House should have an opportunity to study before being asked to vote upon it.

I think that the procedure that this measure is being considered under today is absolutely wrong, to give this gentleman only 20 minutes to present his side of the issue. It is unfair, not only to us but to the millions of people involved.

Mr. Speaker, it is altogether impossible to discuss intelligently in the time that we have the very substantive issues with respect to the scuttling of the doctrine of seaworthiness and the issues that the gentleman from Texas (Mr. ECKHARDT) has raised.

Mr. Speaker, I certainly support the gentleman and urge that this measure be voted down.

The SPEAKER. The time of the gentleman has expired.

The gentleman from New Jersey (Mr. DANIELS) has 3 minutes remaining.

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

Mr. DANIELS of New Jersey. Mr. Speaker, I yield 2 minutes to the gentleman from Minnesota (Mr. QUIE.)

Mr. STEIGER of Wisconsin. Will the gentleman yield?

Mr. QUIE. I yield to the gentleman.

Mr. STEIGER of Wisconsin. Mr. Speaker, I rise in support of this much-

needed improvement in the Longshore Compensation Act.

Because the time is so short my extension will include a series of questions and answers which discuss the most substantive issues included in this bill.

Quite frankly, Mr. Speaker, the opposition to this bill from a small group of attorneys is disturbing. There are some who apparently are more interested in clogging port city courts than in effectively updating the inadequate benefits now available.

I hope the House will reject the opposition to the bill so that this bill will soon be on the President's desk.

I urge its passage.

The questions and answers follow:

QUESTIONS AND ANSWERS

Q. The present law covers employees working on navigable waters. Do the amendments change the scope of coverage?

A. Yes. The present law's coverage is limited to employees working on navigable waters, including those working on dry docks. The amenedments will extend coverage to wharfs, terminals, marine railways and other adjoining areas customarily used in building, repairing, loading, or unloading vessels. Also, the definition of "employee" is clarified by the amendments.

The latter change was made so that a determination of coverage can be made on the basis of the definition of "employee." Under the present law that definition is so vague that the determination must be made on the basis of whether the injured individual was working for a covered "employer." The expansion of coverage is intended to bring about a measure of compensation uniformity applicable to persons customarily considered to be working in the business. Thus, even if an employee does not happen to be over navigable waters at the time he is injured, he will be covered as long as he is working as a longshoreman or harborworker, whether engaged in repairing a vessel or unloading it.

Q. Are adjustments the same for persons injured prior to enactment?

A. They too will get adjustments, but the mechanism is slightly different. If a person injured prior to enactment of the amendments was awarded the maximum benefit allowed under law at the time or injury, the Secretary, upon enactment, will consider his weekly wage to be the national average weekly wage, and will compute his benefits accordingly, treating him as though he had been injured just after enactment. Each year thereafter, his compensation will be adjusted in proportion to any increase in the national average weekly wage, just as employees injured subsequent to these amendments.

If a person injured prior to enactment is receiving less than the maximum allowable benefit at the time of injury or death, then the Secretary will look first to see the date of his injury. If it occurred after 1946, the weekly wage which he was earning at the time of injury and upon which his benefits were based, will be considered to be raised in proportion to the increase that took place in the national average weekly wage since the time of injury. His benefits will then be recomputed on the basis of this new higher amount. He will also be entitled to annual increases if the national average weekly wage goes up.

If his injury occurred prior to 1947, the same kind of adjustment will be made. However, since BLS data on national average weekly wage is available only for the years after 1946, the amendments require that the Secretary use whatever economic data he deems relevant in order to determine what the appropriate adjustment for the pre-1947 period should be.

Q. Will this bill change the benefits available under the Act, and, if so, how?

A. The Longshore Act now prescribes maximums and minimums for weekly compensation. A disabled employee may receive no more than $70 per week and, unless his average weekly wage was less than $18, his weekly compensation for total disability may not be less than $18. The bill raises both the maximum and the minimum. The maximum is raised over a three-year period by a sliding percentage scale, so that by October 1975, it is 200 percent of the national average weekly wage. The minimum is raised to not less than 50 percent of the national average weekly wage unless his own wage is less than 50% of the national average. In that case he must receive his own average weekly wage. Finally, under the present law, there is a total compensation maximum of $24,000 applicable in all cases save those involving permanent total disability or death. The amendments eliminate this maximum.

Q. How does this bill deal with the problem of circular liability suits and how does it affect the existing remedy of unseaworthiness to which longshoremen are now entitled under the law?

A. This question goes to one of the most difficult and controversial subjects with which this bill deals. By way of background, I would say that section 5 of the Longshore Act now provides that the liability of the stevedore to pay compensation shall be exclusive and in place of all other liability. However, under law made by the courts in the last twenty-five years this doctrine of exclusivity has been eroded. Vessels have been held to be liable as third parties for injuries suffered by longshoremen as a result of unseaworthy conditions, even though the unseaworthiness was caused, created, or brought into play by the stevedore or an employee of the stevedore rather than the vessel or any member of its crew. Furthermore, the vessel may recover the damages for which it is liable to the injured longshoremen from the stevedore which employed the longshoreman on the theory that the stevedore has breached an express or implied warranty of workmanlike performance to the vessel. The end result is that despite the provision in the Act which limits an employer's liability to the compensation and medical benefits provided in the Act a stevedore employer is indirectly liable for damages to an injured longshoreman who utilizes the technique of suing the vessel under the unseaworthiness doctrine.

These circular liability suits have been a very controversial aspect of the present law and the committee noted that the controversy surrounding them has had the impact of forestalling any improvement in the present Act for over twelve years. The bill before us today deals with this problem in a sound and responsible way. The committee report on this bill explains in some detail the present state of the law and how this bill would correct what is obviously a most unsatisfactory situation.

I commend to the attention of the House the provisions of the report which deal with these matters, as they describe in considerable detail how the existing law would be changed. That explanation reflects my understanding of what the bill would do. However, I would just note, by way of summary, that the bill would allow a negligence action against the vessel as a third party in the event of injury to a person covered under the Act which is caused by the negligence of the vessel. However, it expressly precludes any action based upon the warranty of seaworthiness. It would end any circularity by providing that the employer shall not be liable to the vessel for any such damages, directly or indirectly, and any agreements or warranties to the contrary shall be void.

Q. How does this bill extend the coverage of the Longshore Act to shoreside areas?

A. The present Act applies only with respect to injuries or deaths which occur upon the navigable waters of the United States. Injuries occurring on land are covered by State workmen's compensation laws. Thus, there is now a disparity in benefits payable for death or disability for the same type of injury depending on which side of the water's edge and in which State the accident occurs.

This bill is designed to correct that disparity. It would extend coverage to injuries or deaths sustained on any adjoining pier, wharf, drydock, terminal, building way, marine railway, or other adjoining area customarily used by an employer in unloading or loading, repairing, or building a vessel. It would cover any person engaged in maritime employment, including any longshoreman or other person engaged in longshoring operations, and any harbor-worker, including a ship repairman, shipbuilder and shipbreaker. However, it would not include a master or member of a crew or any person engaged by the master to load, unload or repair any small vessel under 18 tons net.

Q. Why is there a difference in the adjustment formula based on whether an individual injured prior to enactment of the amendments was awarded the maximum allowable benefits under the Act?

A. Where a person was awarded the maximum allowable benefit under the Act, it seems just and equitable to substitute the national average weekly wage for his actual wage for the purpose of computing benefits. Some of those awarded the maximum benefit may have had an actual wage higher than the national average and some may have had an actual wage lower than the national average, but the national average provides an overall fair measure. However, if the injured individual was awarded less than the maximum benefit allowable at the time of injury, his actual wages at that time were most likely less than the national average. Since the Act's primary principle is to compensate for disability according to wages being earned at the time of injury, those awarded less than the maximum benefits would receive an unfair windfall if their benefits after enactment of the amendments were keyed to the national average weekly wage. At the same time, it seemed equitable to provide such a person with an increase in benefits which is proportionate to the increase that has taken place in wage levels generally since the time of his injury.

It is my understanding that the primary impact of this lower alternate adjustment formula will occur in the District of Columbia. As you know, the Longshore Act is the workman's compensation statute applicable to private employment in the District. The District has a larger segment of its employees who were awarded less than maximum benefits than in the maritime industries subject to the Longshore Act.

Q. What are some of the administrative changes which this bill would make in the longshore program?

A. The bill would make a number of changes designed to improve the effectiveness of the program. I will mention a few of these. First, the bill would amend the Act to make clear that all hearings under the Act are to be conducted in conformity with the Administrative Procedure Act and that they will be conducted by hearing examiners who are qualified under that Act. Secondly, the bill would establish an administrative Benefits Review Board to review decisions with respect to claims raising substantial questions of fact or law.

Q. What standard of review will the Board use?

A. The findings of fact in the decision under review by the Board shall be conclusive if supported by substantial evidence on the record considered as a whole.

Q. Will the Board's decisions be reviewable in the courts?

A. Yes, They will be reviewable in the Court of Appeals.

It should be noted that under the present law, review of decisions by deputy commissioners is through injunction proceedings in the District Courts.

A second change which this bill would make would be to provide for a new procedure to obtain impartial medical evaluations in contested cases.

Q. How would this new procedure work?

A. Either party might request an examination by a physician employed or selected by the Secretary, and following that either party, if dissatisfied with the results of this examination, may request a further examination by one or more physicians employed or selected by the Secretary.

Another change provided in this bill would require the Secretary, upon request, to provide persons covered by the Act with information and assistance relating to the Act's coverage and compensation and the procedures for obtaining this compensation, including assistance in processing a claim. The Secretary would have discretion to provide persons covered by the Act with legal assistance in processing these claims, if requested to do so. The Secretary is required to provide employees receiving compensation information on medical, manpower and vocational rehabilitation services, and to assist these employees in obtaining the best services available.

The bill also gives injured employees freedom to choose their own physicians from among those designated as authorized physicians by the Secretary. Under present law the employee is limited to a panel of physicians chosen by the employer and approved by the Secretary.

The bill also provides for a number of other administrative changes in the existing law.

Q. Will this bill change the benefits available under this Act, and, if so, how?

A. There are three parts to the benefit structure of the present law, and the bill affects two of these. The first aspect is that under present law, compensation is based on the injured individual's average weekly wage. Generally, he gets as compensation for his injury ⅔ of his average weekly wage at the time of injury. This basic formula is retained by the amendments. Second, the law prescribes maximums and minimums for weekly compensation. A disabled employee may receive no more than $70 per week and, unless his avearge weekly wage was less than $18, his weekly compensation for total disability may be not less than $18. The bill raises both the maximum and the minimum. The maximum is raised over a three-year period by a sliding percentage scale, so that by October 1975, it is 200 percent of the average nonagricultural weekly wage. The minimum is raised to not less than 50 percent of the national average weekly wage unless the totally disabled individual's average weekly wage at the time of his injury, as adjusted to reflect the subsequent percentage increase in the national average wage, is less than 50% of the national average. In such a case, the individual will receive his adjusted average weekly wage. Finally, under the present law, there is a total compensation maximum, applicable in all cases save those involving permanent total disability or death, of $24,000. The amendments eliminate this maximum.

Q. Do the amendments change the death benefits?

A. Yes. Under present law, the maximum allowed for funeral expenses is $400. The bill raises this maximum to $1000. Also, a surviving wife or dependent husband is now entitled to compensatory payments equaling 35 percent of the deceased's average wage, and 15 percent of the deceased's average wage for each dependent child. The percentage for the surviving spouse is raised by the bill to 50 percent and the percentage for each dependent child is raised to 16⅔ percent. The Act's present total compensation maximum of 66⅔ percent of the deceased's average wage is retained, but the bill provides that the average weekly wages of the deceased will be considered to be not less than the national average weekly wage unless his average weekly wage, as adjusted to reflect the subsequent percentage increase in the national average wage is less than the national average. In such a case, the death benefits will be based on the adjusted average weekly wage of the deceased.

Q. Even with the rate of inflation slowed down, we all expect costs to continue to rise somewhat. The benefit level seems adequate for today's situation, but what about the future?

A. The amendments include an adjustment feature to cover such contingencies. The adjustment is keyed to wage increases in the nonagricultural sector. It works in this way. Each year the Secretary of Labor will compute the percentage increase of the national nonagricultural average weekly wage over that of the previous year. If there has been no increase, benefits remain unchanged. If there has been an increase, benefit levels will be raised in proportion to the increase.

Q. How will the initial adjustments for persons injured prior to the enactment of the amendments be financed? Benefits for post enactment injuries can be covered by insurance, but insurance cannot be retroactive.

A. The "special fund" now provided for in the Act serves primarily as a "second injury fund." The fund is now financed by death benefit payments where there is no survivor and by fines and penalties levied under the Act. The proposed amendments would strengthen the financing of the fund by providing for assessments against carriers and self-insured employers.

The amendments provide that 50 percent of the cost of the initial and annual adjustments made in the benefits of persons injured prior to enactment of the bill will be paid from the "second injury fund." Thus these costs will be borne by the covered industries as a whole. The fund will be beefed up by an immediate interest-free Government loan which must be paid back within 5 years from the fund on a schedule arranged by the Secretary of Labor. The other 50 percent of the adjustment costs will be funded directly by the Government through appropriations.

COSTS

Q. What are the costs?

A. The only costs to the Federal Government for increasing benefits under the Longshoremen's bill will be 50% of the increase in benefits for those persons who have been declared permanently disabled, or are widows or survivors of such persons, prior to enactment of this bill. There are only an estimated two thousand persons in this category (1,500 under the current Longshore provisions and 480 in D.C.). Private industry will pay 50% of the cost of the increases for these persons, and the Federal Government will pay the other half. Those costs are estimated to be as follows:

[In millions of dollars]

1973	1.16
1974	1.74
1975	1.86
1976	1.95
1977	2.05

Maximum rate=⅔ of current average weekly wage, or $93. Federal share is 50% of that, or $47.

The only other additional cost to the Government would be that incurred in administering the provisions of the bill. Since there is an existing staff structure the increased administrative costs would be minimal. The Department of Labor has not been able to give a firm estimate of the additional administrative cost, because of the many variables involved, but indicate somewhere around $2.8 million additional will be needed. Current administrative costs are $1.4 million, which would mean a total of $4.27 million upon enactment for administration.

The point should be made that persons injured after the effective date of this act *will not* be compensated with Federal funds. Their benefits will be paid for by employers through compensation insurance.

DISTRICT OF COLUMBIA EMPLOYEE COVERAGE

Q. What is the impact of this bill on the District of Columbia?

A. District of Columbia employees have been covered under the Longshoremen's and Harbor Worker's Compensation Act since 1928. At the time this was done as a matter of convenience, but the Longshoremen's Act has become a sort of catch-all for Federal compensation coverage for other special areas. For example, the bill also covers compensation in overseas defense facilities and off-shore oil drilling rigs on the Continental Shelf.

Because the District of Columbia has no home rule, it is the responsibility of Congress to enact compensation laws. Because of the historic development it is felt that the District of Columbia coverage should be continued under the Longshoremen's Compensation Act. The point could also be made, concerning the cost of benefits, that it would be more expensive to transfer District of Columbia employees to the Federal Employees Compensation Act (FECA). The following comparison makes this point clearly:

WEEKLY BENEFITS

Benefit level: Minimum
Longshoremen's

50% of the National average weekly wage (50% of $140=$70).

FECA

70% of the first step of a GS–2 rate ($70.63).

Benefit level: Maximum
Longshoremen's

$167 (upon enactment) to increase to $280 by 1975.

FECA

75% of the top step of a GS–12 rate ($454.66).

Mr. QUIE. Mr. Speaker, as we are about ready to vote now, I think we should again bear in mind an agreement was reached between the employers and the employees' union, the people who are responsible to represent the men who work as longshoremen.

The question also before here is what happens to compensation. We ought to increase the compensation under the Longshoremen's Act. They cannot go to a State in order to have their compensation increased. We are the ones that have to do that. They are way below the Federal Employees Compensation Act, for example, and the same thing is true with respect to the District of Columbia employees. Also it would not be fair to the companies if we raise those presently drawing benefits by just increasing the cost to the companies, so there we provide that the Federal Government shall pay 50 percent of the cost.

We all agree with this. The only thing left, really, on which there is a big argument is on the doctrine of seaworthiness. That doctrine is retained for the seamen.

That is what the gentleman from New Jersey pointed out.

Seamen have a different situation. They are under a situation of obedience, because they are on a vessel for long periods of time, and the vessel has to have complete liability for everything they do. However, the longshoremen, who both work on the dock and on the ships, should not be covered the same way as the seamen.

It appeared so to us and, therefore, we dropped the doctrine of liability for those individuals who work for the stevedoring companies. The shipowner is still liable for any negligence that may be brought against him. So longshoremen are protected in that regard as well. Other than that they are treated as though they were on the docks.

It seems to me, with this problem having faced us so long, this committee came out with an equitable solution that we should go with, and we should not make these individuals who might be injured in the time that we are waiting for another Congress to meet again to be denied the kind of compensation that a person ought to have in this day and age.

I would also like to confirm my reply of few minutes ago to the gentlemen from California (Mr. BURTON) that this bill will not change any rights acquired prior to enactment. This bill will not have any retroactive effect.

Mr. DANIELS of New Jersey. Mr. Speaker, I take this time to point out, with the exception of a few small union locals, the strongest opposition to this bill comes from a certain group of lawyers who specialize in third-party actions. Some of these lawyers have been crawling all over Capitol Hill this past week going from one congressional office to another lobbying against this bill and disseminating false information as to the benefits that will be up-dated and also stating that the longshoremen third-party suits would be abolished. As you know this is absolutely untrue.

I question the motives of these attorneys, and I do so advisedly. I would like to mention to the membership of this House that I, too, am an attorney and have been admitted to the bar in the State of New Jersey more than 40 years ago. I am most familiar with the compensation practices not only in the State of New Jersey but also with the Federal practice. I have a very high regard and respect for the legal profession and its members.

I want to point out, also, I have a great deal of respect and regard for the gentleman from Texas who opposes this bill.

Mr. ECKHARDT. Will the gentleman yield briefly?

Mr. DANIELS of New Jersey. The issue here, Mr. Speaker, is very, very plain and simple: It is whether the Members of this House are desirious of upgrading and improving the benefits of this act for 800,000 longshoremen and their widows and dependent children or helping a small group of lawyers who specialize in third-party suits.

Mrs. HICKS of Massachusetts. Mr. Speaker, I rise in support of H.R. 12006, a bill to amend the Longshoremen's and Harbor Workers' Compensation Act. The revision of the Longshoremen's and Harbor Workers' Compensation Act is urgent and long overdue. The last updating of benefits for longshoremen took place in 1961.

Longshoremen and harbor workers are vitally dependent upon the Longshoremen's and Harbor Workers' Compensation Act for protection against the hardships resulting from industrial injury. There has been for many years a great need for an increase and liberalization of the benefits under the act. Longshoring ranks second only to coal mining as the most hazardous occupation in our Nation and the rate of occupational injuries continues to remain far above the national average.

Longshoremen enter a new and relatively uncontrolled workplace with each ship that ties up to a pier. Cargo loaded elsewhere may be poorly stowed, temporary decks may be overloaded, machinery may not be tied in place, there may be rats and many unforeseen dangers beyond the control of the workers. These are some of the factors that contribute to the high accident rate and mean that every longshoreman stands a good chance of needing the benefits and protection of the act. They are not receiving today that protection.

Longshoremen and their families, who must depend on the Longshoremen's and Harbor Worker's Compensation Act in the event of occupational injury, are being seriously shortchanged by the ceiling set 11 years ago at a maximum weekly benefit of $70. It can change a relatively minor injury into a financial tragedy.

The Longshore Act has served as the compensation program for 98 percent of the longshore injuries reported by the Department of Labor and it should be modernized now to meet the work injury needs of all covered workers and their families.

I have always been and am a great advocate for third-party suits by longshoremen against the ship or shipowners for damages under the "seaworthiness doctrine." Even though testimony before our subcommittee revealed that in recent years third party suits filed in the U.S. courts represent only 2 percent of longshoremen injuries reported under the act.

Because H.R. 12006 does provide direct action against vessels as third parties in suits for claimed negligence; because it increases the maximum weekly benefits in the first year to $167 from $70; because it provides for free choice by doctors by the employees; because it provides for the payment of attorney's fee to be paid by the employer in contested cases; because it eliminates the maximum of $24,000 in temporary total disability claims; and because it extends coverage which was limited to the ship in the old bill—to the piers, wharves, and terminals, I urge my colleagues to support this bill to insure that injured longshoremen and harbor workers and their families will no longer have to face financial disaster resulting from occupational injury in this extremely hazardous industry. It is most necessary to improve and restore the Longshore Act to its former place of prominence in the field of workmen's compensation.

Mr. BROYHILL of Virginia. Mr. Speaker, I rise in opposition to the bill H.R. 12006, which is titled the "Longshoremen's and Harbor Workers Compensation Act Amendment of 1971."

I oppose this proposed legislation, because the economic consequences which would result from its enactment would be devastating to many employers, especially those in the construction industry in the District of Columbia.

In the construction business, the workmen's compensation premiums are based upon $100 of payroll, and are determined through various codes. For steel erection, the codes provide percentages ranging from 6 to 25 percent. Thus, the premiums range from $6 to $25 per $100 of payroll. When such benefits are doubled, the effective rates will be doubled also.

On many construction projects, at least 50 percent of cost is direct field labor. Using a figure of $1 million as a project cost as an example, a field labor workmen's compensation premium rate of 15 percent involves a cost of $150,000; and a doubling of benefits in this case will raise this cost to $300,000.

In the District of Columbia, there are many construction projects presently running some 1½ to 2 years into the future, on which contracts have been let. The companies involved computed their workmen's compensation costs in their original bids, of course, and now any increased cost in this area will have to be borne by the individual companies as far as these contracts are concerned. This will involve very heavy losses in some cases.

Inasmuch as the effective date of the provisions of this proposed legislation is 30 days after the date of enactment, this short period of time will create an impossible hardship upon these individual companies, as a result of which some of the smaller construction companies in the District will be facing financial ruin.

For this reason, this legislation would have to be altered substantially as far as its effect upon the District of Columbia Workmen's Compensation Act is concerned, in order to ease the impact of its provisions upon the construction industry in the city. More reasonable limits must be placed on some of the increased benefits, and above all an effective date would have to be provided which would permit a reasonable and workable period of adjustment for all parties.

In its present form, therefore, I oppose this bill as it would create unbearable hardship and financial disaster for some of the companies in the District of Columbia.

Mrs. MINK. Mr. Speaker, I rise in support of H.R. 12006, legislation to amend the Longshoremen's and Harbor Workers' Compensation Act.

The need for updating of the act has long been recognized by all parties concerned. Both workers and management have a strong interest in improving the act so that it will better accomplish its intended purposes. It has not been

amended since 1961, when the maximum benefit for a worker was set at $70 a week. With wages now averaging more than $200 a week in some ports, it is time to increase benefits and make other improvements in keeping with current needs.

Adequate workmen's compensation benefits are essential not only for meeting the needs of injured employees, but by assuring that the employer bears the cost of the unsafe conditions, serving to strengthen the employer's incentive to provide the fullest measure of on-the-job safety.

One of the provisions most difficult to resolve has concerned the seaworthiness doctrine under which the shipowner is liable for any injury regardless of fault. At present, shipping companies are generally successful in recovering the damages for which they are held liable to injured longshoremen from the stevedore's employer on theories of express or implied warranty, thereby transferring their liability to the actual employer of the longshoreman. This circuitous method of compensation, however, not only fails to pinpoint safety incentive, but involves excessive legal work and fees. H.R. 12006 provides that the vessel shall be liable for damages as a third party in cases where the worker is injured through the fault of the vessel, just as is the case of land-based nonmaritime industries.

Under the bill, benefits are raised to an expected two-thirds of the average weekly wage for most workers. This added protection for the worker and his family is a primary reason for the adoption of this bill, in addition to further improvements in survivor benefits, and the benefit structure.

In view of the broad support for this measure in the industry and within the House Committee on Education and Labor, I ask its approval by my colleagues.

Mr. ESCH. Mr. Speaker, this brief comment is to indicate my support for the pending bill. When consideration of proposals to amend the Longshoremen's Act began earlier in the Congress, many of us felt that agreement on an acceptable bill would be difficult, if not impossible. However, as the subcommittee gave the matter its sustained attention, progress was made.

All of us, on both sides of the aisle, agreed that benefit levels had to be increased from the present law levels established more than 10 years ago. All of us also agreed that something had to be done to eliminate, or at the very least, diminish the inequities arising out of the third-party suits permitted under the existing law.

Happily, the members of the subcommittee were reasonable and willing to compromise even where the compromise did not fully satisfy them. And then, it became apparent that there was wide agreement among virtually all of the parties in interest on the bill now before us. The employing shipowners, the stevedoring firms, the unions involved, the Department of Labor speaking for the administration, and members of the Labor Committees in both Chambers hammered out the pending measure.

I think it is fair to all who are most vitally and materially concerned. It corrects longstanding inadequacies and inequities. In fact, it is so good a bill that it might well serve in many respects as a model for other public agencies that deal with workmen's compensation. I strongly urge my colleagues to vote for the bill which is identical with the Senate bill, which was unanimously reported favorably by our full committee, and which is not accompanied by any minority report. I hope the measure will not only pass in the Congress, but that it will be signed by the President, and be on the statute books within a very short time.

Mr. ASHLEY Mr. Speaker, I fear that as we hasten toward adjournment, we may not be doing full justice to some of the legislation before us and I am afraid that this is the case with H.R. 12006, the proposed Longshoremen's and Harbor Workers' Compensation Act Amendments of 1972.

There is no question than an increase in the benefits of the Longshoremen's and Harbor Workers' Act is long overdue. Moreover, the extension of those benefits to employees of the stevedore who are injured dockside is certainly warranted. To do so, however, at the expense of the workmen's right to a full damage remedy upon a breach by the vessel owner of its obligation to provide a seaworthy vessel results in little more than bogus legislation.

Contrary to the suggestion in the committee report, the remedy of unseaworthiness was extended to longshoremen because of the singularly dangerous occupational hazard of the industry. As in the case of seamen, a vessel and its appurtenances represent an ever present danger to men working about her; but, unlike seamen who serve aboard her, the vessel and its peculiar dangers are unknown to the longshoremen and its hazards are greatly increased when hatches are broken and gear is operated during loading and unloading.

The doctrine of unseaworthiness was extended to longshoremen by the Supreme Court in recognition that the trade was, is, and will always be, dangerous and that "human overhead" will ever be a part of the industry. The remedy of absolute fault simply shifts the terrible economic burden from those least able to afford these tragedies, the laborer and his family, to the business that benefits from his labors and can spread the cost of this "human overhead" throughout the industry through negligible price increases and insurance.

To relegate the longshoremen's claim to negligence is to ignore the evidentiary problem involved in establishing the elements of notice, control, and basic facts against the defendant several thousand miles away who has complete control over the equipment and men that cause the injury. The abolition of the third-party cause of action of unseaworthiness is tantamount to abolishing all third-party remedies for longshoremen, leaving them in a worse economic and legal position than their shoreside cousins who labor under less dangerous conditions.

Moreover, the legislative repeal of the Yacka decision simply invites a conspiracy of vessel owners and stevedores to obviate entirely all third-party remedies which are otherwise available to shoreside employees.

For these reasons, I urge my colleagues to join with me to defeat this ill-conceived legislation.

The SPEAKER. The question is on the motion offered by the gentleman from New Jersey (Mr. DANIELS) that the House suspend the rules and pass the bill H.R. 12006.

The question was taken; and the Speaker being in doubt, the House divided, and there were—ayes 48, noes 31.

Mr. STEIGER of Wisconsin. 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 198, nays 71, not voting 162, as follows:

[Roll No. 447]

YEAS—198

Abzug	Forsythe	McKevitt
Adams	Frelinghuysen	McKinney
Addabbo	Frey	Madden
Anderson, Calif.	Garmatz	Mallary
Archer	Gaydos	Mann
Arends	Goldwater	Mathias, Calif.
Badillo	Goodling	Mazzoli
Baker	Grasso	Meeds
Barrett	Gray	Melcher
Belcher	Green, Pa.	Metcalfe
Bergland	Griffiths	Miller, Calif.
Betts	Grover	Miller, Ohio
Biester	Gubser	Mills, Ark.
Bingham	Halpern	Mills, Md.
Blatnik	Hammer-schmidt	Minish
Boggs	Hansen, Idaho	Mink
Brademas	Harrington	Mitchell
Brasco	Harsha	Moorhead
Bray	Harvey	Mosher
Brown, Mich.	Hastings	Murphy, Ill.
Brown, Ohio	Hathaway	Myers
Broyhill, N.C.	Heinz	Nedzi
Buchanan	Helstoski	Nix
Burke, Mass.	Henderson	Obey
Burleson, Tex.	Hicks, Mass.	O'Hara
Burton	Hicks, Wash.	O'Konski
Byrnes, Wis.	Hillis	O'Neill
Carlson	Hogan	Patten
Carney	Holifield	Pepper
Carter	Hosmer	Pike
Casey, Tex.	Hutchinson	Preyer, N.C.
Cederberg	Johnson, Calif.	Price, Ill.
Chamberlain	Jones, Ala.	Quie
Chisholm	Jones, N.C.	Railsback
Clausen, Don H.	Karth	Rangel
Clawson, Del	Keith	Reid
Cleveland	Kemp	Rhodes
Collins, Tex.	King	Riegle
Conable	Kluczynski	Roberts
Conover	Koch	Robison, N.Y.
Coughlin	Kyl	Rodino
Culver	Kyros	Roe
Daniels, N.J.	Landgrebe	Rooney, Pa.
Dellenback	Landrum	Roy
Dorn	Latta	Roybal
Downing	Leggett	Ruppe
Drinan	Lennon	Ruth
Dulski	Lent	St Germain
Duncan	Lloyd	Sarbanes
Eilberg	Long, Md.	Scheuer
Erlenborn	Lujan	Schneebeli
Evins, Tenn.	McClory	Schwengel
Fish	McCollister	Shoup
Flood	McCulloch	Sikes
Foley	McDade	Slack
Ford, William D.	McEwen	Smith, Calif.
	McFall	Springer
	McKay	Stanton, J. William

Steed	Vanik	Williams
Steiger, Wis.	Veysey	Wilson, Bob
Stokes	Wampler	Wilson, Charles H.
Stratton	Ware	Wyatt
Taylor	Whalen	Wyman
Teague, Calif.	Whalley	Zablocki
Tiernan	White	Zion
Ullman	Whitehurst	Zwach
Vander Jagt	Wiggins	

NAYS—71

Abernethy	Flynt	Passman
Andrews, Ala.	Fraser	Patman
Ashley	Gettys	Pickle
Aspinall	Gonzalez	Poage
Bennett	Griffin	Powell
Bevill	Gude	Rarick
Breaux	Hagan	Rees
Brinkley	Hall	Reuss
Brooks	Hechler, W. Va.	Robinson, Va.
Broyhill, Va.	Heckler, Mass.	Rosenthal
Camp	Hull	Satterfield
Collier	Hunt	Saylor
Colmer	Jacobs	Sebelius
Conyers	Jarman	Shriver
Daniel, Va.	Jonas	Spence
Danielson	Kastenmeier	Stephens
Davis, Ga.	Kazen	Stubblefield
de la Garza	McCloskey	Sullivan
Dennis	Macdonald, Mass.	Teague, Tex.
Dent	Mahon	Whitten
Eckhardt	Mathis, Ga.	Wydler
Edwards, Ala.	Montgomery	Yates
Edwards, Calif.	Natcher	Young, Fla.
Eshleman		Young, Tex.

NOT VOTING—162

Abbitt	Esch	Pelly
Abourezk	Evans, Colo.	Perkins
Alexander	Fascell	Pettis
Anderson, Ill.	Findley	Peyser
Anderson, Tenn.	Fisher	Pirnie
Andrews, N. Dak.	Flowers	Podell
Annunzio	Ford, Gerald R.	Price, Tex.
Ashbrook	Fountain	Pryor, Ark.
Aspin	Frenzel	Pucinski
Baring	Fuqua	Purcell
Begich	Galifianakis	Quillen
Bell	Gallagher	Randall
Biaggi	Giaimo	Rogers
Blackburn	Gibbons	Roncalio
Blanton	Green, Oreg.	Rooney, N.Y.
Boland	Gross	Rostenkowski
Bolling	Haley	Roush
Bow	Hamilton	Rousselot
Broomfield	Hanley	Runnels
Brotzman	Hanna	Sandman
Burke, Fla.	Hansen, Wash.	Scherle
Burlison, Mo.	Hawkins	Schmitz
Byrne, Pa.	Hays	Scott
Byron	Hébert	Selberling
Cabell	Horton	Shipley
Caffery	Howard	Sisk
Carey, N.Y.	Hungate	Skubitz
Celler	Ichord	Smith, Iowa
Chappell	Johnson, Pa.	Smith, N.Y.
Clancy	Jones, Tenn.	Snyder
Clark	Keating	Staggers
Clay	Kee	Stanton, James V.
Collins, Ill.	Kuykendall	Steele
Conte	Link	Steiger, Ariz.
Corman	Long, La.	Stuckey
Cotter	McClure	Symington
Crane	McCormack	Talcott
Curlin	McDonald, Mich.	Terry
Davis, S.C.	McMillan	Thompson, Ga.
Davis, Wis.	Mailliard	Thompson, N.J.
Delaney	Martin	Thomson, Wis.
Dellums	Matsunaga	Thone
Denholm	Mayne	Udall
Derwinski	Michel	Van Deerlin
Devine	Mikva	Vigorito
Dickinson	Minshall	Waggonner
Diggs	Mizell	Waldie
Dingell	Mollohan	Widnall
Donohue	Monagan	Winn
Dow	Morgan	Wolff
Dowdy	Moss	Wright
du Pont	Murphy, N.Y.	Wylie
Dwyer	Nelsen	Yatron
Edmondson	Nichols	

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Annunzio and Mr. Thompson of New Jersey for, with Mr. Moss against.

Mr. Rooney of New York and Mr. Carey of New York for, with Mr. Caffery against.

Mr. Begich and Mr. Rogers for, with Mr. Price of Texas against.

Mr. Quillen and Mr. Monagan for, with Mr. Winn against.

Mr. Kuykendall and Mr. Cotter for, with Mr. Dowdy against.

Mr. Shipley and Mr. Staggers for, with Mr. McMillan against.

Mr. Delaney and Mr. Rostenkowski for, with Mr. Fisher against.

Mr. Howard and Mr. McCormack for, with Mr. Long of Louisiana against.

Until further notice:

Mr. Hébert with Mr. Gerald R. Ford.
Mr. Waggonner with Mr. Dickinson.
Mr. Wolff with Mr. Peyser.
Mr. Murphy of New York with Mr. Horton.
Mr. Morgan with Mr. Anderson of Illinois.
Mr. Denholm with Mr. Martin.
Mr. Nichols with Mr. du Pont.
Mr. Dingell with Mr. Michel.
Mr. Davis of South Carolina with Mr. Scherle.
Mr. Chappell with Mr. Thone.
Mr. Cabell with Mr. Derwinski.
Mr. Boland with Mr. Conte.
Mr. Biaggi with Mr. Brotzman.
Mrs. Hansen of Washington with Mr. Andrews of North Dakota.
Mr. Hays with Mr. Devine.
Mr. Sisk with Mr. Bell.
Mr. Giaimo with Mr. Broomfield.
Mrs. Green of Oregon with Mr. Crane.
Mr. Flowers with Mr. Blackburn.
Mr. Donohue with Mr. Steele.
Mr. Mollohan with Mr. Steiger of Arizona.
Mr. Mikva with Mr. Dellums.
Mr. Matsunaga with Mr. Nelsen.
Mr. Jones of Tennessee with Mr. Snyder.
Mr. Hawkins with Mr. Byrne of Pennsylvania.
Mr. Hanna with Mr. Mailliard.
Mr. Burlison of Missouri with Mr. Minshall.
Mr. Vigorito with Mr. Mayne.
Mr. Yatron with Mr. Johnson of Pennsylvania.
Mr. Randall with Mr. Pettis.
Mr. Roncalio with Mr. Findley.
Mr. Fountain with Mr. Wylie.
Mr. Fascell with Mr. Burke of Florida.
Mr. Podell with Mr. Clay.
Mr. Corman with Mr. Collins of Illinois.
Mr. Udall with Mr. Talcott.
Mr. Anderson of Tennessee with Mr. Smith of New York.
Mr. Hanley with Mr. Widnall.
Mr. Hamilton with Mr. Clancy.
Mr. James V. Stanton with Mr. Ashbrook.
Mr. Alexander with Mr. McClure.
Mr. Celler with Mr. Sandman.
Mr. Byron with Mr. Skubitz.
Mr. Clark with Mrs. Dwyer.
Mr. Fulton with Mr. Esch.
Mr. Fuqua with Mr. Frenzel.
Mr. Haley with Mr. Mizell.
Mr. Pucinski with Mr. Thompson of Georgia.
Mr. Roush with Mr. Thomson of Wisconsin.
Mr. Runnels with Mr. Davis of Wisconsin.
Mr. Dow with Mr. Rousselot.
Mr. Evans of Colorado with Mr. Keating.
Mr. Gibbons with Mr. McDonald of Michigan.
Mr. Kee with Mr. Pelly.
Mr. Hungate with Mr. Pirnie.
Mr. Ichord with Mr. Bow.
Mr. Link with Mr. Scott.
Mr. Stuckey with Mr. Schmitz.
Mr. Symington with Mr. Gallagher.
Mr. Diggs with Mr. Galifianakis.
Mr. Edmondson with Mr. Waldie.
Mr. Wright with Mr. Baring.
Mr. Blanton with Mr. Aspin.
Mr. Abourezk with Mr. Abbitt.
Mr. Selberling with Mr. Curlin.
Mr. Pryor of Arkansas with Mr. Perkins.
Mr. Terry with Mr. Purcell.

Mrs. ANDREWS of Alabama changed her vote from "yea" to "nay."

Messrs. HILLIS, BARRETT, and NIX changed their votes from "nay" to "yea."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ADDITIONAL LEGISLATIVE PROGRAM

Mr. ABERNETHY. Mr. Speaker, I would like to announce that later in the day I will move to suspend the rules and pass the Senate bill S. 4032, a bill which just passed the Senate providing for the consolidation of the transportation systems in the metropolitan Washington area.

AUTHORIZING ARMED FORCES MEMBERS IN MISSING STATUS TO ACCUMULATE LEAVE

Mr. PRICE of Illinois. Mr. Speaker, I asw unanimous consent to take from the Speaker's desk, the bill (H.R. 14911) to amend titles 10 and 37, United States Code, to authorize members of the Armed Forces who are in a missing status to accumulate leave without limitation, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments as follows:

Page 2, line 7, strike out "37," " and insert: "37. However, a member whose death is prescribed or determined under section 555 or 556 of title 37 may, in addition to leave accrued before entering a missing status, accrue not more than one hundred and fifty days' leave during the period he is in a missing status, unless his actual death occurs on a date when, had he lived, he would have accrued leave in excess of one hundred and fifty days, in which event settlement will be made for the number of days accrued to the actual date of death. Leave so accrued in a missing status shall be accounted for separately and paid for under the provisions of section 501 of title 37." "

Page 2, strike out lines 19 and 20, and insert:

"SEC. 3. The first and second sections of this Act become effective as of February 28, 1961."

Page 2, after line 20, insert:

SEC. 4. Chapter 4 of title 10, United States Code, is amended as follows:

(1) Section 134 is amended to read as follows:

"§ 134. Deputy Secretaries of Defense: appointment; powers and duties; precedence

"(a) There are two Deputy Secretaries of Defense, appointed from civilian life by the President, by and with the advice and consent of the Senate. A person may not be appointed as a Deputy Secretary of Defense within ten years after relief from active duty as a commissioned officer of a regular component of an armed force.

"(b) The Deputy Secretaries shall perform such duties and exercise such powers as the Secretary of Defense may prescribe. The Deputy Secretaries, in the order of precedence, designated by the President shall act for, and exercise the powers of, the Secretary when the Secretary is disabled or there is no Secretary of Defense.

"(c) The Deputy Secretaries take prece-

dence in the Department of Defense immediately after the Secretary."

(2) Sections 135(c) and 136(e) are each amended by striking out "Deputy Secretary" and inserting in place thereof "Deputy Secretaries".

(3) The item in the analysis relating to section 134 is amended to read as follows:

"134. Deputy Secretaries of Defense: appointment; powers and duties; precedence."

SEC. 5. Section 171(a)(2) of title 10, United States Code, is amended by striking out "the" and inserting in place thereof "a".

SEC. 6. Section 5313(1) of title 5, United States Code, is amended to read as follows:

"(1) Deputy Secretaries of Defense (2)."

SEC. 7. Section 303(c) of the Internal Security Act of 1950 (50 U.S.C. 833(c)) is amended to read as follows:

"(c) Notwithstanding section 133(d) of title 10, United States Code, only the Deputy Secretaries of Defense and the Director of the National Security Agency may be delegated any authority vested in the Secretary of Defense by subsection (a).".

Amend the title so as to read: "An Act to amend titles 10 and 37, United States Code, to authorize members of the armed forces who are in a missing status to accumulate leave without limitation, to amend title 10, United States Code, to authorize an additional Deputy Secretary of Defense, and for other purposes."

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

There was no objection.

Mr. PRICE of Illinois. Mr. Speaker, the Members will recall that the bill (H.R. 14911) passed the House on July 25, 1972. In essence the bill provides that current restrictions upon the total amounts of leave which may be accumulated by military personnel be waived in the case of prisoners of war and personnel listed as missing in action. Present limitations vary according to certain conditions but the maximum is 90 days, which represents the amount of leave which could accrue over 3 years of service.

Inasmuch as some of our POW or MIA personnel have been in such a status for over 8 years, the present limitation would mean that all earned leave over 90 days would be lost. The bill provides for reimbursement for all leave accumulated in a missing or prisoner status without limitation.

The Senate amendment does create one restriction. In those cases wherein a serviceman has been missing for a period in excess of 5 years and is subsequently declared by the Secretary concerned to be presumed to have died, reimbursement to his estate for unused leave accumulated in a missing status is limited to a maximum of 150 days, or 5 years' annual leave credit.

The language is such, however, that if the man were later to be found alive, or that his date of actual death could be determined to have occurred at some time in excess of the 5 years, he or his survivors would be reimbursed for the total amount of leave actually accumulated.

The second Senate amendment offers the House another opportunity to approve the reorganization of the Office of the Secretary of Defense by means of the creation of an additional Deputy Secretary of Defense. The Members will recall that the House passed this measure (H.R. 8856) on December 6, 1971, but later agreed to the Senate amendment to that bill which struck this particular provision. The Senate has now determined that the provision for a new Deputy Secretary is a necessity and has used this amendment as a vehicle to permit the House to reaffirm its previous decision.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. PRICE of Illinois. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 14911.

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

There was no objection.

AMENDING THE LONGSHOREMEN'S AND HARBOR WORKERS' COMPENSATION ACT

Mr. DANIELS of New Jersey. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 2318) to amend the Longshoremen's and Harbor Workers' Compensation Act, a similar bill to H.R. 12006, just passed by the House.

The Clerk read the title of the Senate bill.

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

There was no objection.

The Clerk read the Senate bill as follows:

S. 2318

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Longshoremen's and Harbor Workers' Compensation Act Amendments of 1972".

COVERAGE

SEC. 2. (a) Section 2(3) of the Longshoremen's and Harbor Workers' Compensation Act (44 Stat. 1424, 33 U.S.C. 902) is amended to read as follows:

"(3) The term 'employee' means any person engaged in maritime employment, including any longshoreman or other person engaged in longshoring operations, and any harborworker including a ship repairman, shipbuilder, and shipbreaker, but such term does not include a master or member of a crew of any vessel, or any person engaged by the master to load or unload or repair any small vessel under eighteen tons net."

(b) Section 2(4) of such Act is amended by striking out "(including any dry dock)" and inserting in lieu thereof "(including any adjoining pier, wharf, dry dock, terminal, building way, marine railway, or other adjoining area customarily used by an employer in loading, unloading, repairing, or building a vessel)".

(c) Section 3(a) of such Act is amended by striking out "(including any dry dock), and if recovery for the disability or death through workmen's compensation proceedings may not validly be provided by State law," and inserting in lieu thereof "(including any adjoining pier, wharf, dry dock, terminal, building way, marine railway, or other adjoining area customarily used by an employer in loading, unloading, repairing, or building a vessel)".

STUDENT BENEFITS

SEC. 3. (a) Section 2 of the Longshoremen's and Harbor Workers' Compensation Act is amended by redesignating paragraph (19) as paragraph (20) and adding a new paragraph (19) as follows:

"(19) The term 'student' means a person regularly pursuing a full-time course of study or training at an institution which is—

"(A) a school or college or university operated or directly supported by the United States, or by any State or local government or political subdivision thereof,

"(B) a school or college or university which has been accredited by a State or by a State recognized or nationally recognized accrediting agency or body.

"(C) a school or college or university not so accredited but whose credits are accepted, on transfer, by not less than three institutions which are so accredited, for credit on the same basis as if transferred from an institution so accredited, or

"(D) an additional type of educational or training institution as defined by the Secretary,

but not after he reaches the age of twenty-three or has completed four years of education beyond the high school level, except that, where his twenty-third birthday occurs during a semester or other enrollment period, he shall continue to be considered a student until the end of such semester or other enrollment period. A child shall not be deemed to have ceased to be a student during any interim between school years if the interim does not exceed five months and if he shows to the satisfaction of the Secretary that he has a bona fide intention of continuing to pursue a full-time course of education or training during the semester or other enrollment period immediately following the interim or during periods of reasonable duration during which, in the judgment of the Secretary, he is prevented by factors beyond his control from pursuing his education. A child shall not be deemed to be a student under this Act during a period of service in the Armed Forces of the United States."

(b) The last sentence of section 2(14) of such Act is amended to read as follows: "'Child', 'grandchild', 'brother', and 'sister' includes only a person who is under eighteen years of age, who, though eighteen years of age or over, is (1) wholly dependent upon the employee and incapable of self-support by reason of mental or physical disability, or (2) a student as defined in paragraph (19) of this section."

TIME FOR COMMENCEMENT OF COMPENSATION

SEC. 4. Section 6(a) of the Longshoremen's and Harbor Workers' Compensation Act is amended by striking out "more than twenty-eight days" and inserting in lieu thereof "more than fourteen days".

MAXIMUM AND MINIMUM LIMITS OF DISABILITY COMPENSATION AND ALLOWANCE

SEC. 5. (a) Section 6 of the Longshoremen's and Harbor Workers' Compensation Act is amended by striking out subsection (b) and inserting in lieu thereof the following new subsections:

"(b)(1) Except as provided in subsection (c), compensation for disability shall not exceed the following percentages of the applicable national average weekly wage as determined by the Secretary under paragraph (3):

"(A) 125 per centum or $167, whichever is greater, during the period ending September 30, 1973.

"(B) 150 per centum during the period beginning October 1, 1973, and ending September 30, 1974.

"(C) 175 per centum during the period be-

ginning October 1, 1974, and ending September 30, 1975.

"(D) 200 per centum beginning October 1, 1975.

"(2) Compensation for total disability shall not be less than 50 per centum of the applicable national average weekly wage determined by the Secretary under paragraph (3), except that if the employee's average weekly wages as computed under section 10 are less than 50 per centum of such national average weekly wage, he shall receive his average weekly wages as compensation for total disability.

"(3) As soon as practicable after June 30 of each year, and in any event prior to October 1 of such year, the Secretary shall determine the national average weekly wage for the most recent three consecutive calendar quarters ending June 30. Such determination shall be the applicable national average weekly wage for the period beginning with October 1 of that year and ending with September 30 of the next year. The initial determination under this paragraph shall be made as soon as practicable after the enactment of this subsection.

"(c) The maximum rate of compensation for a nonappropriated fund instrumentality employee shall be equal to 66⅔ per centum of the maximum rate of basic pay established for a Federal employee in grade GS–12 by section 5332 of title 5, United States Code, and the minimum rate of compensation for such an employee shall be equal to 66⅔ per centum of the minimum rate of basic pay established for a Federal employee in grade GS–2 by such section."

"(d) Determinations under this subsection with respect to a period shall apply to employees or survivors currently receiving compensation for permanent total disability or death benefits during such period, as well as those newly awarded compensation during such period."

(b) Section 2 of such Act as amended by this Act is further amended by redesignating paragraph 20 thereof as paragraph 21 and by inserting immediately after paragraph 19 the following:

"(20) The term 'national average weekly wage' means the national average weekly earnings of production or nonsupervisory workers on private nonagricultural payrolls."

(c) Section 8(d) of such Act is amended to read as follows:

(d)(1) If an employee is receiving compensation for permanent partial disability pursuant to section 8(c)(1)–(20) and thereafter dies from causes other than the injury, the total amount of the award unpaid at the time of death shall be payable to or for the benefit of his survivors, as follows:

"(A) if the employee is survived only by a widow or widower, such unpaid amount of the award shall be payable to such widow or widower,

"(B) if the employee is survived only by a child or children, such unpaid amount of the award shall be paid to such child or children in equal shares,

"(C) if the employee is survived by a widow or widower and a child or children, such unpaid amount of the award shall be payable to such survivors in equal shares,

"(D) if there be no widow or widower and no surviving child or children, and the benefits payable individually to other survivors, as determined in each case by multiplying such unpaid amount of the award by the appropriate percentage specified in section 9, aggregate less than such unpaid amount of the award, then such unpaid amount of the award shall be paid to such other survivors, divided so that each survivor receives the same proportion of such unpaid amount of the award as his benefits payable bear to the aggregate of benefits payable.

"(2) Notwithstanding any other limitation in section 9, the total amount of any award for permanent partial disability pursuant to section 8(c)(1)–(20) unpaid at time of death shall be payable in full in the appropriate distribution.

"(3) If an employee is receiving compensation for permanent partial disability pursuant to section 8(c–21) and thereafter dies from causes unrelated to the injury, survivors shall receive death benefits as provided in section 9((b)–(g), except that the percentage figures therein shall be applied to the weekly compensation payable to the employee at the time of his death multiplied by 1.5, rather than to his average weekly wages.

"(4) An award for disability may be made after the death of the injured employee. Except where compensation is payable under 8(c–21), if there be no survivors as prescribed in this section, then the compensation payable under this subsection shall be paid to the special fund established under section 44(a) of this Act."

(d) The first phrase of section 9 of such Act, preceding the first colon, is amended to read as follows:

"If the injury causes death, or if the employee who sustains permanent total disability due to the injury thereafter dies from causes other than the injury, the compensation shall be known as a death benefit and shall be payable in the amount and to or for the benefit of the persons following:".

(e) Section 14 of such Act is amended by striking out subsection (m).

MEDICAL SERVICES

SEC. 6. Section 7 of the Longshoremen's and Harbor Workers' Compensation Act is amended to read as follows:

MEDICAL SERVICES AND SUPPLIES

"SEC. 7. (a) The employer shall furnish such medical, surgical, and other attendance or treatment, nurse and hospital service, medicine, crutches, and apparatus, for such period as the nature of the injury or the process of recovery may require.

"(b) The employee shall have the right to choose an attending physician authorized by the Secretary to provide medical care under this Act as hereinafter provided. If, due to the nature of the injury, the employee is unable to select his physician and the nature of the injury requires immediate medical treatment and care, the employer shall select a physician for him. The Secretary shall actively supervise the medical care rendered to injured employees, shall require periodic reports as to the medical care being rendered to injured employees, shall have authority to determine the necessity, character, and sufficiency of any medical aid furnished or to be furnished, and may, on his own initiative or at the request of the employer; order a change of physicians or hospitals when in his judgment such change is desirable or necessary in the interest of the employee. Change of physicians at the request of employees shall be permitted in accordance with regulations of the Secretary.

"(c) The Secretary may designate authorized physicians who are to render medical care under the Act. The names of physicians so designated in the community shall be made available to employees through posting or in such other form as the Secretary may prescribe.

"(d) The employee shall not be entitled to recover any amount expended by him for medical treatment or services unless he shall have requested the employer to furnish such services or to authorize provision of such services by the physician selected by the employee and the employer shall have refused or neglected to do so, or unless the nature of the injury required such treatment and services and the employer or his superintendent or foreman having knowledge of such injury shall have neglected to provide or authorize the same; nor shall any claim for medical or surgical treatment be valid and enforceable, as against such employer, unless within ten days following the first treatment the physician giving such treatment furnish to the employer and the Secretary a report of such injury and treatment, on a form prescribed by the Secretary. The Secretary may, however, excuse the failure to furnish such report within ten days when he finds it to be in the interest of justice to do so, and he may, upon application by a party in interest, make an award for the reasonable value of such medical or surgical treatment so obtained by the employee. If at any time the employee unreasonably refuses to submit to medical or surgical treatment, or to an examination by a physician selected by the employer, the Secretary may, by order, suspend the payment of further compensation during such time as such refusal continues, and no compensation shall be paid at any time during the period of such suspension, unless the circumstances justified the refusal.

"(e) In the event that medical questions are raised in any case, the Secretary shall have the power to cause the employee to be examined by a physician employed or selected by the Secretary and to obtain from such physician a report containing his estimate of the employee's physical impairment and such other information as may be appropriate. Any party who is dissatisfied with such report may request a review or reexamination of the employee by one or more different physicians employed or selected by the Secretary. The Secretary shall order such review or reexamination unless he finds that it is clearly unwarranted. Such review or reexamination shall be completed within two weeks from the date ordered unless the Secretary finds that because of extraordinary circumstances a longer period is required. The Secretary shall have the power in his discretion to charge the cost of examination or review under this subsection to the employer, if he is a self-insurer, or to the insurance company which is carrying the risk, in appropriate cases, or to special fund in section 44.

"(f) An employee shall submit to such physical examination at such place as the Secretary may require. The place, or places, shall be designated by the Secretary and shall be reasonably convenient for the employee. No physician selected by the employer, carrier, or employee shall be present at or participate in any manner in such examination, nor shall conclusions of such physicians as to the nature or extent of impairment or the cause of impairment be available to the examining physician unless otherwise ordered, for good cause, by the Secretary. Such employer or carrier shall, upon request, be entitled to have the employee examined immediately thereafter and upon the same premises by a qualified physician or physicians in the presence of such physician as the employee may select, if any. Proceedings shall be suspended and no compensation shall be payable for any period during which the employee may refuse to submit to examination.

"(g) All fees and other charges for medical examinations, treatment, or service shall be limited to such charges as prevail in the community for such treatment, and shall be subject to regulation by the Secretary. The Secretary shall issue regulations limiting the nature and extent of medical expenses chargeable against the employer without authorization by the employer or the Secretary.

"(h) The liability of an employer for medical treatment as herein provided shall not be affected by the fact that his employee was injured through the fault or negligence of a third party not in the same employ, or that suit has been brought against such third party. The employer shall, however, have a cause of action against such third party to recover any amounts paid by him for such medical treatment in like manner as provided in section 33(b) of this Act.

"(i) Unless the parties to the claim agree, the Secretary shall not employ or select any physician for the purpose of making examinations or reviews under subsection (e) of this section who, during such employment, or during the period of two years prior to such employment, has been employed by, or accepted or participated in any fee relating to a workmen's compensation claim from any insurance carrier or any self-insurer."

DISFIGUREMENTS

SEC. 7. Section 8(c)(20) of the Longshoremen's and Harbor Workers' Compensation Act is amended to read as follows:

"(20) Disfigurement: Proper and equitable compensation not to exceed $3,500 shall be awarded for serious disfigurement: (A) of the face, head, or neck; or (B) of other normally exposed areas likely to handicap the employee in securing or maintaining employment."

SPECIAL FUND

SEC. 8. (a) Section 44(a) of the Longshoremen's and Harbor Workers' Compensation Act is amended by adding a period after the word "fund" in the first sentence thereof and deleting the remainder of the sentence.

(b) Section 44(c) of such Act is amended to read as follows:

"(c) Payments into such fund shall be made as follows:

"(1) Whenever the Secretary determines that there is no person entitled under this Act to compensation for the death of an employee which would otherwise be compensable under this Act, each appropriate employer shall pay $5,000 as compensation for the death of such an employee.

"(2) At the beginning of each calendar year the Secretary shall estimate the probable expenses of the fund during that calendar year and each carrier or self-insurer shall make payments into the fund on a prorated assessment by the Secretary in the proportion that the total compensation and medical payments made on risks covered by this Act by each carrier and self-insurer bears to the total of such payments made by all carriers and self-insurers under the Act in the prior calendar year in accordance with a formula and schedule to be determined from time to time by the Secretary of Labor to maintain adequate reserves in the fund.

"(3) All amounts collected as fines and penalties under the provisions of this Act shall be paid into such fund.

"(4)(A) For the purpose of making rules, regulations, and determinations under this section under and for providing enforcement thereof, the Secretary may investigate and gather appropriate data from each carrier and self-insurer. For that purpose, the Secretary may enter and inspect such places and records (and make such transcriptions thereof), question such employees, and investigate such facts, conditions, practices, or matters as he may deem necessary or appropriate.

"(B) Each carrier and self-insurer shall make, keep, and preserve such records, and make such reports and provide such additional information, as prescribed by regulation or order of the Secretary, as the Secretary deems necessary or appropriate to carry out his responsibilities under this section.

"(C) For the purpose of any hearing or investigation related to determinations or the enforcement of the provisions of this section, the provisions of sections 9 and 10 (relating to the attendance of witnesses and the production of books, papers, and documents) of the Federal Trade Commission Act of September 16, 1941, as amended (U.S.C., title 15, secs. 49 and 50), are hereby made applicable to the jurisdiction, powers, and duties of the Secretary of Labor."

(c) Section 44 of such Act is further amended by adding the following new subsection (d), and renumbering the subsequent subsections:

"(d) There is hereby authorized to be appropriated to the Secretary the sum of $2,000,000 which the Secretary shall immediately deposit into the fund. Upon deposit in the fund such moneys shall be treated as the property of such fund. This sum without additional payments for interest shall be repaid from the money or property belonging to the fund on a schedule of repayment set by the Secretary, provided that full repayment must be made no later than five years from the date of deposit into the fund. Each such repayment, as made, shall be covered into the Treasury of the United States as miscellaneous receipts."

(d) Section 44 of such Act is further amended by adding the following new subsections (i) and (j):

"(i) The proceeds of this fund shall be available for payments:

"(1) Pursuant to section 10 and 11 with respect to initial and subsequent annual adjustments in compensation for total permanent disability or death which occurred prior to the effective date of this subsection.

"(2) Under section 8 (f) and (g), under section 18(b), and under section 39(c).

"(3) To repay the sums deposited in the fund pursuant to subsection (d).

"(4) To defray the expense of making examinations as provided in section 7.

"(j) At the close of each fiscal year the Secretary of Labor shall submit to the Congress a complete audit of the fund."

INJURY FOLLOWING PREVIOUS IMPAIRMENT

SEC. 9. (a) Section 8(f)(1) of the Longshoremen's and Harbor Workers' Compensation Act is amended to read as follows: "(1) In any case in which an employee having an existing permanent partial disability suffers injury, the employer shall provide compensation for such disability as is found to be attributable to that injury based upon the average weekly wages of the employee at the time of the injury. If following an injury falling within the provisions of section 8(c)(1)–(20), the employee is totally and permanently disabled, and the disability is found not to be due solely to that injury, the employer shall provide compensation for the applicable prescribed period of weeks provided for in that section for the subsequent injury, or for one hundred and four weeks, whichever is the greater. In all other cases of total permanent disability or of death, found not to be due solely to that injury, of an employee having an existing permanent partial disability, the employer shall provide in addition to compensation under paragraphs (b) and (e) of this section, compensation payments or death benefits for one hundred and four weeks only. If following an injury falling within the provisions of 8(c)(1)–(20), the employee has a permanent partial disability and the disability is materially and substantially greater than that which would have resulted from the subsequent injury alone, the employer shall provide compensation for the applicable period of weeks provided for in that section for the subsequent injury, or for one hundred and four weeks, whichever is the greater.

"In all other cases which the employee has a permanent partial disability, found not to be due solely to that injury, and such disability is materially and substantially greater than that which would have resulted from the subsequent injury alone, the employer shall provide in addition to compensation under paragraphs (b) and (e) of this section, compensation for one hundred and four weeks only. After cessation of the payments for the period of weeks provided for herein, the employee or his survivor entitled to benefits shall be paid the remainder of the compensation that would be due out of the special fund established in section 44."

(b) Section 8(f) of such Act is further amended by striking out paragraph (2).

DEATH BENEFITS

SEC. 10. (a) Section 9(a) of the Act is amended by striking out "$400" and inserting in lieu thereof "$1,000".

(b) Sections 9 (b) and (c) of such Act are amended by striking "35" and "15" wherever they appear, and substituting "50" and "16⅔" respectively.

(c) The first sentence of section 9(d) of such Act is amended to read as follows: "If there be no surviving wife or husband or child, or if the amount payable to a surviving wife or husband and to children shall be less in the aggregate than 66⅔ per centum of the average wages of the deceased; then for the support of grandchildren or brothers and sisters, if dependent upon the deceased at the time of the injury, and any other persons who satisfy the definition of the term 'dependent' in section 152 of title 26 of the United States Code, but are not otherwise eligible under this section, 20 per centum of such wages for the support for each such person during dependency and for the support of each parent, or grandparent, of the deceased if dependent upon him at the time of the injury, 25 per centum of such wages during such dependency."

(d) Section 9(e) of such Act is amended to read as follows:

"(e) In computing death benefits the average weekly wages of the deceased shall be considered to have been not less than the applicable national average weekly as prescribed in section 6(v) but the total weekly benefits shall not exceed the average weekly wages of the deceased."

DETERMINATION OF PAY

SEC. 11. Section 10 of the Act is amended by adding the following new subsections:

"(f) Effective October 1 of each year, the compensation or death benefits payable for permanent total disability or death arising out of injuries sustained after the date of enactment of this subsection shall be increased by a percentage equal to the percentage (if any) by which the applicable national weekly wage for the period beginning on such October 1, as determined under section 6(b), exceeds the applicable national average weekly wage, as so determined, for the period beginning with the preceding October 1.

"(g) The weekly compensation after adjustment under subsection (f) shall be fixed at the nearest dollar. No adjustment of less than $1 shall be made, but in no event shall compensation or death benefits be reduced.

"(h)(1) Not later than ninety days after the date of enactment of this subsection, the compensation to which an employee or his survivor is entitled due to total permanent disability or death which commenced or occurred prior to enactment of this subsection shall be adjusted. The amount of such adjustment shall be determined in accordance with regulations of the Secretary by designating as the employee's average weekly wage the national average weekly wage and (A) computing the compensation to which such employee or survivor would be entitled if the disabling injury or death had occurred on the day following such enactment date and (B) subtracting therefrom the compensation to which such employee or survivor was entitled on such enactment date; except that no such employee or survivor shall receive total compensation amounting to less than that to which he was entitled on such enactment date. Notwithstanding the foregoing sentence, where such an employee or his survivor was awarded compensation as the result of death or permanent total disability at less than the maximum rate that was provided in this Act at the time of the injury which resulted in the death or disability, then his average weekly wage shall be determined by increasing his average weekly wage at the time of such injury by the per-

centage which the national average weekly wage has increased between the year in which the injury occurred and the first day of the first month following the enactment of this section. Where such injury occurred prior to 1947, the Secretary shall determine, on the basis of such economic data as he deems relevant, the amount by which the employee's average weekly wage shall be increased for the pre-1947 period.

"(2) Fifty per centum of any additional compensation or death benefit paid as a result of the adjustment required by paragraphs (1) and (3) of this subsection shall be paid out of the special fund established under section 44 of such Act, and 50 per centum shall be paid from appropriations.

"(3) For the purposes of subsections (f) and (g) an injury which resulted in permanent total disability or death which occurred prior to the date of enactment of this subsection shall be considered to have occurred on the day following such enactment date."

TIME FOR NOTICE AND CLAIMS

SEC. 12. (a) Section 12(a) of the Longshoremen's and Harbor Workers' Compensation Act is amended to read as follows:

"SEC. 12. (a) Notice of an injury or death in respect of which compensation is payable under this Act shall be given within thirty days after the date of such injury or death, or thirty days after the employee or beneficiary is aware or in the exercise of reasonable diligence should have been aware of a relationship between the injury or death and the employment. Such notice shall be given (1) to the deputy commissioner in the compensation district in which the injury occurred, and (2) to the employer."

(b) Section 13(a) of such Act is amended to read as follows:

"SEC. 13. (a) Except as otherwise provided in this section, the right to compensation for disability or death under this Act shall be barred unless a claim therefor is filed within one year after the injury or death. If payment of compensation has been made without an award on account of such injury or death, a claim may be filed within one year after the date of the last payment. Such claim shall be filed with the deputy commissioner in the compensation district in which such injury or death occurred. The time for filing a claim shall not begin to run until the employee or beneficiary is aware, or by the exercise of reasonable diligence should have been aware, of the relationship between the injury or death and the employment."

FEES FOR SERVICES

SEC. 13. Section 28 of the Longshoremen's and Harbor Workers' Compensation Act is amended to read as follows:

"(a) If the employer or carrier declines to pay any compensation on or before the thirtieth day after receiving written notice of a claim for compensation having been filed from the deputy commissioner, on the ground that there is no liability for compensation within the provisions of this Act, and the person seeking benefits shall thereafter have utilized the services of an attorney at law in the successful prosecution of his claim, there shall be awarded, in addition to the award of compensation, in a compensation order, a reasonable attorney's fee against the employer or carrier in an amount approved by the deputy commissioner, Board, or court, as the case may be, which shall be paid directly by the employer or carrier to the attorney for the claimant in a lump sum after the compensation order becomes final.

"(b) If the employer or carrier pays or tenders payment of compensation without an award pursuant to section 14 (a) and (b) of this Act, and thereafter a controversy develops over the amount of additional compensation, if any, to which the employee may be entitled, the deputy commissioner shall set the matter for an informal conference and following such conference the deputy commissioner shall recommend in writing a disposition of the controversy. If the employer or carrier refuse to accept such written recommendation, within fourteen days after its receipt by them, they shall pay or tender to the employee in writing the additional compensation, if any, to which they believe the employee is entitled. If the employee refuses to accept such payment or tender of compensation, and thereafter utilizes the services of an attorney at law, and if the compensation thereafter awarded is greater than the amount paid or tendered by the employer or carrier, a reasonable attorney's fee based solely upon the difference between the amount awarded and the amount tendered or paid shall be awarded in addition to the amount of compensation. The foregoing sentence shall not apply if the controversy relates to degree or length of disability, and if the employer or carrier offers to submit the case for evaluation by physicians employed or selected by the Secretary, as authorized in section 7(e) and offers to tender an amount of compensation based upon the degree or length of disability found by the independent medical report at such time as an evaluation of disability can be made. If the claimant is successful in review proceedings before the Board or court in any such case an award may be made in favor of the claimant and against the employer or carrier for a reasonable attorney's fee for claimant's counsel in accord with the above provisions. In all other cases any claim for legal services shall not be assessed against the employer or carrier.

"(c) In all cases fees for attorneys representing the claimant shall be approved in the manner herein provided. If any proceedings are had before the Board or any court for review of any action, award, order or decision, the Board or court may approve an attorney's fee for the work done before it by the attorney for the claimant. An approved attorney's fee, in cases in which the obligation to pay the fee is upon the claimant, may be made a lien upon the compensation due under an award; and the deputy commissioner, Board, or court shall fix in the award approving the fee, such lien and manner of payment.

"(d) In cases where an attorney's fee is awarded against an employer or carrier there may be further assessed against such employer or carrier as costs, fees and mileage for necessary witnesses attending the hearing at the instance of claimant. Both the necessity for the witness and the reasonableness of the fees of expert witnesses must be approved by the hearing officer, the Board or court, as the case may be. The amounts awarded against an employer or carrier as attorney's fees, costs, fees and mileage for witnesses shall not in any respect affect or diminish the compensation payable under this Act.

"(e) Any person who receives any fees, other consideration, or any gratuity on account of services rendered as a representative of claimant, unless such consideration or gratuity is approved by the deputy commissioner, Board, or court, or who makes it a business to solicit employment for a lawyer or for himself in respect of any claim or award for compensation, shall upon conviction thereof, for each offense be punished by a fine of not more than $1,000 or by imprisonment for not more than one year, or by both such fine and imprisonment."

HEARING PROCEDURE

SEC. 14. Section 19(d) of the Longshoremen's and Harbor Workers' Compensation Act is amended to read as follows:

"(d) Notwithstanding any other provisions of this Act, any hearing held under this Act shall be conducted in accordance with the provisions of section 554 et seq. of title 5 of the United States Code. Any such hearing shall be conducted by a hearing examiner qualified under section 3105 of that title. All powers, duties, and responsibilities now vested by this Act in the deputy commissioners with respect to such hearings shall be vested in such duly appointed hearing examiners.

REVIEW BOARD

SEC. 15. (a) Section 21(b) of the Longshoremen's and Harbor Workers' Compensation Act is amended to read as follows:

"(b)(1) There is hereby established a Benefits Review Board which shall be composed of three members appointed by the Secretary from among individuals who are especially qualified to serve on such Board. The Secretary shall designate one of the members of the Board to serve as chairman."

"(2) For the purpose of carrying out its functions under this Act, two members of the Board shall constitute a quorum and official action can be taken only on the affirmative vote of at least two members.

"(3) The Board shall be authorized to hear and determine appeals raising a substantial question of law or fact taken by any party in interest from decisions with respect to claims of employees under this Act and the extensions thereof. The Board's orders shall be based upon the hearing record. The findings of fact in the decision under review by the Board shall be conclusive if supported by substantial evidence in the record considered as a whole. The payment of the amounts required by an award shall not be stayed pending final decision in any such proceeding unless ordered by the Board. No stay shall be issued unless irreparable injury would otherwise ensue to the employer or carrier.

"(4) The Board may, on its own motion or at the request of the Secretary, remand a case to the hearing examiner for further appropriate action. The consent of the parties in interest shall not be a prerequisite to a remand by the Board.

"(c) Any person adversely affected or aggrieved by a final order of the Board may obtain a review of that order in the United States Court of Appeals for the circuit in which the injury occurred, by filing in such court within sixty days following the issuance of such Board order a written petition praying that the order be modified or set aside. A copy of such petition shall be forthwith transmitted by the clerk of the court, to the Board, and to the other parties, and thereupon the Board shall file in the court the record in the proceedings as provided in section 2112 of title 28, United States Code. Upon such filing, the court shall have jurisdiction of the proceeding and shall have the power to give a decree affirming, modifying, or setting aside, in whole or in part, the order of the Board and enforcing same to the extent that such order is affirmed or modified. The orders, writs, and processes of the court in such proceedings may run, be served, and be returnable anywhere in the United States. The payment of the amounts required by an award shall not be stayed pending final decision in any such proceeding unless ordered by the court. No stay shall be issued unless irreparable injury would otherwise ensue to the employer or carrier. The order of the court allowing any stay shall contain a specific finding, based upon evidence submitted to the court and identified by reference thereto, that irreparable damage would result to the employer, and specifying the nature of the damage."

(b) Redesignate subsections (c) and (d) of such Act as (d) and (e), respectively.

(c) Section 2 of such Act as amended by this Act is further amended by redesignating

paragraph 21 as paragraph 22 and inserting after paragraph 20 the following new paragraph:

"(21) The term 'Board' shall mean the Benefits Review Board."

(d) Section 14(f) of such Act is amended by striking everything after the words "section 21" and adding in lieu thereof the following: "and an order staying payment has been issued by the board or court."

(e) Sections 23 and 27 of such Act are each amended by adding "or Board" after every reference to "deputy commissioner".

(f) Section 28(b) of such Act is amended by adding the term "or Board" after the words "deputy commissioner".

(g) Section 33(b) of such Act is amended by adding the term "or Board" after the term "deputy commissioner".

(h) Section 33(e)(1)(A) of such Act is amended by adding the words "or Board" after the term "deputy commissioner".

(i) Section 33(g) of such Act is amended to read as follows:

"(g) If compromise with such third person is made by the person entitled to compensation or such representative of an amount less than the compensation to which such person or representative would be entitled to under this Act, the employer shall be liable for compensation as determined in subdivision (f) only if the written approval of such compromise is obtained from the employer and its insurance carrier by the person entitled to compensation or such representative at the time of or prior to such compromise on a form provided by the Secretary and filed in the office of the deputy commissioner having jurisdiction of such injury or death within thirty days after such compromise is made."

(j) Section 35 of such Act is amended by adding the words "the Board" after the words "deputy commissioner".

(k) Section 40(f) of such Act is amended by adding the words "or Board member" before the words "deputy commissioner," whenever they occur.

(l) Section 44(c)(1) of such Act is amended by adding the words "or Board" after the words "deputy commissioner".

APPEARANCE FOR SECRETARY OF LABOR

SEC. 16. Section 21(a) of the Act is amended to read as follows:

"SEC. 21a. Attorneys appointed by the Secretary shall represent the Secretary, the deputy commissioner, or the Board in any court proceedings under section 21 or other provisions of the Longshoremen's and Harbor Workers' Compensation Act except for proceedings in the Supreme Court."

CLAIMANT ASSISTANCE

SEC. 17. (a) Section 39(c) of the Longshoremen's and Harbor Workers' Compensation Act is amended by redesignating subsection (c) as paragraph (2) of such subsection and by inserting after subsection (b) thereof the following paragraph:

"(1)(c) The Secretary shall, upon request, provide persons covered by this Act with information and assistance relating to the Act's coverage and compensation and the procedures for obtaining such compensation including assistance in processing a claim. The Secretary may, upon request, provide persons covered by this Act with legal assistance in processing a claim. The Secretary shall also provide employees receiving compensation information on medical, manpower, and vocational rehabilitation services and assist such employees in obtaining the best such services available."

THIRD-PARTY LIABILITY

SEC. 18. (a) Section 5 of the Longshoremen's and Harbor Workers' Compensation Act is amended to read as follows:

"EXCLUSIVENESS OF REMEDY AND THIRD-PARTY LIABILITY

"SEC. 5. (a) The liability of an employer prescribed in section 4 shall be exclusive and in place of all other liability of such employer to the employee, his legal representative, husband or wife, parents, dependents, next of kin, and anyone otherwise entitled to recover damages from such employer at law or in admiralty on account of such injury or death, except that if an employer fails to secure payment of compensation as required by this Act, an injured employee, or his legal representative in case death results from the injury, may elect to claim compensation under the Act, or to maintain an action at law or in admiralty for damages on account of such injury or death. In such action the defendant may not plead as a defense that the injury was caused by the negligence of a fellow servant, nor that the employee assumed the risk of his employment, nor that the injury was due to the contributory negligence of the employee.

"(b) In the event of injury to a person covered under this Act caused by the negligence of a vessel, then such person, or anyone otherwise entitled to recover damages by reason thereof, may bring an action against such vessel as a third party in accordance with the provisions of section 33 of this Act, and the employer shall not be liable to the vessel for such damages directly or indirectly and any agreements or warranties to the contrary shall be void. If such person was employed by the vessel to provide stevedoring services, no such action shall be permitted if the injury was caused by the negligence of persons engaged in providing stevedoring services to the vessel. If such person was employed by the vessel to provide ship building or repair services, no such action shall be permitted if the injury was caused by the negligence of persons engaged in providing ship building or repair services to the vessel. The liability of the vessel under this subsection shall not be based upon the warranty of seaworthiness or a breach thereof at the time the injury occurred. The remedy provided in this subsection shall be exclusive of all other remedies against the vessel except remedies available under this Act."

(b) Section 2 of such Act as amended by this Act is further amended by redesignating paragraph 22 as paragraph 23 and inserting after paragraph 21 the following new paragraph:

"(22) The term 'vessel' means any vessel upon which or in connection with which any person entitled to benefits under this Act suffers injury or death arising out of or in the course of his employment, and said vessel's owner, owner pro hac vice, agent, operator, charter or bare boat charterer, master, officer, or crew member."

PROHIBITION AGAINST CERTAIN DISCRIMINATION AGAINST EMPLOYEES

SEC. 19. The Longshoremen's and Harbor Workers' Compensation Act is further amended by redesignating sections 49 and 50 as sections 50 and 51, respectively, and by inserting immediately after section 48 the following new section:

"DISCRIMINATION AGAINST EMPLOYEES WHO BRING PROCEEDINGS

"SEC. 49. It shall be unlawful for any employer or his duly authorized agent to discharge or in any other manner discriminate against an employee as to his employment because such employee has claimed or attempted to claim compensation from such employer, or because he has testified or is about to testify in a proceeding under this Act. Any employer who violates this section shall be liable to a penalty of not less than $100 or more than $1,000, as may be determined by the deputy commissioner. All such penalties shall be paid to the deputy commissioner for deposit in the special fund as described in section 44, and if not paid may be recovered in a civil action brought in the appropriate United States district court. Any employee so discriminated against shall be restored to his employment and shall be compensated by his employer for any loss of wages arising out of such discrimination: *Provided*, That if such employee shall cease to be qualified to perform the duties of his employment, he shall not be entitled to such restoration and compensation. The employer alone and not his carrier shall be liable for such penalties and payments. Any provision in an insurance policy undertaking to relieve the employer from the liability for such penalties and payments shall be void."

MISCELLANEOUS PROVISIONS

SEC. 20. (a) Section 8(i) of the Longshoremen's and Harbor Workers' Compensation Act is amended to read as follows:

"(i)(A) Whenever the Deputy Commissioner determines that it is for the best interests of an injured employee entitled to compensation, he may approve agreed settlements of the interested parties, discharging the liability of the employer for such compensation, notwithstanding the provisions of section 15(b) and section 16 of this Act: *Provided*, That if the employee should die from causes other than the injury after the Deputy Commissioner has approved an agreed settlement as provided for herein, the sum so approved shall be payable, in the manner prescribed in this subsection, to and for the benefit of the persons enumerated in subdivision (d) of this section;

"(B) Whenever the Secretary determines that it is for the best interests of the injured employee entitled to medical benefits, he may approve agreed settlements of the interested parties, discharging the liability of the employer for such medical benefits, notwithstanding the provisions of section 16 of this Act: *Provided*, That if the employee should die from causes other than injury after the Secretary has approved an agreed settlement as provided for herein, the sum so approved shall be payable, in the manner prescribed in this subdivision, to and for the benefit of the persons enumerated in subdivision (d) of this section."

(b) Section 17 of such Act is amended by inserting "(a)" immediately after the section designation and by adding at the end thereof the following new subsection:

"(b) Where a trust fund which complies with section 320(c) of the Labor-Management Relations Act of 1947 (29 U.S.C. 186(c)) established pursuant to a collective bargaining agreement in effect between an employer and an employee entitled to compensation under this Act has paid disability benefits to an employee which the employee is legally obligated to repay by reason of his entitlement to compensation under this Act, the Secretary may authorize a lien on such compensation in favor of the trust fund for the amount of such payments."

(c) Section 2 of the Longshoremen's and Harbor Workers' Compensation Act as amended by this Act is further amended by striking out subsections (16) and (17) and inserting in lieu thereof the following new subsection (16) and by redesignating subsections 2 (18), (19), (20), (21), (22) and (23) as 2 (17), (18), (19), (20), (21), and (22), respectively.

"(16) The term 'widow or widower' includes only the decedent's wife or husband living with or dependent for support upon him or her at the time of his or her death; or living apart for justifiable cause or by reason of his or her desertion at such time."

(d) Sections 8 and 9 of the Longshore-

men's and Harbor Workers' Compensation Act, as amended by this Act, further amended by striking the phrase "surviving wife or dependent husband" each time it appears and insert in lieu thereof the phrase "widow or widower".

TECHNICAL AMENDMENT

SEC. 21. Section 3(a)(1) of the Longshoremen's and Harbor Workers' Compensation Act is amended by striking out the word "nor" and inserting in lieu thereof the word "or".

EFFECTIVE DATE

SEC. 22. The amendments made by this Act shall become effective thirty days after the date of enactment of this Act.

AMENDMENT OFFERED BY MR. DANIELS OF NEW JERSEY

Mr. DANIELS of New Jersey. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DANIELS of New Jersey: Strike out all after the enacting clause of S. 2318 and insert in lieu thereof the provisions of H.R. 12006, as passed.

The amendment was agreed to.

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

A similar House bill (H.R. 1206) was laid on the table.

(Mr. PERKINS, at the request of Mr. DANIELS of New Jersey, was granted permission to extend his remarks at this point in the RECORD.)

Mr. PERKINS. Mr. Speaker, the Longshoremen's and Harbor Workers' Compensation Act has not been amended since 1961. Amendments are long overdue.

There are approximately 800,000 workers needing the protection of this act—longshoremen, ship repairmen, ship servicemen, harbor workers, other offshore workers, workers at U.S. defense bases outside the United States, workers employed in private industry in the District of Columbia, and workers employed in nonappropriated fund instrumentalities such as PX's and commissaries. All need very badly to have this act, which was a model in its day, upgraded and improved.

This act was intended to provide benefits to workers who suffered injuries on the job. Last year there were more than 900 injuries under the act; 240 covered workers were killed. The majority of these injuries, of course, were to the longshoremen and injuries suffered in the District of Columbia.

Under the 1961 act, the maximum benefits available are $70 a week. This now represents less than 30 percent of the average weekly wage of the longshoremen and something less than 50 percent of the average weekly wage of workers in the District of Columbia.

It is imperative that the House recognize the need for an increase in these benefits which are as important to their families as they are to the injured employees. We can no longer afford to have benefit levels under workmen's compensation afford less than a poverty wage.

The committee bill, H.R. 12006, would substantially improve workmen's compensation protection for covered workers and their families and would in a number of other respects improve and upgrade the procedures and processes under which the program is administered.

I was pleased to note the recommendations of the National Commission on Workmen's Compensation Laws which was created in the Occupational Safety and Health Act of 1970. The provisions of the bill follow in many respects the recommendations of that Commission, and I would hope that in passage of this bill, the Congress will take the first and necessary step toward the implementation of the Commission's report.

Mr. Speaker, there appears to be a certain amount of confusion as to the position of the American labor movement on this bill. To eliminate that confusion I would like to note that we have received communications expressing approval from Frank Bonadio, president of the Building and Construction Trades Department, AFL–CIO; Thomas W. Gleason, president of the International Longshoremen's Association, AFL–CIO; Frank Fitzsimmons, general president of the International Brotherhood of Teamsters; and Harry Bridges, president of the International Longshoremen's and Warehousemen's Union; to mention just a few. There is no question that the American labor movement and the rank and file longshoremen are in favor of this legislation.

To keep the record straight I will insert in the RECORD a few communications that have been received in support of H.R. 12006.

BUILDING AND CONSTRUCTION
TRADES DEPARTMENT, AFL–CIO,
Washington, D.C., October 10, 1972.

Hon. CARL ALBERT,
Speaker of the House, U.S. House of Representatives, Washington, D.C.

DEAR MR. SPEAKER: Before the 92nd Congress adjourns, the House of Representatives is scheduled to vote on H.R. 12006, a bill to correct the gross inequities that now exist under the Longshoremen and Harbor Workers' Compensation Act. The Department, through its seventeen National and International Unions, represents thousands of building tradesmen who are covered under this Act. They join me in urging the support of every member of Congress in the enactment of the long overdue updating of the benefits under this Act. The companion bill, S. 2318, has already passed the Senate by a voice vote.

Since 1961 Congress has seen fit to update the Act covering Federal employees. The maximum allowable benefit has been increased to $479 per week and the minimum floor was set at approximately $90 per week. The Longshoremen's Act has not been updated during this period and still remains at $70 per week with a minimum benefit of $18 per week. It is quite obvious that this protection for private employees covered under the Longshoremen's Act has not kept pace with the periodic updating of standards established by Congress for Federal employees including members of Congress and their staff.

The fact that the Congress has seen fit to enact two Federal laws relating to workmen's compensation (Federal Employees Compensation Act and the Longshoremen's and Harbor Workers' Compensation Act), one of which covers Federal employees and the other private employees does not justify Congress to set one standard for Federal employees and another for employees engaged in the same occupations covered under the Longshoremen's Act. Yet that is precisely what has happened.

For example, a civil service employee working as a carpenter, electrician, engineer, painter, plumber, steamfitter, sheetmetal worker, mechanics employed at naval shipyards, and other skilled trades, including laborers are engaged in the same occupational categories as workers covered under the Longshoremen's Act. The wages of these workers engaged in private employment are closely related to the wages paid to government workers in similar employment.

Other employees covered under both of these laws are office workers, economists, statisticians, accountants, lawyers, including executives and members of their staff. Their salaries are also closely related.

It is wholly inconceivable that Congress should provide such a wide diversion of maximum benefits for similar classifications of employment under both of these laws.

Underlying almost all workmen's compensation laws is the principle that the great majority shall receive indemnity benefits in amount equal to two-thirds of their actual wage loss during the period of total disability. This should be an absolute minimum percentage, since a one-third reduction in actual earnings most certainly represents a serious reduction in normal living standards.

To a large extent Congress has favored this principle in updating the Act covering Federal employees. For this reason Congress has a particular responsibility towards this legislation. It is unthinkable that an Act of this magnitude should have fallen so far behind the provisions of the Federal Employees Compensation Act.

After 12 years without amendments, the Longshoremen and Harbor Workers' Compensation Act has become completely outdated. A further delay in the enactment of this legislation would be a gross injustice to over a million workers and their families covered by the present law against the crippling effects of on-the-job injuries.

The amendments proposed in H.R. 12006 are consistent with the recommendations of the National Commission on State Workmen's Compensation Laws and with the intent and purpose of workmen's compensation laws when they were initially enacted in the first two decades of this century.

On behalf of the Building and Construction Trades Department, AFL–CIO, we fervently trust that the House of Representatives will give favorable consideration to this legislation before adjournment.

With best wishes, I am,

Sincerely yours,

FRANK BONADIO, *President.*

Hon. CARL D. PERKINS,
Chairman, Committee on Education and Labor, Rayburn House Office Building, Washington, D.C.

The International Longshoremen's Association, AFL–CIO, strongly urges passage of the Daniels bill, H.R. 12006, which will amend the Longshoremen's and Harborworkers' Compensation Act. This legislation is urgently needed to provide our injured longshoremen with a reasonable amount of compensation during periods of unemployment resulting from injury or illness sustained in the course of their employment. The bill provides for a substantial increase over the present maximum of seventy dollars per week which is beneath the poverty level and extend coverage of the bill to adjoining piers, wharves and terminals where longshoremen are employed. With the extension of coverage, our members will not have to rely on State compensation statutes, many of which provide rates of compensation which are totally inadequate. We request that you and all

other members of the House lend support to the bill to insure its passage.

THOMAS W. GLEASON,
President, International Longshoremen's Association, AFL–CIO.

Hon. CARL PERKINS,
House Office Building,
Washington, D.C.:

On behalf of the International Brotherhood of Teamsters, I solicit your support of H.R. 12006 amending the Longshoremen's and Harbor Workers' Compensation Act for the first time in 12 years.

We support without qualification this effort to upgrade the longshoremen's compensation law and strongly urge an immediate and favorable consideration of H.R. 12006.

FRANK E. FITZSIMMONS,
General President.

AMERICAN FEDERATION OF LABOR AND CONGRESS OF INDUSTRIAL ORGANIZATIONS,
Washington, D.C., September 28, 1972.

Hon. CARL D. PERKINS,
U.S. House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN PERKINS: On Monday, October 2, the House of Representatives will vote on H.R. 12006, a bill to amend the Longshoremen's and Harbor Worker's Compensation Act. The AFL–CIO urges that you support this bill. It has the support of the International Longshoremen's Association and all other AFL–CIO affiliates where membership is covered by the bill.

The companion bill, S. 2318, has already passed the Senate and if the House acts favorably on Monday, long overdue improvements in the workmen's compensation benefits structure for approximately 800,000 workers can become a reality. The basic legislation, the Longshoremen's and Harbor Worker's Compensation Act, was last amended in 1961. It covers longshoremen and harbor workers, ship repairmen, workers in private industry in the District of Columbia, workers employed in non-appropriated fund instrumentalities (P.X., etc.), American workers employed on defense bases overseas—who are primarily building and construction trades workers—and workers employed on the outer continental shelf.

After 12 years without amendment, the Longshoremen's Act has become outdated. The amendments, proposed in H.R. 12006, are consistent with recommendations of the National Commission on State Workmen's Compensation Laws, and upon enactment would restore this federal workmen's compensation program to its former place of prominence in the field of workmen's compensation.

Sincerely,

ANDREW J. BIEMILLER,
Director, Department of Legislation.

NEW YORK, N.Y.,
September 26, 1792.

Hon. CARL D. PERKINS,
Chairman, Committee on Education and Labor, Rayburn House Office Building, Washington, D.C.:

The International Longshoremen's Association, AFL–CIO, strongly urges passage of the Daniels bill H.R. 12006 which will amend the Longshoremen's and Harbor Workers' Compensation Act. This legislation is urgently needed to provide our injured longshoremen wtih a reasonable amount of compensation during periods of unemployment resulting from injury or illness sustained in the course of their employment. The bill provides for a substantial increase over the present maximum of seventy dollars per week which is beneath the poverty level and extends coverage of the bill to adjoining piers, wharves and terminals where longshoremen are employed. With the extension of coverage, our members will not have to rely on State compensation statutes, many of which provide rates of compensation which are totally inadequate. We request that you and all other members of the House lend support to the bill to insure its passage.

THOMAS W. GLEASON,
President, International Longshoremen's Association, AFL–CIO.

SAN FRANCISCO, CALIF.,
September 22, 1972.

CARL D. PERKINS,
Chairman, Labor and Education Committee, Washington, D.C.:

Officers of International Longshoremans and Warehousemans Union urge adoption of H.R. 12006 amending the Longshore and Harbor Workers Compensation Act.

HARRY BRIDGES,
President, IWU.

ASHCRAFT AND GEREL,
Washington, D.C., September 22, 1972.

Hon. CARL PERKINS,
Chairman, Committee on Education and Labor, House of Representatives, Rayburn House Office Building, Washington, D.C.

SIR: For the past 20 years, we have specialized in the handling of workmen's compensation cases, exclusively for injured employees, in the District of Columbia, Maryland, and Virginia. We have recently had the occasion to review the long overdue proposed amendments to the Longshoremen's and Harbor Workers' Compensation Act. The reported amendments are set forth in H.R. 12006 as amended.

It is our opinion, after reviewing the bill, that it is an excellent one and should be passed in its entirety. We further feel that, with regard to third party actions, the proposed amendments eliminating unseaworthiness as a basis for third party actions is equitable as long as third party actions can be maintained based on common law negligence. This is, in fact, the basis for liability in these cases in virtually every state and also eliminates some of the inequities present under the existing Act. As previously stated, the proposed amendments found in H.R. 12006 as amended should be passed.

Very truly yours,

LEE C. ASHCRAFT.

WASHINGTON BUILDING AND CONSTRUCTION TRADES COUNCIL,
Washington, D.C., September 26, 1972.

Hon. CARL PERKINS,
Chairman, Committee of Education and Labor, Rayburn House Office Building, Washington, D.C.

DEAR MR. PERKINS: On behalf of the Washington Building and Construction Trades Council representing 30,000 building tradesmen in the District of Columbia, we were extremely pleased to learn of the Longshoremen's and Harbor Workers' Compensation Act that was recently reported out of Committee.

When the Act was last amended in 1961, it was at that time one of the noblest pieces of compensation legislation to be enacted in the United States: It rapidly became apparent that the Longshoremen's Act set a standard because the 1961 amendment was followed by a wave of amendments to State Compensation Acts which substantially increased state compensation benefits throughout the country.

You and all the members of the Committee are to be commended for your progressive action. It will be repeatedly called to mind during the ensuing years as workers across the country receive the benefits arising from what you and your committee have done for them.

Sincerely,

JOSEPH CURTICE,
Executive Secretary.

WASHINGTON, D.C.,
September 22, 1972.

Congressman CARL D. PERKINS,
Rayburn House Office Building,
Capitol Hill, D.C.

On behalf of our 175,000 members and other workers of the District of Columbia we congratulate you on reporting Act H.R. 12006, the Longshoremen and Harbor Workers Act which continues to cover the workers of the District of Columbia under workmen's compensation.

The Greater Washington Central Labor Council and its affiliates wholeheartedly support your legislation and urges the Members of the House to adopt your bill.

GEORGE W. APPERSON,
The Greater Washington Central Labor Council, AFL–CIO.

NEW YORK, N.Y.
October 4, 1972.

Representative CARL D. PERKINS,
Committee on Education and Labor, House of Representatives, Washington, D.C.:

The community services committee of the New York City Central Labor Council, AFL–CIO, strongly urges passage of the Daniels H.R. 12006 which will amend the Longshoremen's and Harbor Workers' Compensation Act this legislation is urgently needed to provide our injured longshoremen with a reasonable amount of compensation during periods of unemployment resulting from injury or illness sustained in the course of their employment. The bill provides for a substantial increase over the present maximum of $70 per week which is beneath the property level and extends coverage of the bill to adjoining piers, wharves, and terminals where longshoremen are employed. With the extension of coverage our members will not have to rely on State compensation statutes many of which provide rates of compensation which are totally inadequate. We request that you and all other Members of the House lend support to the bill to insure its passage.

GERALD R. WATERS, Sr.,
New York City Central Labor Council Community Services Committee.

GENERAL LEAVE

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

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

There was no objection.

MESSAGE FROM THE SENATE

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

H.R. 12807. An act to amend the Federal Property and Administrative Services Act of 1949 in order to establish Federal policy concerning the selection of firms and individuals to perform architectural, engineering, and related services for the Federal Government, and

H.R. 16675. An act to amend the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment, and Rehabilitation Act of 1970 to extend for one year the program of grants for State and local prevention, treatment, and rehabilitation programs for alcohol abuse and alcoholism.

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

S. 27. An act to establish the Glen Canyon National Recreation Area in the States of Arizona and Utah.

The message also 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. 14911. An act to amend titles 10 and 37, United States Code, to authorize members of the Armed Forces who are in a missing status to accumulate leave without limitation, and for other purposes.

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

S. 4039. An act to amend Public Law 90–553 concerning an international center for sites for chanceries for foreign embassies.

CONFERENCE REPORT ON H.R. 15657, OLDER AMERICANS ACT

Mr. BRADEMAS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the conference report on the bill (H.R. 15657) to strengthen and improve the Older Americans Act of 1965, and for other purposes.

The Clerk read the title of the bill.

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

There was no objection.

Mr. BRADEMAS. Mr. Speaker, I ask unanimous consent that the statement of the managers be read in lieu of the report.

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

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of October 11, 1972.)

Mr. BRADEMAS. Mr. Speaker, I rise today in support of the conference report on H.R. 15657, the Comprehensive Older Americans Services Amendments of 1972.

Mr. Speaker, I consider this bill to be the most important legislation for older citizens since the Social Security Act was passed in 1935 for it can mean effective action for older persons through a wide range of services, including transportation, preretirement training, health services, senior citizens' community centers, job training, and employment.

H.R. 15657 extends the grant programs authorized by the Older Americans Act of 1965 which expired on June 30 of this year. Prompt action is therefore necessary to provide continued support to State agencies on aging, more than 1,200 local agencies on aging, and the more than 1,700 community projects providing services to older people.

But H.R. 15657 does not simply extend the present program. Rather it marks a significant strengthening of the Older Americans Act in ways which will greatly increase our ability to respond to the many and varied problems of older people striving to live independently in their home communities. The amendments are based on the experience gained after more than 7 years of progress since the programs started under the act were launched, on extensive hearings in both House and Senate committees where many recommendations concerning the needs of older people were made by prominent leaders in the field of aging, and on the many recommendations that came out of the recent White House Conference on Aging.

Mr. Speaker, this bill also dramatically demonstrates that Congress is acting constructively and responsibly to meet many of the needs highlighted at the White House Conference on Aging.

Mr. Speaker, when this measure was originally before the House, it received overwhelming bipartisan support. The vote was 351 to 3, while the other body passed a comparable measure by a vote of 89 to 0.

And, Mr. Speaker, this bipartisan spirit continued in the conference, and I should mention in this regard the outstanding work of the House conferees.

I would cite particularly the contributions to this legislation of the gentleman from Kentucky, the distinguished chairman of the Education and Labor Committee, Mr. PERKINS, as well as the gentleman from Minnesota, the distinguished ranking minority member of the committee, Mr. QUIE.

And I must also commend the other members of the House conference team, the gentlelady from Hawaii, Mrs. MINK, and the gentleman from Idaho, Mr. HANSEN, for their invaluable contributions to the improvement of programs for our older Americans.

And, Mr. Speaker, I want also to express my thanks to the distinguished junior Senator from Missouri, Senator EAGLETON, chairman of the subcommittee in the other body, for his fine work on this legislation as well as to the other distinguished Senate conferees, Senators RANDOLPH, KENNEDY, JAVITS, BEALL, and STAFFORD.

Mr. Speaker, by approving this conference report today, the House can help make possible significant improvement in the lives of 20 million older Americans. Our vote today will mean action, not just rhetoric, for America's older citizens.

Choosing specific provisions for special attention makes for a difficult task in considering this measure, but I would cite particularly provisions which strengthen the Administration on Aging within the Department of Health, Education, and Welfare, change and improve the title III grants to States, authorize a variety of information services for our older citizens, provide for multipurpose senior centers, and establish employment programs for middle-aged and older workers.

ADMINISTRATION ON AGING—TITLE II

To address each of these provisions briefly, Mr. Speaker, I would note that the intent of Congress with respect to the creation of the Administration on Aging in 1965 was clearly to create an entity highly visible in the Department of Health, Education, and Welfare to serve as a focal point for dealing with the problems of the aged. In line with this intent, the office was to be headed by a Presidentially appointed Commissioner.

Yet, Mr. Speaker, in 1967 Administration on Aging was placed within the Social and Rehabilitation Service—report to the Administrator of SRS, who is not a Presidential appointee.

I would cite other actions which have diminished the capacity of Administration on Aging to serve as the focal point on problems of the elderly which we in Congress intended when we established this agency. But let me say that the House and Senate, and accordingly, the conferees, have agreed that the position of Administration on Aging must be strengthened within the Department of Health, Education, and Welfare.

I must stress, Mr. Speaker, that it is the intent of the conferees to reaffirm and emphasize the will of Congress that the Commissioner on Aging be the chief spokesman in the Federal Government on the problems of the elderly in the United States. To that end we have provided that the Commissioner's functions may not be delegated without the prior approval of Congress, and that the Commissioner be directly responsible to the Secretary and not to or through any other officer of the Department. And, indeed, in order to stress the intent of the conferees, that higher level attention be paid to the problems of the elderly, H.R. 15657, places the Administration on Aging in the Office of the Secretary.

Through two successive administrations, Mr. Speaker, one a Democratic administration and one a Republican administration, we have seen the intent of the Congress of the United States ignored with respect to the functions and authority of the agency charged with looking after the interests of older Americans.

The conferees mean to see that the highly visible advocacy role originally envisioned for the Commissioner on Aging be restored and, indeed, strengthened.

Next, Mr. Speaker, I call to your attention in H.R. 15657 the expanded and improved provisions for the basic State-grant program authorized under the Older Americans Act.

GRANTS TO STATES—TITLE III

Under the present Older Americans Act, the title III State grant program has the most direct and immediate impact in meeting the needs of older people. H.R. 15657 substantially revises this program in order to provide for better organization at State and local levels; to permit the targeting of limited resources to high priority areas; and to provide more specific direction for the operation of programs.

To qualify for Federal funding, States are required to designate a sole State agency to prepare and submit a State plan to the Commissioner on Aging and to administer the plan throughout the States. States are urged to divide the State into separate planning and services areas; to establish a comprehensive and coordinated service system; and to desig-

nate an agency within such areas for the development of such plan. States are charged with the responsibility of approving plans, developed by planning and service area agencies, which provide for the establishment of a comprehensive and coordinated system for the delivery of a range of identified social services to the aging within the area. In small States and rural States, one area plan may cover an entire State when this would be the most effective plan.

Authorizations for the title III program have been substantially increased in H.R. 15657 from the fiscal year 1972 level of $30 million to $100 million for fiscal year 1973, $200 million for fiscal year 1974, and $300 million for fiscal year 1975.

INFORMATION SERVICES

Mr. Speaker, when we speak of the needs of our senior citizens, we frequently first think of the programs and services we make available to them. And while I would recognize and defend the value of such programs, I would also stress that the information and referral services which H.R. 15657 provides are also necessary for the improvement of our programs for older Americans.

For I would remind my colleagues, Mr. Speaker, that the value and utility of the programs and benefits authorized under the Older Americans Act, and other measures for our elderly such as social security, medicare, and medicaid, are lessened if our senior citizens are unaware of them and lack a convenient source of information on them.

H.R. 15657, Mr. Speaker, addresses this problem in two ways.

First, the bill authorizes a National Information and Resource Clearinghouse within the Department of Health, Education, and Welfare, to provide information for both individual senior citizens and the organizations serving them.

Second, in order for a State to receive a grant under title III, a State plan must be presented which provides for establishing and maintaining information and referral sources in sufficient numbers to assure that all older persons in the State will have reasonable access to such information sources.

Mr. Speaker, the conferees are confident that the provision of these information services will greatly enhance the value of the programs authorized under the Older Americans Act and other legislation dealing with our senior citizens.

MULTIPURPOSE SENIOR CENTERS—TITLE V

Next, Mr. Speaker, let me say just a word about the provisions in the bill authorizing the acquisition, renovation, and construction of multipurpose senior citizens' centers.

H.R. 15657 adds a significant new authority to the Older Americans Act, title V, to provide funding for the establishment and initial staffing of multipurpose local senior citizens' centers.

Frequently, Mr. Speaker, the elderly need a single place where they can gather, receive a variety of services, and be referred to other services they require. Title V authorizes the Commissioner to make grants to public and nonprofit private agencies and contracts with any agency to pay up to 75 percent of the costs of construction of new facilities, or for the purchasing, leasing, and renovation of existing facilities. In addition, the Commissioner can make grants for 3 years, at a declining Federal share of 75, 66⅔, and 50 percent, to cover all or part of the costs of professional and technical personnel in such centers in their first years of operation.

Mr. Speaker, H.R. 15657 expressly stipulates that multipurpose senior centers are to be located, whenever possible, within walking distance of the homes of the elderly persons. This provision will help ensure that the elderly across the country will have easily accessible centers nearby where they can receive the information and the services they need.

EMPLOYMENT PROGRAMS FOR THE ELDERLY—TITLES IX AND X

The employment provisions in H.R. 15657, Mr. Speaker, deserve particular mention also, since unemployment and inflation have been particularly cruel facts of life for middle-aged and older workers. Title IX of this measure provides for public service jobs for low-income persons aged 55 or older who would have difficulty in securing other employment, and I must here commend the distinguished senior Senator from Massachusetts, Senator KENNEDY, and my distinguished colleague in the House, Congressman JONATHAN BINGHAM, for their outstanding leadership in sponsoring this provision and championing it so effectively.

As President Nixon noted in his speech to the White House Conference on Aging last year, Federal programs to provide public service jobs for older people "have proven remarkably successful at the demonstration level." But, as the President continued—

Now we must move beyond this demonstration phase and establish these programs on a broader, national basis.

Mr. Speaker, title IX moves beyond the pilot phase and is intended to establish an identifiable program within the Department of Labor to continue and expand upon a program which has been, as the President noted, "remarkably successful."

I should also mention, in speaking of employment, title X of this measure, sponsored by the eloquent and distinguished senior Senator from West Virginia, Senator RANDOLPH, which would establish a comprehensive midcareer development service program in the Department of Labor to provide training, counseling, and special supportive services for persons 45 or older.

Mr. Speaker, Senator RANDOLPH'S program is aimed at assisting individuals at a time of life when joblessness begins to rise, the duration of unemployment lengthens, and occupational mobility is seriously limited. Indeed, I would remind my colleagues that these factors frequently occur when the mature worker's family obligations may be the greatest.

I was pleased to support Senator RANDOLPH'S proposal, and I am glad it has been retained in the conference report.

OTHER PROVISIONS

Mr. Speaker, let me also mention other important and significant provisions contained in H.R. 15657.

Title VII authorizes the Commissioner to make grants for up to 90 percent of the costs of model projects aimed at special concerns which Congress has recognized as critical to the well-being of our older Americans.

I refer in particular to the need for improved programs in housing, recreation, transportation, continuing education, employment and preretirement training for other citizens.

The conferees hope that the provision for model projects in these important areas can lead to new ways of improving services.

I should also tell my colleagues, Mr. Speaker, that under title IV, the conference report contains an important provision authorizing the establishment of multidisciplinary centers of gerontology or the support of existing centers, to recruit and train personnel to work with the aged, to conduct research into the process of aging and other factors affecting the elderly, to act as a repository of information related to basic and applied research, and to encourage the incorporation of information on aging into college and university courses in the biological and behavioral and social sciences.

H.R. 15657 increases the authorizations for the volunteer projects, such as the foster grandparents program and the retired senior volunteer program—RSVP—which have proved so successful since they were established.

The bill also authorizes a Federal Council on the Aging which the conferees intend to be more than a passive advisory body, and, indeed, which we would hope would actively promote the interests of older Americans throughout the entire range of Federal programs affecting them.

In this regard, Mr. Speaker, I would recall that the Senate amendment to H.R. 15657 provided for an Older Americans Advocacy Commission to act as a spokesman and advocate for the elderly in the Federal Government. But the conferees, in agreeing that the Commissioner on Aging should be the spokesman for the elderly in our councils of government, decided that the Federal Council on the Aging, as a strong and active advisory body, would better complement the Commissioner's role than an advocacy commission.

Finally, Mr. Speaker, this measure also amends the Library Services and Construction Act so as to assist libraries in the provision of special programs for the elderly, including in-home services, and I must here commend the distinguished junior Senator from Texas, Senator BENTSEN, for his leadership in cosponsoring this provision of the bill.

Mr. Speaker, both President Nixon and Senator MCGOVERN, as well as Senators and Representatives on both sides of the aisle, have expressed their belief that the 20 million older Americans who make up 10 percent of our population deserve greater attention from the Federal Government, and, indeed, deserve a national commitment to meeting their special needs.

Congress, Mr. Speaker, has, in the past, and in this session, demonstrated its desire to support efforts to improve

the lives of our elderly, and I believe that H.R. 15657 is an encouraging beginning toward setting the broad national policy we need in this area.

Mr. Speaker, I wholeheartedly and strongly support this conference report, and I urge that it be adopted.

Mr. PERKINS. Mr. Speaker, the Older Americans Act was established in 1965 with a very modest authorization of $5 million for grants to assist States and communities in providing services to elderly persons. Important enactments in 1967 and in 1969 strengthened and expanded the original act. The program grew to a point where in 1971 800,000 persons were being served in more than 1,700 projects. A major addition to the act occurred just last year with the enactment of a new nutritional program for older persons.

Mr. Speaker, I am pleased that we were able to bring back to the House a conference report on the Older Americans amendments which I believe every Member of this body will support with pride. The report before us provides not only for the extension but also for further expansion and strengthening of our effort to provide services for elderly Americans.

For the basic title III program of grants, the authorization is increased from the fiscal year 1972 level of $30,000,000 to $100,000,000 for fiscal year 1973. We can expect a corresponding increase in the number of elderly people to be be served from last year's level of 800,000 to more than 2,000,000.

Under the conference report for title III $200,000,000 is authorized for fiscal year 1974 and $300,000,000 for fiscal year 1975.

The conference report contains a compromise formula for the distribution of title III funds which in my judgment is more equitable than either the House or Senate formulas.

The role of the Administration on Aging is greatly strengthened with the conference report assuring upgrading of its organizational status and that it will become the focal point of Federal concern for older persons.

There is created a strong Federal Council on the Aging to serve as a spokesman on behalf of older Americans. I am particularly pleased that the conference report retains two important Senate provisions dealing with problems of the elderly which have been far too long neglected. The conference report authorizes two programs which will greatly increase opportunity for employment for older workers. Unemployment for middle-aged and older workers is 73 percent higher than it was 3 years ago. There are more than 1,000,000 persons in this category looking for jobs.

A new Older American community service employment program builds upon the success of the present Operation Mainstream, and will provide programs under which unemployed low-income persons 55 years or older will become employed in community service activities; $100,000,000 is authorized this year and $150,000,000 next year for this new program.

The second program establishes a comprehensive midcareer development service program to assist middle-aged and older workers to retain and obtain employment by providing manpower training, counseling, and special supportive services. Too frequently current manpower programs overlook the older workers. Persons 45 and over, for instance, now account for less than 4 percent of our first-time enrollees in our Nation's work and training programs. Yet, they constitute 21 percent of our unemployed. This new measure represents a sound and sensible effort to help assure equitable participation of older persons in our Nation's training programs.

Mr. Speaker, I want to take this opportunity to compliment the distinguished chairman of our Select Subcommittee on Education, Mr. BRADEMAS, for he was instrumental in designing legislation which will have a lasting and significant impact in providing services to our older citizens. His leadership and work on H.R. 15657—together with the contributions of our ranking minority member, Mr. QUIE, and members of the committee from both sides of the aisle—have produced a comprehensive piece of legislation which builds on the successes of the past and incorporates into the Federal effort important innovations in bringing assistance to the elderly.

Mr. BRADEMAS. Mr. Speaker, I now yield to my colleague from Minnesota for such observations as he may wish to make.

Mr. HALL. Mr. Speaker, will the gentleman yield to me at that point for a question?

Mr. BRADEMAS. I yield to the gentleman.

Mr. HALL. I appreciate the gentleman yielding.

As shortly and as succinctly as possible, I would like to know, No. 1, were the amendments to the Older Americans Act, added on in the other body, germane?

Mr. BRADEMAS. Yes; I believe they are.

Mr. HALL. Are there any that are not germane?

Mr. BRADEMAS. No; there are not.

Mr. HALL. Second, what is the addition in cost?

Mr. QUIE. Will the gentleman yield?

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

Mr. QUIE. The figures I have show in 1973 $128.5 million over the House figures, in 1974 $334 million, in 1975 $33 million, making a total of $496 million over a 3-year period over the House figures.

Mr. HALL. I presume none of this is budgeted?

Mr. QUIE. You cannot say in 1974 and 1975, because it is in the budget, but in 1973 I am trying to get the figures.

I am trying to recall how much it is over the budget while I am trying to get the figures.

Mr. HALL. Finally, Mr. Speaker, if the gentleman will yield further, the other point I wanted to make was the question as to why we yielded in 20 instances in compromising the conference between the two bodies, whereas the other body acceded only in seven instances.

Mr. BRADEMAS. Mr. Speaker, I am impelled to say to my friend, the gentleman from Missouri, that the result of a conference ought not be measured in terms of the number of times of recessions, because the conference report before us maintains almost in toto the structure of the House bill.

Mr. HALL. Mr. Speaker, I appreciate the gentleman's beliefs.

I wonder if my colleague and friend, the gentleman from Minnesota (Mr. QUIE) has anything to add to that?

The SPEAKER. The Chair will state that the gentleman from Minnesota will be recognized on his own time.

Does the gentleman from Minnesota desire to be recognized?

Mr. QUIE. I do, Mr. Speaker.

Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, before I begin, I would say to the gentleman from Missouri that I will be glad to answer his inquiry, and that is to say that on the Older Americans Act part of the bill, and that is the first eight titles of the bill, we really have a bill here that is practically the House bill, and I would say far superior to the Senate bill.

Mr. Speaker, I rise in support of the conference report on H.R. 15657—The Older Americans Comprehensive Services Amendments of 1972.

The title of the act aptly describes its central purpose, which is to establish at all levels of Government arrangements that will be conducive to the delivery of a comprehensive package of services to older Americans who need help. The emphasis is upon State and local area planning and upon carrying out at those levels social and nutritional programs which effectively reach our older citizens. This closely follows the recommendations of the administration.

The House and Senate versions of H.R. 15657 were not far apart in their expansion of State and local programs supported under the Older Americans Act. In fact, the authorizations for the basic State and areawide programs under title III of the act, were identical at $100 million for fiscal 1973 and $200 million and $300 million, respectively for fiscal years 1974 and 1975. Amounts previously authorized for the nutrition for the elderly programs—title VII of the act—remained unchanged at $100 million for fiscal 1973 and $150 million for fiscal 1974. These basic authorizations are not out of line with President Nixon's sharp increases in budget requests for the Administration on Aging.

In fact, the President's request of $257 million for this fiscal year for programs authorized under the Older Americans Act—including the full amount authorized for nutrition programs—represents a fivefold increase over funding for those programs in fiscal 1971. The President is carrying out the pledges he made to last year's White House Conference on Aging, more fully spelled out in his special message of March 23, 1972, to work out "a comprehensive strategy for meeting complex problems" facing older Americans. This bill is a major contribution to the development of that comprehensive strategy.

There were some crucial differences between the House and Senate bills, and one which was perhaps most critical was

resolved in favor of the House approach. While both versions of this bill had enhanced the status of the Administration on Aging within the Federal structure, the House bill went much farther in two respects—by making the Commissioner on Aging solely responsible to the Secretary of Health, Education, and Welfare for basic policy decisions and by requiring that any delegation of authority by the Commissioner to any other officer not responsible to him be subject to congressional disapproval in the same manner as Presidential reorganization plans. The intent of the House bill is to so strengthen the Administration on Aging that it would be the principal spokesman and advocate for the aging within the Federal Government.

The Senate took a different route by creating an Older Americans Advocacy Commission, modeled on the Civil Rights Commission, to fulfill that role. It was the view of the House conferees that such a Commission could only serve to weaken the Administration on Aging, so we did not agree to it. Instead, we added some of the Commission's functions to the Presidentially appointed Council on Aging provided for in the House bill and dropped the reference to "advocacy" as well as the structure of the Commission.

Another major bone of contention was the difference between the distribution formulas for program grants to the States under title III. All discussions of distribution formulas tend to become complicated, but the easiest way to explain the difference was that the House version distributed far more funds on the basis of the numbers of elderly persons to be served—with a floor of $250,000 for each State and $50,000 for each territory—while the Senate bill would have distributed a full 1 percent of the appropriations to each State and one-half of 1 percent to each territory before anything was allotted on the basis of the number of persons to be served. Thus the Senate version proved very unfair to all of the medium-sized and large population States—particularly those having higher concentrations of elderly citizens—while it could be argued that the House version might not give enough to the smallest States to permit them to mount an effective effort.

I think that most of the conferees felt that we already had in the act a previously agreed upon formula—the one for the nutrition programs under title VII—which is fair to all. That formula first allots all of the funds on the relative numbers of older Americans—aged 60 and over—to be served and then places a floor of one-half of 1 percent of the appropriation under each State and one-quarter of 1 percent under each territory. The final compromise was to use for the initial year a formula which gives the smaller States a little bit more than under title VII, and then revert to the title VII formula in succeeding years but using the first year allotment as a minimum amount. Given the likelihood of increased appropriations, it is probable that for all practical purposes we shall be utilizing the title VII formula after fiscal 1974 without the first year floor having any effect, because no State will then be receiving less than that amount under the title VII formula. So it appears that the result will be fair to all States, at least after the first 2 fiscal years.

The House conferees, as usually is the case with our committee, found it impossible to resist the addition of two new titles, both administered by the Department of Labor, which have never been considered in the House. The first of these, title IX, "Community Service Employment for Older Americans," I find far more justifiable than the other. This program is analogous to the senior citizens volunteer programs—such as foster grandparents—which have been extremely successful. I did not believe that the beginning age for the program should be as low as 55, but the bill was changed to give priority for persons 60 years old or over, with those between 55 and 59 qualifying only in cases of exceptional need as spelled out in the joint statement of the conferees. It seems to me that unemployed senior citizens can find many useful work opportunities in community service fields to the benefit of both the individual and the community.

However, the new title X—"Middle-Aged and Older Workers Training"—should never have been a part of this bill. In the first place, it is clearly a manpower training program, and should be considered as a part of manpower legislation, rather than as a part of legislation designed to help older persons who for the most part are not in the work force. Second, on the merits of the title, the Department of Labor has ample authority to train and retrain unemployed and underemployed persons aged 45 or above. This is one more categorical manpower training program to burden a system already overloaded with categorical programs. We should be moving in the direction, instead, of eliminating narrowly defined categories of workers to be trained and designing a flexible authority to meet the needs of all persons who need job training. It may well be that in existing programs we do not provide enough opportunities for middle-aged workers. Upon examination, the same may be true of workers aged 35 years and older. We may be paying too much attention to the employment problems of younger men and women. If this is the case, it can best be cured through administrative, not legislative action.

While we ought not to have accepted title X as a part of this legislation, we at least eliminated the authorization of appropriations for fiscal 1973, leaving the authority to carry it out under existing manpower programs. Hopefully, before the beginning of fiscal 1974 we shall have a Comprehensive Manpower Act as President Nixon has long urged which will swallow up this authorization. I do not know of any authorities on manpower training who do not agree that categorical training programs such as title X move in the wrong direction. I hope we can correct our mistake.

Except for these two new titles, the authorization levels were not significantly different. However, with these two titles added, the total 3-year addition of authorizations above the House-passed amounts is $496 million. I cannot be too happy about that fact, either, particularly in view of our action only a few days ago of voting for a ceiling on Federal spending. Authorizing these additional programs may well prove to be holding out hopes for older Americans which cannot be met—and that, too, is counter to our performance and to the spirit and substances of the rest of this bill.

On balance, I think this is an excellent bill and I think the conferees did a very good job of resolving differences with respect to the amendments to the Older Americans Act of 1965. This is excellent legislation which incorporates, complements, and should improve the operation of the nutrition for the elderly program we approved earlier this year. As I have indicated, it provides an effective mechanism for the delivery of services at the State and local level, together with increased assistance to assure that more services will be available. The bill moves toward coordination of programs and services at the local level, designed to meet local needs, while it also tightens up and improves Federal administration. The vast improvement in information about services available to senior citizens which this bill should bring about is in itself a major accomplishment, and it has many other admirable features.

Accordingly I urge my colleagues to approve the conference report.

Mr. HANSEN of Idaho. Mr. Speaker, will the gentleman yield?

Mr. QUIE. I yield to the gentleman.

Mr. HANSEN of Idaho. Mr. Speaker, I rise in support of the conference report.

Mr. Speaker, I am very pleased with the outcome of the conference on the Older Americans Act Amendments. While the conference report for the most part adopts the House-approved version of the bill, I think we were able to combine the House and Senate versions in such a way as to bring back a stronger bill than we passed in either body.

It is extremely important that this effort to improve the Older Americans Act succeed. The 20 million Americans who are aged 65 or older do not have problems which differ from those of the younger population; it is simply that their problems tend to be much more acute, and older people need and deserve more help in solving them. Governmental effort alone will never meet the needs of our older citizens, but in many fields it is the major factor and it can be vitally important in galvanizing private action and in coordinating the work of public and private agencies. The heart of this bill is a strengthened and improved system for the delivery of services at the State and local level, as suggested by Secretary Richardson of Health, Education, and Welfare and the Commissioner on Aging, Mr. John Martin.

The authorizations for the amended title III of the act which authorizes these new State and local services have been greatly increased, from $15 million in

planning funds for fiscal 1972 to $100 million, $200 million, and $300 million, respectively, for fiscal years 1973, 1974, and 1975, for both planning and program operation. This is in line with President Nixon's large increase in requests for funding of the Administration on Aging. The title III authorizations are separate from those for the nutrition-for-the-elderly program we have authorized at levels of $100 million for fiscal 1973 and $150 million in 1974, which is found in title VII of the act. However, this bill does provide for close coordination of nutrition programs with the comprehensive services authorized under title III, and this is one of the strengths of the bill. We are beginning to see programs for the elderly not as separate things which are useful to a few, but as a part of a comprehensive package of services available to all who need help. We could usefully apply the philosophy of this legislation to a good many other social programs, including education.

In contrast to the Senate bill, a major thrust of the House bill was to substantially upgrade the position of the Administration on Aging in the Federal structure and to make it the principal operating agency for programs authorized by the Older Americans Act. In addition, other departments and agencies of Government having programs affecting older Americans will have to coordinate their activities with the AOA. The Senate bill did not go as far in this direction, but rather placed reliance upon an "Older Americans Advocacy Commission" patterned on the Civil Rights Commission. While we accepted some of the functions of the Commission and gave them to a Federal Council on Aging which follows the structure of the advisory council in the House bill, we rejected the Senate approach.

By vastly strengthening the Administration on Aging and the role of its Commissioner, we made it clear that this is the agency which will serve as the principal spokesman and advocate of the elderly within the Federal Government. We think that this is a role which can be more effectively carried out by and is more appropriate to an agency of the Government itself, rather than an outside group. The new, Presidentially appointed Federal Council on Aging can monitor these activities on a government-wide basis and report its findings and recommendations to the Secretary, the President, and the Congress, but the focal point for action will be the Administration on Aging.

Mr. Speaker, there are many other important and innovative features of this legislation. The establishment of a National Information and Resource Clearinghouse for the Aging is but one step in the improvement of information services at all levels, and particularly at the local level. The best services in the world are of little use if people do not know about them or are not helped to utilize them. This has been a major weakness in our programs for the elderly, and one which we hope to see corrected through this legislation.

The training of skilled personnel in the field of aging, and research and development in general, are both major elements in this legislation, spelled out in title IV of the amended act. The bill also includes authorization for model projects in such fields as transportation, housing, and employment for older Americans and for funding Multidisciplinary Centers of Gerontology which could add to our knowledge in the biological, behavioral, and social sciences as they relate to aging.

Mr. Speaker, this extremely comprehensive legislation may well be among the most significant acts of this Congress, or of several Congresses, even though it has not received the attention it deserves from the general public. The fact that this bill was put together in a spirit of bipartisan cooperation in both the House and Senate, and worked out in the same spirit in the conference between the two bodies, may have something to do with the lack of public attention. That same spirit, however, bodes well for the ultimate achievement of the objectives of this landmark legislation.

Mr. Speaker, I take great pride in having been one of the sponsors of H.R. 15657, and in having served on the conference committee which produced the final legislation. I urge approval of the conference report.

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

Mr. QUIE. I yield to the gentleman.

Mr. BINGHAM. Mr. Speaker, as I noted in debate on this legislation when it passed the House on July 17 of this year, H.R. 15657, the Older Americans Comprehensive Services Amendments of 1972, contains a number of very helpful additions and modifications to major programs affecting our senior citizens. I supported it then and I am pleased to support it now, and I want to offer my compliments to the members of the Education and Labor Committee, and particularly the conferees on this bill led by Chairman PERKINS and the gentleman from Indiana (Mr. BRADEMAS) for their fine work.

In supporting the bill when it passed the House, I expressed disappointment only in the fact that, while it extended and expanded programs under which older Americans can engage in community service work as unpaid volunteers, it did not contain provisions to give statutory status and earmarked funding to programs currently in existence under the Labor Department which provide community service jobs for senior citizens on a salaried basis. I am pleased to note that that omission has now been remedied, and that the Older American Community Service Employment Act, of which I was the primary sponsor in the House, has been included in the conference version of H.R. 15657.

I introduced the Older American Community Service Employment Act on August 12, 1970, in the 91st Congress, and subsequently reintroduced it as H.R. 603 in the current 92d Congress. It has been sponsored and very ably promoted in the Senate by the distinguished senior Senator from Massachusetts, EDWARD KENNEDY, and by a longtime champion of progressive and innovative programs of assistance to older Americans, Senator HARRISON J. WILLIAMS of New Jersey. The Senate passed the bill as part of its version of H.R. 15657, and I am gratified that it has been retained by the conference committee.

This important addition, on behalf of which I testified before the House Education and Labor Committee on April 13, 1972, authorizes $100 million in fiscal year 1973 and $150 million in fiscal year 1974 specifically for community service jobs for older persons under Labor Department programs like "Senior Aides," which I was instrumental in getting started some years ago. These excellent programs, which do so much to give involvement, a sense of being useful, and needed extra income to many very capable and energetic older Americans, have existed "from hand to mouth," so to speak. With enactment of this legislation, these programs will have a statutory mandate and separate funding which should assure that they will continue to benefit older Americans and our communities. I am gratified to have been directly involved in the fight to fund and continue these programs, and am happy to have had the support of many Members of the House and Senate, including particularly my good friend and colleague, the gentleman from Indiana (Mr. BRADEMAS).

I would also note, Mr. Speaker, that I introduced legislation in 1970 to establish a program of research into the biological and other aspects of aging, about which we know all too little. I reintroduced that bill as H.R. 601 in the 92d Congress, and title IV of the conference version of H.R. 15657 now before the House establishes much the same type of program of gerontological research that was envisioned in my bill.

Mr. Speaker, I enthusiastically support this legislation for the many fine programs it contains in addition to those I have mentioned here, and I urge my colleagues in the House to join me in approving the conference report so that this legislation may go to the President for signature and final enactment without delay.

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

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. BRADEMAS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to extend their remarks on the conference report just agreed to.

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

There was no objection.

APPOINTMENT OF CONFEREES ON H.R. 1467, AMENDING INTERNAL REVENUE CODE

Mr. BOGGS. Mr. Speaker, I ask unanimous consent to take from the Speak-

er's table the bill (H.R. 1467) to amend section 152(b)(3) of the Internal Revenue Code of 1954 for the purpose of including nationals of the United States within the definition of the term "dependent" in connection with deductions for personal exemptions, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference requested by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana? The Chair hears none, and appoints the following conferees: Messrs. MILLS of Arkansas, ULLMAN, BURKE of Massachusetts, BYRNES of Wisconsin, and BETTS

NATIONAL INCONVENIENCED SPORTSMEN'S ASSOCIATION

Mr. JACOBS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 15453) to incorporate in the District of Columbia the National Inconvenienced Sportsmen's Association.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 15453

Be it enacted by the Senate and House of Representatives of the United States of American in Congress assembled, That Douglas Pringle, Daniel McPherson, and Jim Winthers, the present directors and officers of the National Inconvenienced Sportsmen's Association (a nonprofit corporation organized under the laws of the State of California), and their associates and successors, are created in the District of Columbia a body corporate by the name of the National Inconvenienced Sportsmen's Association (hereinafter referred to as the "corporation"), and by such name shall be known and have perpetual succession and the powers and limitations contained in this Act.

COMPLETION OF ORGANIZATION

SEC. 2. The persons named in the first section of this Act, acting in person or by written proxy, are authorized to do whatever acts as may be necessary to complete the organization of the corporation.

PURPOSES OF THE CORPORATION

SEC. 3. (a) The purposes of the corporation shall be—

(1) to provide veterans and others who are inconvenienced persons an opportunity to experience sports as a recreational activity in which they may participate;

(2) to afford a frequent natural sports environment for inconvenienced persons which has positive psychological and therapeutic results; and

(3) to develop a nucleus of sports programs and competent instructors to carry the program throughout the Nation.

(b) As used in this section the term "inconvenienced persons" includes amputees, blind persons, and persons who are neurologically damaged.

POWERS OF THE CORPORATION

SEC. 4. (a) Subject to all applicable laws of the United States, and of any State in which the corporation operates, the corporation shall have power—

(1) to sue and be sued, complain, and defend in any court of competent jurisdiction;

(2) to adopt, alter, and use a corporate seal for the sole and exclusive use of the corporation;

(3) to adopt, alter, or amend bylaws not inconsistent with this charter;

(4) to contract and be contracted with;

(5) to acquire, control, hold, lease, and dispose of such real, personal, or mixed property as may be necessary to carry out the corporate purposes;

(6) to choose such officers, managers, agents, and employees as may be necessary to carry out the corporate purposes; and

(7) to do any and all acts and things necessary and proper to carry out the corporate purposes.

(b) For the purposes of this section, the term "State" includes the District of Columbia and the Commonwealth of Puerto Rico.

MEMBERSHIP

SEC. 5. Eligibility for membership in the corporation and the rights and privileges of members shall, except as provided in this Act, be set forth in the bylaws of the corporation.

GOVERNING AUTHORITY OF THE CORPORATION

SEC. 6. (a) The corporation shall have a national board of directors as may be provided for in the bylaws of the corporation.

(b) Qualifications of directors on any national board of directors created for the corporation, the manner of selection of such directors, terms of office of directors on the board, and the powers and responsibilities of the board and its directors shall be set forth in the bylaws of the corporation.

OFFICERS OF THE CORPORATION

SEC. 7. The officers of the corporation shall be those provided for in the bylaws of the corporation. Such officers shall be elected in such manner, for such terms, and with such powers and responsibilities, as may be prescribed in the bylaws of the corporation.

PRINCIPAL OFFICE; SCOPE OF ACTIVITIES; DISTRICT OF COLUMBIA AGENT

SEC. 8. (a) The principal office of the corporation shall be in Sacramento, California, or in such other place as may later be determined by the corporation, but the activities of the corporation shall not be confined to that place, but may be conducted throughout the United States and all other locations as may be necessary to carry out the corporate purposes.

(b) The corporation shall maintain at all times in the District of Columbia a designated agent authorized to accept services of process for the corporation. Service upon, or notice mailed to the business address of, such agent shall be deemed notice to or service upon the corporation.

USE OF INCOME; LOANS TO OFFICERS, DIRECTORS, OR EMPLOYEES

SEC. 9. (a) No part of the assets or income of the corporation shall inure to any member, officer, or director or be distributable to any such person during the life of the corporation or upon its dissolution or final liquidation. Nothing in this subsection shall be construed to prevent the payment of reasonable compensation to officers of the corporation or reimbursement for actual necessary expenses in amounts approved by the board of directors.

(b) The corporation shall not make loans to its members, officers, directors, or employees.

NONPOLITICAL NATURE OF CORPORATION

SEC. 10. The corporation and its officers and directors as such shall not contribute to, support, or otherwise participate in any political activity or in any manner attempt to influence legislation.

LIABILITY FOR ACTS OF OFFICERS AND AGENTS

SEC. 11. The corporation shall be liable for the acts of its officers and agents when acting within the scope of their authority.

PROHIBITION AGAINST THE ISSUANCE OF STOCK OR PAYMENT OF DIVIDENDS

SEC. 12. The corporation shall have no power to issue any shares of stock nor to declare or pay any dividends.

BOOKS AND RECORDS; INSPECTION

SEC. 13. The corporation shall keep correct and complete books and records of account and shall keep minutes of proceedings of its members, board of directors, and committees having authority under the board of directors, and it shall also keep at its principal office a record of the names and addresses of its members entitled to vote. All books and records of the corporation may be inspected by any member entitled to vote, or his agent or attorney, for any proper purpose, at any reasonable time.

AUDIT OF FINANCIAL TRANSACTIONS

SEC. 14. The provisions of sections 2 and 3 of the Act entitled "An Act to provide for audit of accounts of private corporations established under Federal law" approved August 30, 1964 (36 U.S.C. 1102, 1103), shal apply with respect to the corporation.

USE OF ASSETS ON DISSOLUTION OR LIQUIDATION

SEC. 15. Upon dissolution or final liquidation of the corporation, after discharge or satisfaction of all outstanding obligations and liabilities, the remaining assets of the corporation may be distributed in accordance with the determination of the board of directors of the corporation and in compliance with this Act, the bylaws of the corporation, and all other Federal and State laws, and the laws of the District of Columbia applicable thereto.

TRANSFER OF ASSETS

SEC. 16. The corporation may acquire the assets of the existing organization of the National Inconvenienced Sportsmen's Association, a nonprofit corporation chartered in the State of California upon discharging or satisfactorily providing for the payment and discharge of all the liabilities of such corporation and upon complying with all laws of the State of California applicable thereto.

RESERVATION OF THE RIGHT TO AMEND OR REPEAL CHARTER

SEC. 17. The right to alter, amend, or repeal this Act is expressly reserved.

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

POP WARNER LITTLE SCHOLARS, INC.

Mr. JACOBS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 15188) to incorporate in the District of Columbia Pop Warner Little Scholars, Inc.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Herbert Barness, 1352 Easton Road, Warrington, Pennsylvania; Joseph J. Tomlin, 1004 Western Saving Fund Building, Philadelphia, Pennsylvania; E. J. Carroll, 611 Shipton Lane, Bryn Mawr, Pennsylvania; G. Martin Brill Watts, 571 Sycamore Mills Road, Media, Pennsylvania; James T. Bryan, Junior, 67 Wall Street, New York, New York; Milton Clark, 5401 Walnut Street, Philadelphia,

Pennsylvania; George M. Ewing, Junior, 611 Maplewood Road, Wayne, Pennsylvania; Donald C. Osgood, 1000 Miramar Place, Fullerton, California; Anthony F. Visco, Junior, 1418 Packard Building, Philadelphia, Pennsylvania; Maurie H. Orodenker, 6004 North 13th Street, Philadelphia, Pennsylvania; Charles A. Barsuglia, 7246 Marsden Street, Philadelphia, Pennsylvania; Stanley M. Bednarek, 2607 East Allegheny Avenue, Philadelphia, Pennsylvania; Mitchell N. Daroff, Rittenhouse Plaza Apartments, Philadelphia, Pennsylvania; John D. Scott, City Hall, Philadelphia, Pennsylvania; David G. Tomlin, 3664 Richmond Street, Philadelphia, Pennsylvania; and their successors, are hereby created and declared to be a body corporate in the District of Columbia by the name of Pop Warner Little Scholars, Incorporated (hereafter in this Act referred to as the "corporation"), and by such name shall be known and have perpetual succession. Such corporation shall have the powers and be subject to the limitations and restrictions contained in this Act.

COMPLETION OF ORGANIZATION

SEC. 2. A majority of the persons named in the first section of this Act are authorized to complete the organization of the corporation by the selection of officers and employees, the adoption of bylaws, and the doing of such other acts as may be necessary to complete the organization of the corporation.

OBJECTS AND PURPOSES OF CORPORATION

SEC. 3. The objects and purposes of the corporation shall be—

(1) to inspire youth, regardless of race, creed, or color, to practice the ideals of sportsmanship, scholarship, and physical fitness; and

(2) to bring youth closer together through the means of common interest in sportsmanship, scholarship, fellowship, and athletic competition.

CORPORATE POWERS

SEC. 4. (a) The corporation shall have power—

(1) to sue and be sued, complain, and defend in any court of competent jurisdiction;

(2) to adopt, alter, and use a corporate seal;

(3) to appoint and fix the compensation of such officers and employees as its business may require and define their authortiy and duties;

(4) to adopt and amend bylaws, not inconsistent with this Act or any other law of the United States or any State in which it is to operate, for the management of its property and the regulation of its affairs;

(5) to make and carry out contracts;

(6) to charge and collect membership dues, subscription fees, and receive contributions or grants of money or property to be devoted to the carrying out of its purposes;

(7) to acquire by purchase, lease, or otherwise, such real or personal property, or any interest therein, wherever situated, necessary or appropriate for carrying out its objects and purposes and subject to the provisions of law of the State in which such property is situated (A) governing the amount or kind of real or personal property which similar corporations chartered and operated in such State may hold, or (B) otherwise limiting or controlling the ownership of real or personal property by such corporations;

(8) to transfer, lease, and convey real or personal property;

(9) to borrow money for its corporate purposes, issue bonds therefor, and secure the same by mortgage, deed of trust, pledge, or otherwise, subject to all applicable provisions of Federal or State law; and

(10) to do any other acts necessary and proper to carry out its objects and purposes.

(b) For the purpose of this section, the term "State" includes the District of Columbia.

PRINCIPAL OFFICE; SCOPE OF ACTIVITIES; DISTRICT OF COLUMBIA AGENT

SEC. 5. (a) The principal office of the corporation shall be located in Philadelphia, Pennsylvania, or in such other place as may later be determined by the board of directors, but the activities of the corporation shall not be confined to that place, but may be conducted throughout the United States.

(b) The corporation shall maintain at all times in the District of Columbia a designated agent authorized to accept service of process for the corporation. Service upon, or notice mailed to the business address of, such agent shall be deemed notice to or service upon the corporation.

MEMBERSHIP

SEC. 6. Eligibility for membership in the corporation and the rights and privileges of members shall, except as provided in this Act, be as set forth in the bylaws of the corporation.

BOARD OF DIRECTORS; COMPOSITION; RESPONSIBILITIES

SEC. 7. (a) Upon enactment of this Act, the membership of the initial board of directors of the corporation shall consist of the persons named in the first section of this Act.

(b) The initial board of directors shall hold office until the first election of a board of directors. The number, manner of selection (including filling of vacancies), term of office, and powers and duties of the directors shall be set forth in the bylaws of the corporation. The bylaws shall also provide for the selection of a chairman and his term of office.

(c) The board of directors shall be the governing board of the corporation, and a quorum thereof shall be responsible for the general policies and programs of the corporation and for the control of all funds of the corporation. The board of directors may appoint committees to exercise such powers as may be prescribed in the bylaws or by resolution of the board of directors.

OFFICERS; ELECTION OF OFFICERS

SEC. 8. The officers of the corporation shall be those provided in the bylaws. Such officers shall be elected in such manner, for such terms, and with such duties, as may be prescribed in the bylaws of the corporation.

USE OF INCOME; LOANS TO OFFICERS, DIRECTORS, OR EMPLOYEES

SEC. 9. (a) No part of the income or assets of the corporation shall inure to any member, officer, or director or be distributable to any such person during the life of the corporation or upon its dissolution or final liquidation. Nothing in this subsection, however, shall be construed to prevent the payment of reasonable compensation to officers of the corporation or reimbursement for actual necessary expenses in amounts approved by the corporation's board of directors.

(b) The corporation shall not make loans to its members, officers, directors, or employees. Any director who votes for or assents to the making of such a loan, and any officer who participates in the making of such a loan, shall be jointly and severally liable to the corporation for the amount of such a loan until the repayment thereof.

NONPOLITICAL NATURE OF CORPORATION

SEC. 10. The corporation and its officers and directors as such shall not contribute to, support, or otherwise participate in any political activity or in any manner attempt to influence legislation.

LIABILITY FOR ACTS OF OFFICERS AND AGENTS

SEC. 11. The corporation shall be liable for the acts of its officers and agents when acting within the scope of their authority.

PROHIBITION AGAINST ISSUANCE OF STOCK OR PAYMENT OF DIVIDENDS

SEC. 12. The corporation shall have no power to issue any shares of stock nor to declare or pay any dividends.

BOOKS AND RECORDS; INSPECTION

SEC. 13. The corporation shall keep correct and complete books and records of account and shall keep minutes of the proceedings of its members, board of directors, and committees having authority under the board of directors, and it shall also keep at its principal office a record of the names and addresses of its members entitled to vote. All books and records of the corporation may be inspected by any member entitled to vote, or his agent or attorney, for any proper purpose, at any reasonable time.

AUDIT OF FINANCIAL TRANSACTIONS

SEC. 14. The provisions of sections 2 and 3 of the Act entitled "An Act to provide for audit of accounts of private corporations established under Federal law", approved August 30, 1964 (36 U.S.C. 1102–1103), shall apply with respect to the corporation.

USE OF ASSETS ON DISSOLUTION OR LIQUIDATION

SEC. 15. Upon dissolution or final liquidation of the corporation, after discharge or satisfaction of all outstanding obligations and liabilities, the remaining assets of the corporation may be distributed in accordance with the determination of the board of directors of the corporation and in compliance with this Act, the bylaws of the corporation, and all other Federal and State laws applicable thereto.

TRANSFER OF ASSETS

SEC. 16. The corporation may acquire any and all of the assets of the Pennsylvania corporation known as Pop Warner Little Scholars, upon discharging or satisfactorily providing for the payment and discharge of all the liabilities of such corporation, and upon complying with all laws of the State of Pennsylvania.

EXCLUSIVE RIGHT TO NAMES, EMBLEMS, SEALS, AND BADGES

SEC. 17. The corporation and its subordinate divisions shall have the sole and exclusive right to use the names, "Pop Warner Little Scholars", "Pop Warner Junior League Football", and "Pop Warner Football". The corporation shall have the exclusive and sole right to use, or allow or refuse the use of, such emblems, seals, and badges as have heretofore been used by the Pennsylvania corporation described in section 16 and the right to which may be lawfully transferred to the corporation. Nothing in this section shall be construed to interfere or conflict with established or vested rights.

RESERVATION OF RIGHT TO AMEND OR REPEAL CHARTER

SEC. 18. The right to alter, amend, or repeal this Act is expressly reserved.

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

AMERICAN EX-PRISONERS OF WAR

Mr. JACOBS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 14171) to incorporate in the District of Columbia the American Ex-Prisoners of War.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 14171

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following named persons; to wit: Juan Baldonado, Albuquerque, New Mexico; Harold L. Page, Buckley, Washington; Walter Pawlesh, McKees Rocks, Pennsylvania; Paul R. Richter, San Antonio, Texas; H. W. Goodall, Houston, Texas; Father Albert Braun, Phoenix, Arizona; Reverend Glenn T. Conner, Pittsburgh, Pennsylvania; Jack D. Warner, Hammon, Oklahoma; Ralph Rodriquez, Junior, Albuquerque, New Mexico; Peter Connacher, Portland, Oregon; Grady U. Inzer, Longview, Texas; Ben Vaitkus, Saint Ignace, Michigan; Eugene J. Shannahan, Williamsburg, Ohio; Dan Walmer, Pensacola, Florida; Warren I. Atkeison, Orlando, Florida; D. C. Wimberly, Springhill, Louisiana; George I. Deckert, San Antonio, Texas; Joseph Ray Perry, Portland, Oregon; Dustin Evasavik, Forrest Hills, Pittsburgh, Pennsylvania; Martin Bergman, Philadelphia, Pennsylvania; Otis A. Yates, Clovis, New Mexico; Ray V. Mares, Albuquerque, New Mexico; John W. Lay, Pittsburg, California; James W. Atwell, Winter Park, Florida, and their successors, are hereby created and declared to be a body corporate of the District of Columbia by the name of American Ex-Prisoners of War (hereinafter referred to as the "corporation"), and by such name shall be known and have perpetual succession and the powers, limitations, and restrictions herein contained.

COMPLETION OF ORGANIZATION

SEC. 2. A majority of the persons named in the first section of this Act are authorized to complete the organization of the corporation by the selection of officers and employees, the adoption of a constitution and bylaws, not inconsistent with this Act, and the doing of such other acts as may be necessary for such purpose.

PURPOSES OF THE CORPORATION

SEC. 3. The purposes of the corporation shall be—

(1) to preserve the great and basic truths and enduring principles upon which this Nation was founded;

(2) to form a national association for the benefit of persons who have suffered injuries and diseases incurred or aggravated during imprisonment by wartime enemies of the United States;

(3) to acquaint the public with the needs, problems, and handicaps peculiar to prisoners of war;

(4) to promote medical research in the several fields connected with injuries, diseases, and syndromes, including neurology, psychosomatic manifestations, and organic symptoms and diseases resulting from malnutrition stemming from imprisonment, to include parasitic infestations and such diseases as are contractable in geographical regions of the world, to include prognoses of sequelae and aftermath of imprisonment under unsanitary conditions plus improper food fare even though such food consumed during imprisonment may be in quantities to sustain life; and

(5) to advocate and foster complete and effective reconditioning programs for ex-prisoners of war, including a thorough physical reconditioning program, mental readjustment, physiotherapy, adequate guidance both vocational and educational, surgical needs and prosthetic appliances, hospitalization, plus immediate postliberation psychological reorientation and domestic reorientation and rehabilitation to all phases of postliberation livelihood.

CORPORATE POWERS

SEC. 4. The corporation shall have power—

(1) to have succession by its corporate name;

(2) to sue and be sued, complain and defend in any court of competent jurisdiction;

(3) to adopt, use, and alter a corporate seal;

(4) to choose such officers, managers, agents, and employees as the business of the corporation may require;

(5) to adopt, amend, and alter a constitution and bylaws, not inconsistent with the laws of the United States, the District of Columbia, or any State in which the corporation is to operate, for the management of its property and the regulation of its affairs;

(6) to contract and be contracted with;

(7) to take by lease, gift, purchase, grant, devise, or bequest from any private corporation, association, partnership, firm, or individual and to hold any property, real, personal, or mixed, necessary or convenient for attaining the objects and carrying into effect the purposes of the corporation, subject, however, to applicable provisions of law of a State or the District of Columbia (A) governing the amount or kind of property which may be held by, or (B) otherwise limiting or controlling the ownership of property by, a corporation operating in such State, or the District of Columbia;

(8) to transfer, convey, lease, sublease, encumber, and otherwise alienate real, personal, or mixed property; and

(9) to borrow money for the purposes of the corporation, issue bonds therefor, and secure the same by mortgage, deed of trust, pledge or otherwise, subject in every case to all applicable provisions of Federal, District of Columbia, and State laws.

PRINCIPAL OFFICE; SCOPE OF ACTIVITIES; DISTRICT OF COLUMBIA AGENT

SEC. 5. (a) The principal office of the corporation shall be located in San Antonio, Texas, or in such other place as may be later determined by the board of directors, but the activities of the corporation shall not be confined to that place, but may be conducted throughout the various States, territories, and possessions of the United States.

(b) The corporation shall have in the District of Columbia at all times a designated agent authorized to accept service of process for the corporation; and notice to or service upon such agent, or mailed to the business address of such agent, shall be deemed notice to or service upon the corporation.

MEMBERSHIP; VOTING RIGHTS

SEC. 6. (a) Eligibility for membership in the corporation and the rights, privileges and designation of classes of members shall, except as provided in this Act, be determined as the constitution and bylaws of the corporation may provide.

(b) Each member of the corporation, other than honorary, sustaining or associate members, shall have the right to one vote on each matter submitted to a vote at all meetings of the members of the corporation.

BOARD OF DIRECTORS; COMPOSITION, RESPONSIBILITIES

SEC. 7. (a) Upon the enactment of this Act the membership of the initial board of directors of the corporation shall consist of the following persons: Juan Baldonado, Harold L. Page, Walter Pawlesh, Paul R. Richter, H. W. Goodall, Father Albert Braun, Reverend Glenn T. Conner, Jack D. Warner, Ralph Rodriquez, Junior, Peter Connacher, Grady U. Inzer, Ben Vaitkus, Eugene J. Shannahan, Dan Walmer, Warren I. Atkeison, D. C. Wimberly, George I. Deckert, Joseph Ray Perry, Dustin Evasavik, Martin Bergman, Otis A. Yates, Ray V. Mares, John W. Lay, James W. Atwell.

(b) Thereafter, the board of directors of the corporation shall consist of such number, shall be selected in such manner (including the filling of vacancies), and shall serve for such term as may be prescribed in the constitution and bylaws of the corporation.

(c) The board of directors shall be the governing board of the corporation and, during the intervals between the meetings of members, shall be responsible for the general policies and program of the corporation and for the control of all contributed funds as may be raised by the corporation.

OFFICERS; ELECTION AND DUTIES OF OFFICERS

SEC. 8. (a) The officers of the corporation shall be a chairman of the board of directors, a president, one or more vice presidents (as may be prescribed in the constitution and bylaws of the corporation), a secretary, and a treasurer, and one or more assistant secretaries and assistant treasurers as may be provided in the constitution and bylaws.

(b) The officers of the corporation shall be elected in such manner and for such terms and with such duties as may be prescribed in the constitution and bylaws of the corporation.

USE OF INCOME; LOANS TO OFFICERS, DIRECTORS, OR EMPLOYEES

SEC. 9. (a) No part of the income or assets of the corporation shall inure to any of its members, directors, or officers as such, or be distributable to any of them during the life of the corporation or upon its dissolution or final liquidation. Nothing in this subsection, however, shall be construed to prevent the payment of compensation to officers of the corporation in amounts approved by the board of directors of the corporation.

(b) The corporation shall not make loans to its officers, directors, or employees. Any director who votes for or assents to the making of a loan or advance to an officer, director, or employee of the corporation, and any officer who participates in the making of such a loan or advance, shall be jointly and severally liable to the corporation for the amount of such loan until the repayment thereof.

NONPOLITICAL NATURE OF CORPORATION

SEC. 10. The corporation, and its officers and directors as such, shall not contribute to or otherwise support or assist any political party or candidate for public office.

LIABILITY FOR ACTS OF OFFICERS AND AGENTS

SEC. 11. The corporation shall be liable for the acts of its officers and agents when acting within the scope of their authority.

PROHIBITION AGAINST ISSUANCE OF STOCK OR PAYMENT OF DIVIDENDS

SEC. 12. The corporation shall have no power to issue any shares of stock or to declare or pay any dividends.

BOOKS AND RECORDS; INSPECTION

SEC. 13. The corporation shall keep correct and complete books and records of account and shall keep minutes of the proceedings of its members, board of directors, and committees having any authority under the board of directors, and it shall also keep at its principal office a record of the names and addresses of its members entitled to vote. All books and records of the corporation may be inspected by any member entitled to vote, or his agent or attorney, for any proper purpose, at any reasonable time.

AUDIT OF FINANCIAL TRANSACTIONS; REPORT TO THE CONGRESS

SEC. 14. (a) The accounts of the corporation shall be audited annually in accordance with generally accepted auditing standards by independent certified public accountants or independent licensed public accountants, certified or licensed by a regulatory authority of a State or other political subdivision of the

United States. The audit shall be conducted at the place or places where the accounts of the corporation are normally kept. All books, accounts, financial records, reports, files, and all other papers, things, or property belonging to or in use by the corporation and necessary to facilitate the audit shall be made available to the person or persons conducting the audit; and full facilities for verifying transactions with the balances or securities held by depositories, fiscal agents, and custodians shall be afforded to such person or persons.

(b) A report of such audit shall be made by the corporation to the Congress not later than six months following the close of the fiscal year for which the audit is made. The report shall set forth the scope of the audit and include such statements, together with the independent auditor's opinion of those statements, as are necessary to present fairly the corporation's assets and liabilities, surplus or deficit, with an analysis of the changes therein during the year, supplemented in reasonable detail by a statement of the corporation's income and expenses during the year, including (1) the results of any trading, manufacturing, publishing, or other commercial-type endeavor carried on by the corporation, and (2) a schedule of all contracts requiring payments in excess of $10,000 and any payments of compensation, salaries, or fees at a rate in excess of $10,000 per annum. The report shall not be printed as a public document.

USE OF ASSETS ON DISSOLUTION OR LIQUIDATION

SEC. 15. Upon dissolution or final liquidation of the corporation, after discharge or satisfaction of all outstanding obligations and liabilities, the remaining assets, if any, of the corporation shall be distributed in accordance with the determination of the board of directors of the corporation and in compliance with the constitution and by-laws of the corporation and all Federal and State laws applicable thereto.

RESERVATION OF RIGHT TO AMEND OR REPEAL CHARTER

SEC. 16. The right to alter, amend, or repeal this Act is expressly reserved.

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

PROHIBITING THE UNLAWFUL USE OF A RENTED MOTOR VEHICLE

Mr. JACOBS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 9604) to prohibit the unlawful use of a rented motor vehicle.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 9604

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) any person within the District of Columbia who, by false statement, or misrepresentation, of a material fact, obtains possession of a motor vehicle under a rental agreement shall be fined not more than $1,000, or imprisoned for not more than three years, or both.

(b) (1) Any person within the District of Columbia who obtains possession of a motor vehicle under a written rental agreement which specifies a particular time at which that motor vehicle is to be returned to the lessor, and with intent to unlawfully deprive the owner of possession of that motor vehicle, fails to return that motor vehicle at that specified time shall be fined not more than $1,000, or imprisoned for not more than three years, or both. Failure to return that motor vehicle within seventy-two hours after an oral demand for the return of that motor vehicle has been made in person upon the lessee of that motor vehicle after that specified time, or within ninety-six hours after a written demand for the return of that motor vehicle has been mailed by registered letter to the last known address of that lessee after that specified time, shall be prima facie evidence of an intent to unlawfully deprive the owner of possession of that motor vehicle.

(c) For the purposes of this Act the term "motor vehicle" means any automobile, motorcycle, truck, truck tractor, trailer, semitrailer, or bus.

With the following committee amendment:

Strike out all after the enacting clause and insert the following:

That section 826b. of the Act entitled "An Act to establish a code of law for the District of Columbia", approved March 3, 1901 (D.C. Code, sec. 22–2204 et seq.) is amended to read as follows:

"SEC. 826b. UNAUTHORIZED USE OF A VEHICLE.—(a) Any person who, without the consent of the owner, shall take, use, operate, or remove or cause to be taken, used, operated, or removed, from a garage, stable, or other building, or from any place or locality on a public or private highway, park, parkway, street, lot, field, enclosure, or space, an automobile or motor vehicle, and operate or drive or cause the same to be operated or driven for his own profit, use, or purpose shall be punished by a fine and exceeding $1,000 or imprisoned not exceeding five years, or both such fine and imprisonment.

"(b) (1) It shall be prima facie evidence of a violation of this section that any person, after renting or leasing a motor vehicle under an agreement in writing which provides for the return of the motor vehicle to a particular place at a particular time, failed to return the motor vehicle *to such place* within five days after the time specified, and thereafter having been served with a written demand, either personally or by registered or certified mail return receipt requested, failed to return the motor vehicle, except for causes beyond his control to the place specified in the written agreement within five days from the time of the service of the written demand.

"(2) Service by registered or certified mail of the written demand specified in paragraph (1) shall be deemed complete forty-eight hours after the deposit in the United States mail of such written demand, postpaid, and addressed to the lessee at the address either set forth on the written rental agreement or otherwise provided by the lessee.

"(3) In any case in which the defense is raised that the lessee of a motor vehicle failed to return the motor vehicle for causes beyond his control, proof that the lessee obtained the rented motor vehicle by reason of any false statement or representation of a material fact, including a false representation as to name, residence, employment, or operator's license shall be admissable to determine whether the failure to return such motor vehicle was for causes beyond the control of the lessee."

The committee amendment was agreed to.

Mr. BROYHILL of Virginia. Mr. Speaker, I wish to commend to my colleagues for their favorable consideration the bill H.R. 9604, which I introduced for the purpose of providing for the first time an adequate and effective means for the prosecution of cases involving the unauthorized use of rented motor vehicles in the District of Columbia.

I am advised that more than 95 percent of all motor vehicles rented from rental and leasing agencies in the Washington metropolitan area are returned in accordance with the terms of the rental contract. Further, nearly all the vehicles which are not returned on time are returned within a period of 1 or 2 days after the specified return date. The small percentage of those not so returned, however, presents a serious and expensive problem of recovery.

Nearly all such cases involve a deliberate retention of the vehicle with no intention on the part of the lessee to pay for its use. Despite the fact that all the motor vehicle rental and leasing operators take all possible precautions with respect to the qualification of prospective renters, including employment verification, checking of telephone numbers and credit cards, driver's license descriptions, and so forth, if the lessee has conversion of the rented vehicle in mind, he is prepared with all the right answers and backup information. He knows, for example, that a stolen credit card will not appear on the stolen list for at least 30 days. He is also familiar with the problem, peculiar to car-rental businesses in the District of Columbia, of obtaining a warrant for his arrest.

Although there are specific conversion statutes in every one of the 50 States which I am informed serve adequately as vehicles for the prosecution of these offenders, I am advised that there is no provision at present in the District of Columbia Code which has proved satisfactory for this purpose. As a result, when such converted vehicles are recovered in the District, the bailee, being in many cases judgment-proof, is allowed to go unpunished and usually not even inconvenienced.

Criminal prosecutions for this offense have been attempted under section 22–2204 of the District of Columbia Code, which deals with the offense of unauthorized use of vehicles, and also under section 22–2201 and 2202, the larceny statutes. Neither has proved to be effective for these prosecutions for conversion, however.

For example, the U.S. District Court for the District of Columbia held, in one such case, that even though a defendant had used a motor vehicle in excess of the express consent given in the contract, this fact could not be equated with use "without the consent of the owner," which is essential for conviction under the unauthorized use law. And in order to prosecute successfully under the larceny statutes, the government must show an intent to steal, and it has been held that a mere unlawful retention of a rented vehicle is insufficient to prove such an intent.

In the absence of an adequate provision in the District's criminal code, the U.S. attorney's office has been reluctant to issue warrants and initiate procedures to reclaim such motor vehicles and to proscute the bailees. I

understand that the policy of that office has been to take no affirmative action in conversion cases until 60 days have elapsed after the return date specified in the contract, since that office considers that period of time requisite to justify an inference of criminal action.

Such a lapse of 2 months, of course, hardly offers adequate protection to the rental agencies in such cases. I am informed that as a result of this situation, as of September 13 there were more than 550 rental cars, valued at some $175,000, unaccounted for in the District of Columbia.

As I have stated, this situation exists only in the District of Columbia, as all the States have laws governing and applicable to this offense. The Virginia Code, for example, provides that the lessee of a motor vehicle shall be deemed guilty of larceny if he fails to return the vehicle to the lessor within 5 days from the time he has agreed in writing to return it.

Within the past year, in recognition of the problem besetting this industry in the District of Columbia, the Office of the U.S. Attorney for the District of Columbia engaged in a series of conferences with representatives of the motor vehicle rental business, to develop a set of procedures for the rental agencies to follow, and under which it was thought successful prosecutions in conversion cases, under existing District of Columbia law, might be feasible. This resulted in a written set of conversion guidelines, which have been subscribed to by the industry, and under which some very limited success has been attained.

I am advised, however, that these guidelines have proved not to be effective to the degree which is necessary to offer any real relief to the car rental agencies, for several reasons. Chiefly, this ineffectiveness has resulted from the frequent changes in personnel in the U.S. Attorney's Office, and the differences of opinion among these prosecutors as to interpretations of these guidelines, and from the attitudes of certain judges, one of whom stated that although he would issue a warrant for the arrest of a person who failed to return a rented vehicle within the period specified in the guidelines, he would dismiss the case if it came before him for trial, on the grounds that he does not believe that the "unauthorized use" statute in the District of Columbia Code is applicable in a case of conversion.

This problem to this business in the District of Columbia cannot be taken lightly, for it is serious indeed. One such agency advises that its losses in Washington during the year 1970, stemming from this problem, amounted to approximately $6,500. During this same period, their losses in Virginia amounted to only $3,060, and in Maryland to some $3,000. These figures point up graphically the glaring inequity to this business resulting solely from the lack of adequate law in the District of Columbia on this subject.

This same company reports that not only do they lose the revenues from the rental of these vehicles, but that also they must go to great expense in their recovery, if and when they are found. Some have been found abandoned as far away as California. Also, in most such cases these cars are found damaged, and sometimes stripped.

In addition to these costs to the industry, there are also substantial costs to the community itself. Many of the converted cars are involved in accidents which result in property damage and personal injury to innocent parties. If there were an adequate conversion law, with prosecution assured and warrants issued within a reasonable period of time, the cars would of course be on the street a much shorter period of time.

H.R. 9604 offers a proper relief of this situation by amending section 22–2204 of the District of Columbia Code, the "unauthorized use" statute. The present language of this section, providing for a fine of not more than $1,000 or imprisonment for not more than 3 years, or both, for such unauthorized use, is left intact. However, new language is added, making it prima facie evidence of violation of that section for any person to retain a rented motor vehicle more than 5 days after the time specified in his rental contract, and thereafter having been served with a written demand, to fail to return the vehicle, except for reasons beyond his control, within 5 days from the time of service of this written demand.

Since it is further provided that this service of written demand shall be deemed complete 48 hours after its deposit in the U.S. mail, it follows then that no more than a total of 12 days can elapse after the expiration of the rental period stipulated in the rental agreement, before prima facie evidence of violation under section 22–2204 is established.

I and my colleagues on the District of Columbia Committee believe that this language will effectively remove the present reluctance of the U.S. Attorney's office and of some of the judges themselves to prosecute these conversion cases under the existing statute as so amended, and that thus for the first time there will be an effective law for this purpose in the Nation's capital. Furthermore, I am advised that the Department of Justice favors the enactment of this bill, as amended.

Mr. Speaker, I feel strongly that this inequitable situation existing in the District of Columbia should be corrected, in fairness to the persons engaged in the business of motor vehicle rental and leasing in the city. The neighboring States have taken proper steps to provide this protection for that industry within their borders, and I urge that we take appropriate action at this time, and follow suit, by the enactment of H.R. 9604.

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

IMPLIED CONSENT TO TEST OPERATORS OF MOTOR VEHICLES FOR INTOXICATION

Mr. JACOBS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the Senate bill (S. 4059) to provide that any person operating a motor vehicle within the District of Columbia shall be deemed to have given his consent to a chemical test of his blood, breath, or urine, for the purpose of determining the blood alcohol content.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the Senate bill, as follows:

S. 4059

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That as used in this Act—

(1) The term "Commissioner" means the Commissioner of the District, or his designated agent;

(2) The term "District" means the District of Columbia;

(3) The term "license" means any operator's permit or any other license or permit to operate a motor vehicle issued under the laws of the District, including—

(A) any temporary or learner's permit;

(B) the privilege of any person to drive a motor vehicle whether or not such person holds a valid license; and

(C) any nonresident's operating privilege;

(4) The term "nonresident" means every person who is not a resident of the District;

(5) The term "nonresident's operating privilege" means the privilege conferred upon a nonresident by the laws of the District relating to the operation by such person of a motor vehicle, or the use of a vehicle owned by such person, in the District; and

(6) The term "police officer" means an officer or member of the Metropolitan Police force, the United States Park Police force, or the Capitol Police force, or any other person actually and officially engaged in the performance of police duties in connection with guarding the property of the United States or of the District.

(7) The term "specimen" means that quantity of a person's blood, breath, or urine necessary to conduct a chemical test or tests to determine blood alcoholic content.

SEC. 2. (a) Any person, other than one described in subsection (b) of this section, who operates a motor vehicle within the District shall be deemed to have given his consent, subject to the provisions of this Act, to two chemical tests of his blood, breath, or urine, whichever he may elect, for the purpose of determining blood-alcohol content. However, when the election of a particular test, such as a blood test requiring a physician or registered nurse, causes unreasonable delay or inconvenience, the arresting officer or other appropriate law enforcement officer shall elect which chemical test should be administered. In such a case, the operator can only object to a particular test on valid religious or medical grounds. The tests shall be administered at the direction of a police officer who, having arrested such person for a violation of law, has reasonable grounds to believe the person to have been driving or in actual physical control of a motor vehicle within the District while under the influence of intoxicating liquor.

(b) Any person who operates a motor vehicle within the District of Columbia and who is involved in a motor vehicle collision or accident in which death or personal injury results shall submit, subject to the provisions of this Act, to two chemical tests of his blood, breath, or urine, for the purpose of determining blood alcoholic content whenever a police officer (i) arrests such person for a violation of law, and (ii) has reasonable grounds to believe such person to have been driving or in actual physical control of a motor vehicle within the District while under

the influence of an intoxicating liquor. However, when the election of a particular test, such as a blood test requiring a physician or registered nurse, causes unreasonable delay or inconvenience, the arresting officer or other appropriate law enforcement officer shall elect which chemical test should be administered. In such a case, the operator can only object to a particular test on valid religious or medical grounds.

SEC. 3. Only a physician or registered nurse acting at the request of a police officer may withdraw blood for the purpose of determining the alcoholic content thereof. This limitation shall not apply to the taking of a breath or urine specimen. The person tested may, in addition to submitting to the two tests administered at the direction of a police officer, also submit to a chemical test or tests administered to him by a physician, registered nurse, or other person of his own choosing who is qualified to administer such test or tests. The failure or inability to obtain an additional test by a person shall not preclude the admission of the tests taken at the direction of a police officer.

SEC. 4. Full information concerning the tests administered under this Act shall be made available to the person from whom a specimen was obtained. Prior to administering the tests the police officer shall advise the operator of the motor vehicle about the requirements of this Act.

SEC. 5. (a) If a person under arrest refuses to submit to chemical testing as provided in section 2(a) he shall be informed that failure to submit to such test will result in the revocation of his license. If such person, after having been so informed, still refuses to submit to chemical testing, no test shall be given, but the Commissioner, upon receipt of a sworn report of the police officer that he had reasonable grounds to believe the arrested person had been driving or was in actual physical control of a motor vehicle upon the public highways while under the influence of intoxicating liquor, and that the person had refused to submit to the two tests, shall revoke his license for a period of six months; or if the person is a resident without a license to operate a motor vehicle in the District, the Commissioner shall deny to the person the issuance of a license for a period of six months after the date of the alleged violation, subject to review as hereinafter provided.

(b) Any person who is unconscious, or who is otherwise in a condition rendering him incapable of refusal, shall be deemed not to have withdrawn the consent provided by section 2 of this Act and the two tests may be given; except, that if such person thereafter objects to the use of the evidence so secured, such evidence shall not be used and the license of such person shall be revoked, or, if he is a resident without a license, no license shall be issued to him for a period of six months.

SEC. 6. (a) Whenever any license has been revoked or denied under the provisions of this Act, the reasons therefor shall be set forth in the order revocation or denial, as the case may be. Such order shall take effect five days after service of notice on the person whose license is to be revoked or who is to be denied a license, unless such person shall have filed within such period written application with the Commissioner for a hearing. Such hearing by the Commissioner shall cover the issues of—

(1) whether a police officer had reasonable grounds to believe such person had been driving or was in actual control of a motor vehicle upon the public street or highway while under the influence of intoxicating liquor; and

(2) whether such person, having been placed under arrest, refused to submit to the test or tests, after having been informed of the consequences of such refusal.

(b) If, following the hearing provided in subsection (a) of this section, the Commissioner shall sustain the order of revocation, the same shall become effective immediately.

SEC. 7. Any person aggrieved by a final order of the Commissioner revoking his license or denying him a license under the authority of this Act, may obtain a review thereof in accordance with section 11 of the District of Columbia Administrative Procedure Act (82 Stat. 1204; D.C. Code, secs. 1–1501 to 1–1510).

SEC. 8. The Act approved March 4, 1958 (72 Stat. 30; D.C. Code, sec. 40–609a) is amended (a) by striking out the subsection designation "a" in the first section; (b) by striking out in paragraph (2) "fifteen one-hundredths", "eight one-hundredths", and "twenty one-hundredths", and inserting in lieu thereof "ten one-hundredths", "six one-hundredths", and "eleven one-hundredths", respectively; (c) by striking out in paragraph (3) "fifteen one-hundredths" and "twenty one-hundredths" and inserting in lieu thereof "ten one-hundredths" and "eleven one-hundredths" respectively; and (d) by striking out subsections (b), (c), and (d) of the first section, and section 2.

SEC. 9. This Act shall be known and may be cited as the "District of Columbia Implied Consent Act".

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

TO ENABLE THE BLIND AND THE OTHERWISE PHYSICALLY DISABLED TO PARTICIPATE FULLY IN THE SOCIAL AND ECONOMIC LIFE OF THE DISTRICT OF COLUMBIA

Mr. JACOBS. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 11032) to enable the blind and the otherwise physically disabled to participate fully in the social and economic life of the District of Columbia, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 2, line 15, strike out "guide dog," and insert: "dog guide,".

Page 2, line 18, strike out "guide dog;" and insert: "dog guide;".

Page 2, line 25, strike out "guide dog" and insert: "dog guide".

Page 3, line 5, strike out "guide dog" and insert: "dog guide".

Page 3, line 9, strike out "guide dog" and insert: "dog guide".

Page 4, line 15, strike out "guide dog," and insert: "dog guide,".

Page 4, line 16, strike out "guide dog," and insert: "dog guide,".

Page 4, line 19, strike out "guide dog;" and insert: "dog guide;".

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

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

EXCLUSION OF PERSONNEL INFORMATION, METROPOLITAN POLICE DEPARTMENT, FROM PUBLIC INSPECTION

Mr. JACOBS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 11773) to amend section 389 of the Revised Statutes of the United States relating to the District of Columbia to exclude the personnel records, home addresses, and telephone numbers of the officers and members of the Metropolitan Police Department of the District of Columbia from the records open to public inspection, with Senate amendments thereto, and insist on disagreement to the Senate amendments.

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

Mr. HALL. Mr. Speaker, reserving the right to object, am I to be advised that the gentleman insists on the House bill as printed in H.R. 11773 and will not under any circumstances take title II, which involves compensation of the District of Columbia Council as an "add-on" by the other body, and would stand as opposed under the presently passed amendments of the other body?

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

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

Mr. JACOBS. Mr. Speaker, that is precisely the situation. I might say, if I may, that in the case of the president or the chairman of the City Council, I believe there is an inequity in his salary, but because of procedural difficulties, I agree with the gentleman from Missouri that inequity is best taken care of under regular provisions, perhaps by a retroactive provision in the next Congress.

Mr. HALL. Mr. Speaker, there is no intention of going to conference? If the other body will accept the House-passed version it would then become law?

Mr. JACOBS. That is correct.

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

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

There was no objection.

GENERAL LEAVE

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

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

There was no objection.

OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970

Mr. DANIELS of New Jersey. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 17020) to amend the Occupational Safety and Health Act of 1970 to provide additional assistance to small employers.

The Clerk read the title of the bill.

Mr. WILLIAM D. FORD. Mr. Speaker, I object.

The SPEAKER. Objection is heard.

Mr. STEIGER of Wisconsin. Mr. Speaker, I am saddened that an objection has been made to the consideration of the bill (H.R. 17020).

When the Labor HEW bill was being considered the chairman of the Commit-

tee on Education and Labor and I both assured the House that we would work to bring a bill to the floor to provide consultation for small employers under the Occupational Health and Safety Act—OSHA.

H.R. 17020 was that bill and the objection to and consideration of the bill thwarts the effort of the distinguished gentleman from New Jersey (Mr. DANIELS) and myself to fulfill the commitment made.

H.R. 17020 was designed to provide a necessary aid to small employers in order to help them comply with OSHA. The bill and the support of the two largest and most active small business organizations, the National Federation of Independent Business and the National Small Business Association. It was also supported by the National Safety Council, the Nixon Administration, the AFL–CIO and a broad cross section of employer organizations.

While the other body has passed this bill as an amendment to another bill it would appear that 1972 will pass with the Congress failing to respond to a real need.

In 1973, H.R. 17020 on a similar consultation amendment to OSHA must be a high priority item.

EXTENSION OF AUTHORITY OF SECRETARY OF HUD WITH RESPECT TO INSURANCE OF LOANS AND MORTGAGES

Mr. PATMAN. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1165) to extend the authority of the Secretary of Housing and Urban Development with respect to the insurance of loans and mortgages under the National Housing Act.

The Clerk read as follows:

H. RES. 1165

Resolved, That immediately upon the adoption of this resolution the joint resolution (H.J. Res. 1301) to extend the authority of the Secretary of Housing and Urban Development with respect to the insurance of loans and mortgages under the National Housing Act, together with the Senate amendment thereto, be, and the same is hereby, taken from the Speaker's table to the end that the Senate amendment be, and the same is hereby, agreed to.

The SPEAKER. Is a second demanded?

Mr. McKINNEY. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

PARLIAMENTARY INQUIRY

Mr. HALL. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HALL. Mr. Speaker, at what time would a point of order lie against this procedure predicated upon the rules of the House?

The SPEAKER. The Chair is not prepared to answer the gentleman without knowing what the point of order might be.

Mr. HALL. Mr. Speaker, as I understand the situation there is a unanimous-consent request for immediate consideration.

The SPEAKER. No, this is a suspension of the rules of the House.

Mr. HALL. Mr. Speaker, I ask unanimous consent that the Clerk reread the resolution.

The SPEAKER. Without objection, the Clerk will re-report the resolution.

There was no objection.

The Clerk reread House Resolution 1165.

The SPEAKER. The gentleman from Texas will be recognized for 20 minutes and the gentleman from Connecticut will be recognized for 20 minutes.

The Chair recognizes the gentleman from Texas.

Mr. PATMAN. Mr. Speaker, last Monday, the House passed House Joint Resolution 1301 by a voice vote under the suspension of the rules. The Senate has added three amendments to this resolution. The House-passed version contained extension of the FHA insuring authorities to June 30, 1973. This would continue our Federal housing programs until that date.

The first Senate amendment would extend to June 30, 1973, the existing authority lifting the mortgage ceiling for mortgages eligible for purchase under the Government National Mortgage Association's tandem plan. The second Senate amendment provides an additional $150 million for fiscal year 1973 for the public housing program. The third Senate amendment authorizes $250 million for urban renewal for fiscal year 1973. The additional authorizations for public housing and urban renewal, Mr. Speaker, I believe are vital and have the support of the administration. The additional urban renewal funds are needed in order to provide those cities that were devastated by Hurricane Agnes with funds to assist them in rebuilding the flood-damaged areas in the cities. The $150 million in public housing authorizations is needed to keep this public housing program operating. This is a bare bones authorization for the public housing programs and is needed to keep the program operating during this current fiscal year.

Mr. Speaker, I strongly urge the House to adopt this resolution so that our housing programs can be extended until June 30, 1973.

Mr. Speaker, for the information of the Members, the Secretary of Housing and Urban Development, Mr. George Romney, has endorsed the bill and endorsed the procedure we have here now.

I quote from his letter of October 10, 1972:

> Last Friday, the Senate passed a joint resolution extending the insurance authority until June 30, 1973, which is identical to the extension date contained in the joint resolution approved by your committee and by the House. The Senate-passed joint resolution also contains provisions intended to extend several other authorities and programs of this Department.
>
> The resolution as passed by the Senate is acceptable to the Administration. I urge the House to give quick approval to this measure so that mortgage insurance operations can be resumed without further delay.

Mr. Speaker, I believe this is the only way we will get a bill. This is to extend the existing agencies, the insurance programs, and all the housing acts which expire soon. It will extend them until June 30, the end of the fiscal year 1973. If this is not adopted, I do not know what will happen to those programs because they will have to suspend immediately the paying of insurance or the granting of insurance and the housing programs that are related to it, so it would be a situation of crisis.

I hope that the Members of the House will vote for this bill, because it is very necessary.

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

Mr. PATMAN. I will withhold the remainder of my time.

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

Mr. PATMAN. Just a moment. I did not know that the gentleman would be recognized for that purpose.

Mr. HALL. You did not?

Mr. PATMAN. No, I did not, but my associate told me you did, and I recognized you.

The SPEAKER pro tempore (Mr. BOGGS). Will the gentleman withhold his point of order?

Mr. HALL. In view of the backtracking of the gentleman from Texas, I will gladly withdraw my point of order, although the Chair recognizes, I asked that you yield.

Mr. PATMAN. What was that last?

Mr. HALL. About the same as yours. If I offended the gentleman by referring to his great State of Texas, I certainly apologize.

Mr. Speaker, all I want to know from the gentleman is what the total cost of the bill is and whether the Senate amendments are germane.

Mr. PATMAN. It is $250 million plus $150 million; $400 million.

Mr. HALL. That is in the extension only?

Mr. PATMAN. Yes, sir.

Mr. HALL. That is not an increase in the rate per annum, or is it?

Mr. PATMAN. No. It is a cutback of $200 million.

Mr. HALL. I thank the gentleman. Are there any Senate nongermane amendments involved?

Mr. PATMAN. No. The amendments there were adopted——

Mr. HALL. I thank the gentleman.

Mr. PATMAN (continuing). Were adopted by the House.

Mr. McKINNEY. Mr. Speaker, will the gentleman from Texas yield?

Mr. PATMAN. Would the gentleman use his own time?

Mr. McKINNEY. Yes; I would be delighted to.

I wondered if the Chairman could explain to the House, in section 3, item 2 and 3, the Senate amendments which have been added to the bill.

Mr. PATMAN. Yes. With respect to the removal of the statutory limitation on the amount of annual contributions contracts a public housing project may receive, may I say that I have been in contact with the Department of HUD on this matter and I have received strong assurances from them that they will pro-

vide assistance over the statutory limit only in cases where the project is faced with a severe emergency situation and only after there has been a very tight budget review which shows that all unnecessary project expenditures have been eliminated. HUD has also assured me that it intends to provide assistance in these cases only in the amount which is absolutely necessary. I fully concur with this policy and believe it accurately reflects the intent of the Congress. This authority is intended to be used only in those cases of dire emergency which may arise between now and next spring when the Congress will have a fuller opportunity to act.

Mr. McKINNEY. If I might question the gentleman further, this would be conducted, solely by the rules and regulations or the decisions of HUD, and totally open-ended in this action. For instance, if there were a rent strike on the part of tenants, it is perfectly possible that HUD, in its own decision and jurisdiction, could go right on paying extra money under dire emergency?

Mr. PATMAN. The Secretary assured us that will not happen, the construction as placed on it.

Mr. McKINNEY. I thank the gentleman for his answers. I am a great supporter of the Secretary, as you know, but it seems to me it is somewhat of a travesty for us to write legislation which is so open ended and upon which we must assume the good and responsible intentions of the Secretary, rather than legislate the type of limits we know should be in this type of legislation.

This is a really permanent change in the law as it stands. This is opening up public housing in this area from now on in.

Mr. PATMAN. If the gentleman will permit me, this was written into the bill that we had by a vote of the committee.

It was also written into the Senate bill by a vote of the Senate. So I do not believe, in view of the assurance from HUD, we have anything to be disturbed about.

Mr. McKINNEY. I would hope the chairman is right. I respectfully remind him that in our bill we had a great many restrictions we placed around and about this situation, whereas now all we have going for us is the word of the Secretary.

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

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

(Mr. STEIGER of Wisconsin asked and was given permission to revise and extend his remarks with respect to H.R. 17020, today.)

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

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

Mr. HALL. I appreciate my colleague yielding.

Is there a disaster extension here in either the House- or Senate-passed bill that is retroactive to all who have suffered natural or other type disasters?

Mr. McKINNEY. I do not believe so; but I would defer to the chairman.

Mr. PATMAN. The answer is "no."

Mr. BARRETT. Mr. Speaker, I rise in support of House Joint Resolution 1301, as amended by the Senate. The extension of essential HUD programs contained in the resolution is urgently needed.

I would like to make one important point concerning the provision of an additional $150 million in public housing funds which is contained in section 1 of the resolution. It is very likely that a considerable portion of this additional $150 million will be made available by HUD to make up local housing authority operating deficits.

I have no objection to this provision. It was contained in the omnibus housing bill which, as Members know, failed recently to receive a rule from the House Rules Committee. In fact, the omnibus housing bill would have provided an additional $200 million for operating subsidies for the public housing program.

However, the omnibus bill would have directed HUD to condition the availability of further operating subsidies to housing authorities on the adoption by them of effective management procedures. These would have included the following:

(1) The establishment of tenant eligibility criteria which, within a reasonable period of time, will assure that the project will include families with a broad range of incomes and will avoid concentrations of very low-income and socially deprived problem families;

(2) The establishment of satisfactory procedures to assure the prompt payment and collection of rents; and

(3) The establishment of effective tenant-management relationships which assure that—

(A) satisfactory standards of behavior are required of all tenants, and

(B) satisfactory standards for the safety of tenants and the physical maintenance of the project are established,

and that the public housing agency, together with tenant councils where they exist, enforces those standards fully, effectively, and fairly.

While the absence of this provision in the resolution means that HUD cannot legally so condition operating subsidies, it should be clear that the great majority of House Banking and Currency Committee members desire HUD to take a stronger stance in encouraging improved management. The Secretary should do everything in his power not only to encourage the development of new and improved management techniques, but also to provide technical and other assistance to housing authorities to carry out new operating procedures. I believe I speak for all the members of the Banking and Currency Committee in this respect.

Mr. ST GERMAIN. Mr. Speaker, one of the sections of the unpassed housing bill is a provision to remedy a quirk in the Savings and Loan Law. The House Banking and Currency Committee unanimously approved section 1141 of the housing bill which would postpone for 1 year a provision in the National Housing Act that requires insured savings and loans to prepay premiums to the Federal Savings and Loan Insurance Corporation. The prepayment provision, which we no longer believe is necessary, would cause associations to prepay into the FSLIC approximately $600 million thus diverting this large sum from home mortages. This provision is not contained in this resolution.

If we are unable to enact this provision postponing these prepayments for a year, it is essential that Congress take corrective action early next year. A long-range permanent program for financing the FSLIC needs to be enacted and I understand that the Federal Home Loan Bank Board will submit such a plan early next year.

I am hopeful that we can have hearings on the Administration's plan or other plans to provide for financing the insurance on a sound basis. If we cannot complete a rewrite of the statute early next year, I trust the Congress will agree to a temporary postponement for any prepayments and avoid diverting this large sum of money from the home financing market.

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

Mr. PATMAN. Mr. Speaker, I ask for a vote.

The SPEAKER pro tempore (Mr. BOGGS). The question is on the motion offered by the gentleman from Texas (Mr. PATMAN) that the House suspend the rules and agree to House Resolution 1165.

The question was taken; and—two-thirds having voted in favor thereof—the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

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

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

There was no objection.

CONFERENCE REPORT ON H.R. 8395, REHABILITATION ACT OF 1972

Mr. BRADEMAS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the conference report on the bill (H.R. 8395) to amend the Vocational Rehabilitation Act to extend and revise the authorization of grants to States for vocational rehabilitation services, to authorize grants for rehabilitation services to those with severe disabilities, and for other purposes.

The Clerk read the title of the bill.

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

There was no objection.

Mr. BRADEMAS. Mr. Speaker, I ask unanimous consent that the statement of the managers be read in lieu of the report.

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

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of October 11, 1972.)

Mr. BRADEMAS (during the reading). Mr. Speaker, I ask unanimous consent that further reading of the statement be dispensed with.

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

There was no objection.

Mr. BRADEMAS. Mr. Speaker, I am pleased to rise to urge support for the conference report on H.R. 8395, the Rehabilitation Amendments of 1972. This bill comes as the culmination of 2 years of intensive activity and I believe H.R. 8395 to be the most substantial and significant advance in aid to handicapped persons in half a century.

The conference report, Mr. Speaker, is the result of bipartisan cooperation and compromise. H.R. 8395 passed the House by a vote of 327 to 0 and the Senate by a vote of 70 to 0.

I would like here to express my warm appreciation to the distinguished chairman of the Education and Labor Committee, Mr. PERKINS of Kentucky, and the distinguished ranking minority member of the committee, Mr. QUIE of Minnesota, who have labored long and hard on this legislation to better the lives of handicapped people.

I would be remiss, Mr. Speaker, if I did not also thank the gentlelady from Hawaii, Mrs. MINK, and the gentleman from Idaho, Mr. HANSEN, for their fine efforts in seeing this legislation successfully through the House, and helping guide it through the conference.

Mr. Speaker, I wish also to express my warm thanks to the distinguished chairman of the Senate Committee on Labor and Public Welfare, Senator WILLIAMS; of the Subcommittee on the Handicapped, Senator RANDOLPH, and, in particular, to the distinguished senior Senator from California, Senator CRANSTON, who gave such outstanding leadership on this measure, as well as to the other Senate conferees, Senators JAVITS and STAFFORD.

Mr. Speaker, we all know that one of the most successful illustrations of Federal-State cooperation in working toward a national goal is the vocational rehabilitation program created by legislation enacted in 1920 and amended many times since. The goal of the program through the years, Mr. Speaker, has been to assure that physically and mentally handicapped persons have, as near as it is possible, the same opportunity to succeed as have nonhandicapped persons.

IMPORTANCE OF VOCATIONAL REHABILITATION

Mr. Speaker, for 50 years, vocational rehabilitation has been a great success. Nearly 3 million disabled persons have been returned to productive activities since the act became law in 1920. During fiscal year 1971, a total of 291,272 persons received rehabilitation training and services and returned to the labor market. The earnings of those 291,272 persons increased by an estimated $770 million over what they had earned the year before they entered the vocational rehabilitation program. Average earnings of the persons rehabilitated had been $15.95 a week when they were first accepted into the program, but upon completion, their average earnings rose to $68.86 a week.

The Vocational Rehabilitation Act has often been the difference between poverty and financial independence, between despair and hope. Successful as the program has been, however, there is still much to be done to insure the rehabilitation of the handicapped people of this country. Despite the millions who have successfully completed rehabilitation services, there are even more millions who have not received any services at all. The simple fact is that, contrary to what many people think, the total number of seriously disabled people in the United States is increasing every year. As medical skills improve, persons who in years past would have succumbed to certain types of illness and injuries are today surviving to live lives of disability. An example of this is the thousands of disabled young men who have come out of the Vietnam war. Because of advances in evacuation techniques and treatment of catastrophic injuries, men who would have died on the battlefield in earlier wars are surviving in this war. Of the 400 Americans with spinal paralysis carried off the battlefields of World War I, 90 percent were dead within a year of receiving their wounds. Today soldiers receiving spinal cord injuries are surviving to live long lives in wheelchairs.

The simple fact is, Mr. Speaker, that we have only begun to scratch the surface in meeting the needs of our disabled fellow citizens. The conference report before us today contains provisions that will enable us to improve and enlarge the work of rehabilitating physically and mentally handicapped persons to enable them to return to their places in their families and communities as effective participating members of society.

Mr. Speaker, in my opinion, H.R. 8395 is a historic measure.

The bill is a replacement of the present Vocational Rehabilitation Act, and it contains substantially intact all current provisions of the present law while adding several new ones, all grouped according to purpose under several titles.

BASIC PROGRAM—TITLE I

Title I of H.R. 8395, Mr. Speaker, extends the present section 2 program of basic support grants to the States for vocational rehabilitation services, with some modifications to enable the program to operate more efficiently and comprehensively. These grants are to be used for two types of projects:

The planning, preparing for, and initiating of special programs to expand vocational rehabilitation services; and

The establishment of special programs to initiate or expand services to handicapped individuals who have unusual or severe problems in connection with their rehabilitation.

Mr. Speaker, let me here stress what I consider to be one of the most important features of title I, and, indeed, one of the most important features of H.R. 8395: the conferees intend that while all handicapped individuals be served under title I, priority be given to those individuals suffering from the most severe physical and mental handicaps.

The conferees took this position in light of the overwhelming testimony, in both the House and the Senate, to the effect that those persons with the most severe types of physical and mental conditions were not receiving adequate services.

So while the conferees recognize that there is great justification for serving those suffering from social disabilities and handicaps, such as the drug addict or the alcoholic, we would also note that other sources of funding exist to assist these individuals, and would urge that these sources be utilized first so as to concentrate the limited dollars available for rehabilitation purposes on those suffering from the most severe handicaps.

And I would also note, Mr. Speaker, that although we can hardly expect the Rehabilitation Services Administration to discontinue services in any area where it is now providing services, we can expect that wherever funds are available in other legislative authorities for the socially handicapped, cooperative arrangements will be made to purchase services for these individuals.

SEVERELY HANDICAPPED—NONVOCATIONAL GOAL—TITLE II

Mr. Speaker, title II encompasses a new grant program for States to develop and implement services to those so severely handicapped that a vocational goal for them is likely out of the question. Limitations in present law have meant that those individuals unable to be rehabilitated for employment purposes have frequently had no services made available to them at all. Often, Mr. Speaker, this has meant that those most in need of assistance have been denied it.

But we now know that many handicapped individuals who might never be able to hold a job can be assisted by rehabilitation services to the point that they can be more self-sufficient and independent within their homes and their communities. Title II is addressed to meeting the needs of such persons and we hope that under the provisions of this title we can help the most severely disabled achieve a greater feeling of dignity and self-worth in their communities.

SPECIAL FEDERAL RESPONSIBILITIES—TITLE III

Title III of H.R. 8395, Mr. Speaker, groups together under the title of "Special Federal Responsibilities" a number of special projects which operate outside of but together with the ongoing basic rehabilitative program, and which serve to develop program capacity and otherwise promote services for the handicapped and enhance the environment in which they live.

Title III, Mr. Speaker, includes important provisions providing for the construction of rehabilitation facilities—both by way of direct grants for such construction, as well as mortgage insurance and annual interest grants for rehabilitation facilities.

Title III also provides for the establishment of comprehensive centers for low-achieving deaf youths and adults. These centers will conduct research, train people to work with the deaf, and develop new methods and techniques for serving the deaf.

SPINAL CORD INJURED

One of the most important provisions in title III is the one to establish and operate National Centers for Spinal Cord Injuries. These centers will be used to demonstrate methods of providing those special intensive services needed to rehabilitate handicapped individuals suffering from such injuries. In addition, the centers will train personnel to work with spinal cord injured persons and will conduct research in the problems of persons suffering from such injuries.

Let me just point out, Mr. Speaker, that there are today approximately 125,000 persons in this country who are paraplegics or quadriplegics, and the number is steadily growing. Five to ten thousand more persons with significant spinal cord injuries are added each year.

Up until recent years, most victims of spinal cord injuries survived no more than a few years, at the most, after suffering their injuries. But the great advances of medical science during the war and postwar periods, including the development of antibiotics and new systems of treatment and rehabilitation, have made it possible for many of these victims to leave the hospital and return home to survive to a nearly average lifespan.

Mr. Speaker, the increased survival of spinal cord injury victims presents tremendous challenges and reponsibilities for rehabilitation. We must not allow these persons to vegetate in their wheelchairs. They have so much to offer and to contribute if only they are given the right kind of encouragement and assistance. Rehabilitation of the paraplegic or quadriplegic is an expensive and time-consuming procedure, but it is something we must do. Dr. Howard Rusk, a pioneer in modern rehabilitation techniques, estimates that the cost of rehabilitating a young quadriplegic is about $25,000. Dr. Rusk compared this cost with the cost of institutionalizing a 20-year-old patient with 50 years of life remaining. As Dr. Rusk said:

> Put in a second-rate nursing home with a modicum of attendant care, $15,000 a year would be a bargain. Multiply $15,000 by 50 and that patient will cost $750,000.

So the truth is that we cannot afford not to do something to help the spinal cord injured obtain rehabilitation services. The National Centers for Spinal Cord Injuries established by the provisions of this bill will help to answer these needs that have been largely unmet thus far.

KIDNEY DISEASE

Mr. Speaker, another special group of disabled individuals who will be served by an important provision of this title are those suffering from end stage renal disease. The bill authorizes grants to States and other organizations and agencies to pay part of the cost of providing special services, artificial kidneys, transplantation, and supplies for the rehabilitation of such persons.

About 8 million Americans each year suffer from kidney and kidney related diseases. Of those, about 55,000 patients proceed to end stage kidney disease, for which the principal treatments are hemodialysis—artificial kidney—and transplantation therapies. About 20,000 to 25,000 of the 55,000 end stage renal disease patients could benefit from these life-saving procedures. About 60 percent could be trained for home dialysis and 40 percent maintained in-hospital or in satellite centers. In addition, newly improved transplant capabilities now allow 2,500 to 3,000 transplants per year.

These procedures are literally saving lives every day, but they are very expensive and quite limited in the numbers of persons who are being served. For home dialysis, the costs run about $19,000 for the first year. Broken down, the approximate costs are: for the machine and necessary plumbing and carpentry adjustments to the home, $4,000; a 12-week home training program, $9,000; the cost of dialysis for the remainder of the year, about $6,000. For each year after the initial one, home dialysis costs about $6,000. The cost of in-hospital or satellite center artificial kidney treatment varies from State to State, depending on physician supply and the number of patients, but the national average is around $25,000 per year. The costs for transplantation are $8,000, with very little continuing expenses after the first few months following surgery.

The success rate for kidney transplantation is steadily improving. At the present time, if a patient gets a kidney transplant from a relative, the chance of his surviving 5 or more years is greater than 90 percent. If the patient gets the transplant from a nonrelative, a person who has recently died, the initial success rate is between 70 and 75 percent. Those figures represent great progress from just 5 years ago, when the success rate of a kidney transplant from a relative was much less than 70 percent, and, from a recently deceased person only 30 percent.

Obviously, Mr. Speaker, we are becoming more and more proficient at saving the lives of those suffering from chronic renal failure. The problem is that we have not been able to save nearly enough of those who could be helped. Limitations of personnel, facilities, and funding mean that every year people die unnecessarily. In the subcommittee which I have the honor to chair, Mr. Speaker, we heard testimony that between 20,000 and 25,000 people die each year who could have been rehabilitated. The project grants authorized by this bill will help to cut down this needless loss of life. The grants will enable communities to help people with the cost of services. The grants will help communities develop capacity to provide the necessary services and supplies, pending the establishment of a broad national policy and adequate funding for a long-term approach to the problem.

RESEARCH AND TRAINING—TITLE IV

Title IV, Mr. Speaker, contains provisions for research and training for vocational rehabilitation. I would cite particularly support for new research emphasis, including efforts to bring together in biomedical engineering projects the talents of scientists and engineers to advance prosthetic and other mobility devices.

The research provisions also authorize a special research program for spinal cord injury to support the National Centers for Spinal Cord Injuries established under title III.

The Commissioner is further authorized under title IV, Mr. Speaker, to pay part of the costs of training projects and related activities designed to increase trained personnel to work with handicapped individuals.

EVALUATION—TITLE V

Title V contains new provisions relating to the administration and evaluation of programs and projects undertaken under this act. I should point out that, while the rehabilitation administration has evaluated the effectiveness of programs in the past, the conferees felt that express authorization for this activity was needed, and title V provides that authorization, and also requires that the reports submitted by the Secretary to Congress and the President on vocational rehabilitation include detailed statistics on the kinds of rehabilitation services and closures as well as their number.

OFFICE FOR THE HANDICAPPED—TITLE VI

Finally, Mr. Speaker, title VI of H.R. 8395 establishes, within the Office of the Secretary, an Office for the Handicapped to be headed by a Director.

The duties of the Director are to include an analysis of program operation to determine progress being made toward meeting the needs of the handicapped in America, the preparation and submission to the Secretary of long-range plans effectively to provide comprehensive services to the handicapped, the provision of assistance to the National Advisory Council on Rehabilitation of the Handicapped—established by this act—and to the National Advisory Council on the Education of the Handicapped—established by Public Law 91-230—and the creation of a central clearinghouse for information and resources available to handicapped individuals.

Let me just point out, Mr. Speaker, that the information center which the Director is directed to establish is a necessity in improving our services to the handicapped, and is to include information not only on programs available within the Department of Health, Education, and Welfare, but also within other Federal departments as well as information from public and private agencies and organizations.

I should, however, tell my colleagues, Mr. Speaker, that the conferees did not intend in establishing an Office for the Handicapped to create another layer of Federal bureaucracy between existing agencies dealing with our handicapped and disabled Americans. Rather, we see this Office as a means of assistance to handicapped agencies within the Government and as a central location for the evaluation and planning of rehabilitation services so that Congress and the executive branch of the Federal Government can have the information they need for further initiatives.

Indeed, Mr. Speaker, the conferees specifically intend that no plans developed by the Office be implemented without specific authority from the Congress of the United States.

Let me summarize, this legislation by noting that it:

First. Continues one of the most successful Federal-State cooperative efforts in the area of human services that we have yet devised; and

Second. For the first time provides for programs for those so severely handicapped that they may never be rehabilitated for work, but who can benefit from services to the extent that they may be allowed to live more independently and function more normally in their families and communities.

Mr. Speaker, let me just say to my colleagues that the conference agreement differs in no substantive manner whatsoever from the measure to which we gave such overwhelming bipartisan support last March.

Indeed, I would say with some pride, that the major provisions of this measure still retain substantially the House position, and that my colleagues on the House conference team championed our point of view in the conference with admirable vigor.

The House bill was a good bill, and the conference report is a good bill, and I hope it is overwhelmingly adopted.

Mr. Speaker, a statement of a great President of the United States frequently comes to my mind as I consider legislation to improve the lives of the less fortunate in our society.

I refer to the following remarks from Franklin D. Roosevelt's second inaugural address:

> The test of progress is not whether we add more to the abundance of those who have too much, it is whether we provide enough for those who have too little.

Mr. Speaker, let us act now to provide enough for our fellow citizens in America who are handicapped and disabled.

I urge the adoption of this conference report.

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

Mr. BRADEMAS. I am glad to yield to the distinguished chairman of the committee.

Mr. PERKINS. Mr. Speaker, first let me compliment the distinguished chairman of the subcommittee (Mr. BRADEMAS) for an outstanding accomplishment in bringing this conference report before the House.

There are considerable improvements in the vocational rehabilitation amendments this year, and every Member in this Chamber, I am sure, will take pride in supporting this great piece of legislation.

Since the beginning of the Federal-State program of Vocational Rehabilitation in 1920 over 3 million handicapped people have been rehabilitated. In the early years the number of persons rehabilitated averaged 4,300 per year. The program grew in effectiveness and size to a point in the early 1960's where 120,000 persons were being rehabilitated each year. President Johnson and the Congress in the 1960's set as a goal the rehabilitation of at least 200,000 persons per year. Important legislative enactments in 1965 and in 1968 allowed us to reach that point so that in 1970 in excess of 200,000 persons were rehabilitated to productive and meaningful lives. The conference report before us will move the vocational rehabilitation program ahead at even a faster rate. It is a vocational rehabilitation bill which I believe every Member of the House will support.

I am pleased to report to my colleagues that we were successful in retaining the House position on the formula for fiscal year 1973 and fiscal year 1974. Funds for the basic program will be allocated on the old formula which we all know has been good for vocational rehabilitation. It is a formula which has helped people in poorer States. The program will continue to prosper nationally under this method of allotting funds.

Mr. Speaker, last year vocational rehabilitation services were provided to 1,111,045 persons. 326,000 of these were successfully rehabilitated. Under the Conference Report, we authorize $800,000,000 for the basic program for the current fiscal year. This will allow us to serve 1,600,000 persons and to rehabilitate more than 450,000. Under the conference report, the program will continue to grow through the next year where, under an authorization of $975,000,000, close to 2,000,000 handicapped persons could be served, and we could expect to successfully rehabilitate more than 568,000.

Under the conference agreement, emphasis is given to serving persons with most severe handicaps. This emphasis is important and desirable. I want to make clear, however, that there is no intention to preclude the rendering of services for any eligible person.

I am pleased that the conference report contains a title from the original House bill authorizing a separate program of grants for services to assist in developing and implementing services to persons with severe handicaps. Under the authorizations provided, it is estimated that we can serve 15,000 such handicapped individuals in the current fiscal year, 20,000 in fiscal year 1974, and 25,000 in fiscal year 1975.

Also, Mr. Speaker, the conference report makes significant improvements in the organizational structure of HEW for the provision and coordination of programs for handicapped persons.

Research and training components of the Vocational Rehabilitation program are extended, strengthened and expanded.

Further, Mr. Speaker, the report provides for either the extension or establishment of a series of important rehabilitation efforts, including:

Grants for the construction of rehabilitation facilities;

Vocational training for handicapped persons;

Mortgage insurance and annual interest grants for construction of rehabilitation facilities;

Support for the National Center for Deaf Blind Youths and Adults;

Rehabilitation centers for deaf individuals;

Support for the National Center for Spinal Cord Injuries;

A new program of services for older blind individuals;

And a program of grants for services for end-stage renal diseases.

Finally, Mr. Speaker, I would mention this conference report culminates 2 years of intensive activity at subcommittee and committee levels, on the floor of the House and Senate and in the conference committee. I want to recognize and commend the chairman of the Special Subcommittee on Education, our colleague, JOHN BRADEMAS, for the great leadership and effort he has provided in this endeavor. May I take this opportunity to also commend the ranking minority member, Mr. QUIE, for his untiring work. Members on both sides of the aisle in our committee have actively participated in this legislation and have made significant contributions. The result is a truly comprehensive bill.

One of the great strengths of the vocational rehabilitation program over the years has been its ability to change and meet new demands and problems as they become evident. This conference report, in my judgment, continues that tradition, and I urge its passage.

Mr. BRADEMAS. I thank the distinguished chairman.

Mr. Speaker, I yield to my colleague from Minnesota (Mr. QUIE).

Mr. QUIE. Mr. Speaker, the House-Senate conference agreement on the Vocational Rehabilitation Act Amendments of 1972 is a source of deep gratification to me. Because of the splendid bipartisan support from our House conferees, we were able to draft new vocational rehabilitation amendments this year which represent a significant step forward in the treatment of severely handicapped individuals.

I must express my appreciation for the dedication and fine work of Representative JOHN BRADEMAS—chairman of the Select Subcommittee on Education—and Representative CARL PERKINS, chairman of the full committee, Representative ORVAL HANSEN of Idaho, and Representative PATSY MINK. Because of our combined efforts, we were able to prevail in conference on the major thrusts in the original House bill.

The conference bill keeps the basic program with its vocational goal for handicapped individuals intact but adds a priority for those who are most severely handicapped. Most importantly, this bill establishes statutorially the Rehabilitation Services Administration within the Department of Health, Education, and Welfare, and provides that RSA will be the principal agency in the Department for carrying out and administering services related to handicapped individuals. In addition, it mandates that the Commissioner of RSA shall be the principal officer for carrying out and administering all programs under this act and that he shall be under the general supervision of the Secretary.

The bill goes a step further in that for the first time it establishes programs for severely handicapped individuals who may not be rehabilitated for work, but who can benefit from services which allow them to live more independently and function normally in their family and community.

During our hearings our committee found that there has been a tendency to play a "numbers game" and treat the most easily rehabilitated individuals, rather than to seek out those with the

severest handicaps who are the most difficult to treat. Because of this situation, we have, through these amendments, directed RSA to place a priority on those individuals who are most severely physically and mentally handicapped. The emphasis on the severely handicapped is probably the most significant action taken by the Congress since the inception of the legislation 52 years ago. It was done because many severely handicapped individuals throughout the country are simply not being served since they are traditionally more "difficult" cases and require greater time, energy and skill to place back on the job. The intent of forcing a redirection of priorities for the handicapped is designed to minimize the "one shot" service and referral clients which are now common throughout the country. An example of such a one shot referral is an individual with a slight hearing loss who is referred for a hearing test and fitted for a hearing aid. Another example is an individual who needs a hernia operation or a hysterectomy. Still another is one who merely needs to have teeth straightened.

It should be clearly understood that I am in no way suggesting that an individual with a disability that requires a single referral is not handicapped or in need of some assistance. It is the intention of the conferees that no category of disability be restricted from receiving services and that no individual who applies for rehabilitation services be denied such services because of the new priority that we have placed on this bill. It is the specific intention of this legislation that those individuals who have the worst problems be given priority attention by rehabilitation agencies.

I recognize that providing services to individuals with the severest disabilities is a very real and a very difficult problem. Yet, after reviewing the available vocational rehabilitation statistics and learning about the pressures that have been placed on Federal and State agencies to serve and rehabilitate greater numbers of clients each year, I can understand why it has become necessary to seek out those who could be helped the easiest. This is not to suggest that any disability is a "good one." I realize that the handicap that an individual has because of his disability, regardless of how slight it may be, is a very real and a very personal one to him. It is my feeling, however, that, given the limited dollars, that those who need the services most should receive the services first.

To relieve some of the pressures that have been placed upon rehabilitation agencies and counselors, we have specifically prohibited setting of quotas, case balancing, or anything that suggests greater numbers of individuals must be served each year. We hope that agencies throughout the country will be able to increase their caseloads but I feel that this should only be done if they are able to meet all of those for whom the priority has been set.

I must observe that the bill now contains a definition of "severe handicap." It is in the bill to give guidance to the Commissioner in writing in regulations. Defining "severe handicap" was an attempt to illustrate those disabilities which are judged to be most severe. The list is certainly not complete but it was necessary to put in a definition which could at least be used for guidance. When the bill first passed the House last March 20, we specifically did not attempt to define "severity" because we felt that defining "severity" was at best difficult to do since we recognize that every person has abilities and disabilities which involve his personal state of health, his body structure, his emotional state, his life experiences, his ability to relate to others, his motivations, his expectations, the role he sees himself playing in life, and the role in life others see him playing. For these reasons we felt that it was difficult to put a firm description of what we intended to mean by "severity." However, it became clear as the other body took its actions and the conference tried to reconcile the differences between the two bills, that some specific definition was needed. It is my hope that as rehabilitation agencies throughout the country begin to redirect their efforts that they do so in a manner which will be thoughtful and responsible, and will consider the needs of each client above all and not attempt to comply with the law. Only through thoughtful consideration can the handicapped truly benefit.

Mr. Speaker, I must point out that both the House and the Senate expressed concern about research and training authorized under this act. In the past funds for rehabilitation research have been allocated through the act but have been administered by the Social Rehabilitation Services Administration. It was our feeling that although it was conceptually sound to combine all departmental research and training efforts in one office, there was definite concern that the rehabilitation focus was being lost in such an arrangement. As a result we established a Division of Research, Training, and Evaluation to be responsible for carrying out all of the research and training authorities in this act. Furthermore, we established within it a Center for Technology Assessment and Application which will be responsible for developing, supporting, and stimulating innovative methods of applying medical technology and scientific achievement to rehabilitation services for the handicapped. We felt that this new division was so important that we established the position of Assistant Commissioner, to be responsible directly to the Commissioner, to head it and directed him to work with the National Science Foundation and the National Academy of Sciences in carrying out his duties. In establishing this Division I believe that the Congress has brought new focus and given new emphasis to rehabilitation research needs.

As with research we felt that training had to be refocused as well. When the Congress changed the direction and priority for services under title I and established a new category of services under title II, we recognized that the entire question of training must be reevaluated and refocused to help counselors and other personnel to better understand and cope with these new goals. I would hope that as training needs are evaluated that thoughtful consideration will be given to how to utilize related fields in preparing rehabilitation personnel for their work. I would hope that departments of special education in universities would be utilized to the maximum extent so that their efforts and the rehabilitation training efforts, which are so closely related, begin to dovetail in actual practice.

I think that given the spending limitations imposed because of budgetary restraints I would encourage the Secretary and the Department of Health, Education, and Welfare to initiate whatever steps are necessary to utilize funds from other legislative authorities to assist in the rehabilitation of handicapped individuals through this program wherever possible. In this regard I note that the administration has substantially expanded its commitment in the areas of treating alcoholics and drug addicts by increasing funding from approximately $21 million in 1969 to $129 million in 1973 for the treatment of alcoholics, and by increasing funding from approximately $38 million in 1969 to $126 million in 1973 for the treatment of drug addicts. This year through the Education Amendments of 1972 the Congress has made more money than ever before available to needy students who desire to go to college.

There is a specific requirement in this legislation regarding tuition support for post secondary education that no funds under this act shall be utilized unless a maximum effort has been made to secure grant assistance, in whole or in part, from other legislative authorities. Furthermore, the bill stipulates that no funds may be used under title II for services unless a maximum effort has been made to secure grant assistance from other sources to pay for those services. Since there is money in other legislative authorities within HEW, outside of RSA, such as health, mental health, and social services authorities, I envision that where other Federal programs provide services for the same clientele that RSA might serve, and where the objectives such as rehabilitation and training exist, that the sources from outside of RSA will be utilized by the Department to purchase those services which RSA can best provide. RSA authority should in turn not be used to fund activities which those other authorities can be utilized to provide. Since other agencies have similar goals, it seems consistent and sensible to me and at the same time to be in the best interest of program recipients for other agencies to purchase services in this manner and provide the services they are uniquely equipped to provide in conjunction with the vocational rehabilitation services. What we must strive for is the optimum use of available resources from related programs to assist handicapped people in becoming self-sufficient.

We should assure that all of these programs operate in concert at Federal, State, and local levels to aid in rehabilitating the handicapped. In this way I believe it will be possible for the Department to utilize the limited available dollars to the maximum best interests and of ultimate benefit to handicapped individuals.

Mr. Speaker, there are so many new and far reaching aspects of this bill that

I think it will take years before the true impact of all that we have done here today is felt around the country. But in the coming years I feel that not only will the handicapped throughout the Nation be the direct recipients, but the entire Nation will reap the rewards as well.

Mr. BRADEMAS. Mr. Speaker, I yield to the gentleman from Idaho (Mr. HANSEN).

Mr. HANSEN of Idaho. I thank the gentleman for yielding.

Mr. Speaker, it is with great pride that I point to the Vocational Rehabilitation Act Amendments of 1972 as an outstanding accomplishment by this Congress. The action we have taken reflects our concern for the handicapped of this Nation. At the same time it also reflects our awareness that some handicapped individuals have not received services in the past but will now be able to under this new legislation. State rehabilitation agencies traditionally have done an outstanding job in behalf of the handicapped individuals in their States. However, in recent years, because of the pressures to serve greater numbers and rehabilitate more people, oftentimes these individuals with the most serious disabilities could not be served. These amendments correct this situation by removing quota pressures that have been imposed upon rehabilitation counselors in the past and places a priority in the bill which directs state agencies to serve those individuals whose handicap is most severe. It should be clear that it is not the intention of this legislation to deny services to any handicapped individual but it does clearly put a focus on those who are in most need.

This bill reflects a truly bipartisan effort and I would like to take this opportunity to strongly commend the chairman of the subcommittee, the Honorable JOHN BRADEMAS, the chairman of the full committee, the Honorable CARL PERKINS, and the ranking minority member, the Honorable ALBERT QUIE, for their truly outstanding contributions to this legislation. Truly it was an effort we all felt will chart a new course for the Federal Government's concern for the handicapped.

I will not attempt to enumerate all of the new concepts and provisions in the legislation but I do want to point to two specific areas which I feel are significant and in which I have a deep interest. The new title II of this bill is designed to provide services for individuals who are so severely handicapped that they will never be able to go to work. What we did in this title was to recognize that there are people in this country who are not able to work and who can never be able to work and who, at the same time, often require attention from another party, thereby tying up another person as well as considerable resources.

It is our hope that through this title people will be helped so that they can live more independently. For example, I have long been concerned about the problems of the elderly and all of the problems which that group normally experiences and I recognize that one which we pay very little attention to is the fact that the majority of people who become blind in America are over the age of 50. The simple problem of caring for oneself, let alone getting around, becomes monumental. I envision that through this title all people can be given mobility training for very little expense and be brought back into a more active and self-sufficient life. I can also envision a handicapped individual who is homebound who requires an attendant because his needs are so numerous. Here, too, such an individual might benefit from this title, giving him the training and assistance he might need to perform many of these functions on his own, thereby freeing his attendant.

This title is a new concept and a new departure for vocational rehabilitation. I was convinced when we developed it in the subcommittee last February that it was an important concept. Today I believe that it has the potential of having a significant impact throughout the country.

Another program which I had a very special personal interest in is the National Center for Spinal Cord Injuries. Through this legislation we established and recognize national centers for the treatment of individuals who are suffering from spinal cord injuries and continue to expand and develop new techniques for working with this very severe disability. I have long recognized that a spinal cord injury is a catastrophic occurrence which sets off any number of physical, psychological, and social traumas. I am also aware that the problems complicating the rehabilitation of the spinal cord injuries and the potential for regression or other added complications in the absence of proper rehabilitation services is enormous. Therefore, I think we have taken a step toward recognizing that there is a substantial body of knowledge about rehabilitation of the spinal cord injured but it is generally too scattered to be utilized effectively. Through this legislation it is my hope than an expanded effort through the country will result and those individuals suffering from this disability will receive every benefit that medical science has to offer.

Mr. BADILLO. Mr. Speaker, I am pleased to rise in support of H.R. 8395, the Rehabilitation Act of 1972.

Both the House and Senate conferees obviously did a great deal of outstanding work in preparing this report. Having been a party to the original deliberations on the House version of this very complex piece of legislation I must compliment the evident desire on the part of the conferees to report a viable, useful, and relevant piece of legislation.

It was the hope of us in the House that the special emphasis placed for the first time in this measure on individuals with severe handicaps that mandate multiple services will give the States a chance to explore the possibility of using, as much as possible, a community-based treatment approach that would bring the handicapped back to where they belong—their communities. Only through such an approach—found to be successful in California—is there a chance of eliminating the Willowbrooks.

There are two other areas touched on by this legislation that have been of particular interest to me and in which I have received considerable help and support from individuals and organizations. The study of sheltered workshops, authorized in section 501, is of extreme importance. I hope that it will take the form of investigating the total needs of those who are presently working in sheltered workshops as opposed to limiting its focus on working conditions, wages, and other contractual matters. While those considerations are of extreme importance, in themselves they fail to reflect the conditions of the life of the handicapped.

I have asked to have included in the committee report the specification that the study should consider explicitly also the gap, if any, that exists between the wages and public supplements received and the amount needed for the proper maintenance of the individual. Members of Congress should know, in detail, what sources of assistance are available to the handicapped. There are instances that I know of where families have to make the cruel choice of providing for handicapped members or neglecting them in favor of others with equally urgent needs. Families should not be forced to face such choices—and no helpless individual should be forced to ask for this type of sacrifice. Only if Congress is apprised in detail of the extent of the need in this area can we hope to take the steps needed to assure that handicapped individuals are given every opportunity to develop to their full potential and lead dignified, productive lives.

My other area of special concern is the field of transportation. It may come as a surprise to some of my colleagues to hear that none of the 50 States at present have rules establishing safety and fare regulations for private limousine companies that furnish transportation to the handicapped. Such rules are urgently needed. The handicapped have transportation needs that must be met. They should, however, be met safely and efficiently.

At present there is a great deal of variation of rates charged for identical services by different companies. Because there is no regulation of rates, in New York State the only recourse an individual has when dealing with a private limousine company is to appeal to the State in each individual instance, since incredibly enough at present the matter of fare between such companies and the handicapped individual is considered to be a matter of private contract.

I need not stress to my colleagues the hopelessness of individual complaints in such situations. Using the prestige of my office, I had to work several weeks in each case to elicit responses. Private individuals, burdened by their disabilities, simply are not in a position to carry on this type of fight on their own behalf.

Moreover, I have learned from the director of vocational rehabilitation in New York that, since in the course of his duties he has to provide transportation for some of his clients, he is forced to use such companies and often finds himself paying their rates on what can best be described as a "on demand" basis. My understanding is that this situation also prevails as far as certain social security recipients are concerned.

I am hoping that the study authorized

in this measure will investigate such situations and come up with some recommendations. There is, of course, always the last recourse solution of forbidding the use of Federal funds for transportation in States where rates and safety standards are not regulated. However, I am certain that no responsible local government would opt for this choice.

Again, I urge passage of this legislation which is urgently needed and should prove to be extremely useful.

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

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. BRADEMAS. 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.

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

There was no objection.

JEAN ALBERTHA SERVICE GORDON

Mr. DANIELSON. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 7947) for the relief of Jean Albertha Service Gordon, No. 209 on the Private Calendar.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 7947

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Jean Albertha Service Gordon may be classified as a child within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in her behalf by Mrs. Laurel Service Gordon a citizen of the United States, may be approved pursuant to section 204 of the Act: *Provided,* That the natural parents, or brothers, or sisters, of the beneficiary shall not, by virtue of such relationship, be accorded any right, privilege, or status, under the Immigration and Nationality Act.

With the following committee amendments:

On page 1, line 6, after the words "the Act," strike out "upon approval of and insert in lieu thereof the word "and".

On page 1, line 8, after the words "of the" strike out the word "Act:" and insert in lieu thereof the following: "Act and the provisions of section 245(c) of the Act shall be inapplicable in this case".

The committee amendments were agreed to.

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

CERTAIN POSTAL EMPLOYEES AT ELMHURST, ILL., POST OFFICE

Mr. DANIELSON. Mr. Speaker, I ask unanimous consent for the immediate consideration of the Senate bill (S. 655) for the relief of certain postal employees at the Elmhurst, Ill., Post Office, No. 212 on the Private Calendar.

The Clerk read the title of the Senate bill.

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

There was no objection.

The Clerk read the Senate bill as follows:

S. 655

Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled, That, on such terms as he deems just, the Postmaster General is hereby authorized to compromise, release, or discharge in whole or in part, the individual liabilities of Louis H. Linneweh, Howard D. Slavik, Edith J. Fainter, William W. Higgins, Thomas Newett, Roger Olson, and the estate of Joseph J. Holloway, employees at the Elmhurst, Illinois Post Office, to the United States for the loss resulting from the burglary at the post office on February 21, 1965.

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

KENNETH J. WOLFF

Mr. DANIELSON. Mr. Speaker, I ask unanimous consent for the immediate consideration of the Senate bill (S. 2469) for the relief of Kenneth J. Wolff, No. 213 on the Private Calendar.

The Clerk read the title of the Senate bill.

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

There was no objection.

The Clerk read the Senate bill, as follows:

S. 2469

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Kenneth J. Wolff, of Missoula, Montana, is relieved of liability to the United States in the amount of $825.00, representing overpayment (made as a result of administrative error) of his pay while he was on active duty with the United States Marine Corps. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, credit shall be given for amounts for which liability is relieved by this section.

SEC. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Kenneth J. Wolff, referred to in the first section of this Act, an amount equal to the aggregate of any amounts paid by him, or withheld from sum otherwise due him, with respect to the indebtedness to the United States specified in the first section of this Act. No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

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

THEODORE BARR

Mr. DANIELSON. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 6821) for the relief of Theodore Barr, No. 214 on the Private Calendar.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the bill as follows:

H.R. 6821

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Civil Service Commission is authorized and directed to pay, out of any money in the Civil Service Retirement and Disability Fund not otherwise appropriated, to Theodore Barr of Fayetteville, North Carolina, the sum of $1,437, plus interest at 4 per centum compounded annually and computed from June 1950 to a date not later than thirty days from enactment, in full settlement of all his claims against the United States for an error in computation of creditable Federal service by omission of his service for a committee of the House of Representatives between February 1, 1935 and July 1, 1936. The error in computation resulted in his not receiving the disability retirement annuity to which he would have been otherwise entitled during the period February 5, 1947 to June 19, 1950. No part of the amount appropriated in this Act thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, lines 7, 8, and 9, strike "$1,347, plus interest at 4 per centum compounded annually computed from June 1950 to a date not later than thirty days from enactment" and insert "$450.30".

Page 2, line 6, strike "February 5, 1947 to June 19, 1950" and insert "February 6, 1947 through April 30, 1948".

The committee amendments were agreed to.

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

1ST LT. JOHN P. DUNN

Mr. DANIELSON. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 8722) for the relief of 1st Lt. John P. Dunn, U.S. Army, retired, No. 215 on the Private Calendar.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 8722

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to First Lieutenant John P. Dunn, United States Army, retired, of Green Valley, Arizona, the sum certified to him by the Comptroller Gen-

eral of the United States pursuant to section 2 of this Act. Such payment to the said First Lieutenant John P. Dunn shall be in full settlement of all his claims against the United States arising out of his failure to receive the retirement pay due him for the period beginning on November 1, 1954, and ending on March 4, 1958.

SEC. 2. The Comptroller General of the United States shall, within ninety days of the enactment of this Act, certify to the Secretary of the Treasury the sum total of all monthly retirement payments to which the said First Lieutenant John P. Dunn would be entitled for the period indicated in the first section of this Act if his application has been deemed timely filed with the proper officer.

With the following committee amendment:

Page 1, lines 5 and 6, strike "United States Army, retired," and insert "Army of the United States, retired,".

The committee amendment was agreed to.

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

The title was amended so as to read: "A bill for the relief of First Lieutenant John P. Dunn, Army of the United States, retired."

A motion to reconsider was laid on the table.

M. SGT. EUGENE J. MIKULENKA

Mr. DANIELSON. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 10907) for the relief of M. Sgt. Eugene J. Mikulenka, U.S. Army, retired, No. 216 on the Private Calendar.

The clerk read the title of the bill.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 10907

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated to Master Sergeant Eugene J. Mikulenka, United States Army (retired), the sum of $33,207.67 in full settlement of all his claims against the United States for a lump sum disability payment for the injury he suffered on March 7, 1968, at Camp Stanley, in San Antonio, Texas. This claim is not cognizable under the Torts Claim Act.

(b) The receipt of said amount shall in no way affect said Master Sergeant Eugene J. Mikulenka's continued receipt of his regular Army retirement pay.

SEC. 2. No part of the amount appropriated in the first section of this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with such claims, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Strike all after the enacting clause and insert:

That (a) The provisions of section 8116 of title 5, United States Code, shall be waived to the extent that such provisions would prohibit a payment of Master Sergeant Mikulenka's Regular Army retired pay in addition to an award under chapter 81 of title 5, United States Code, for injuries received by him as a civilian employee on or about March 8, 1968;

(b) The acceptance of said award shall in no way affect Master Sergeant Eugene J. Mikulenka's receipt of his Regular Army retired pay; and

(c) The Secretary of the Treasury is authorized to refund to Master Sergeant Eugene J. Mikulenka any sums heretofore withheld from his retired pay by virtue of his election to receive the benefits under chapter 81 of title 5, United States Code.

SEC. 2. No part of any amount paid in accordance with the first section of this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with such claims, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The committee amendment was agreed to.

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

CERTAIN FORMER EMPLOYEES OF THE SECURITIES AND EXCHANGE COMMISSION

Mr. DANIELSON. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 16179) for the relief of certain former employees of the Securities and Exchange Commission, No. 217 on the Private Calendar.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the bill as follows:

H.R. 16179

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That each of the following former employees of the Securities and Exchange Commission is relieved of liability to the United States in the amount appearing beside his name, which amount is the overpayment of travel expenses and per diem allowances made as a result of administrative error for the period September 1, 1970, through March 10, 1971, inclusive, or any portion or portions of such period:

Stanley Diller, $3,241.18; Donald E. Farrar, $5,696.32; William F. Hicks, $3,445.59; Keith B. Johnson, $2,735.10; Seymour Smidt, $3,119.72.

In the audit and settlement of the accounts of any certifying or disbursing officer of the United States full credit shall be given for amounts for which liability is relieved by this section.

SEC. 2. (a) The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to each person named in the first section of this Act an amount equal to the aggregate of the amounts paid by him, or withheld from sums otherwise due him, with respect to the indebtedness to the United States specified in such section.

(b) No part of the amount appropriated in subsection (a) of this section shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this subsection shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

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

MRS. DOMINGA PETTIT

Mr. DANIELSON. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 10636) for the relief of Mrs. Dominga Pettit, No. 218 on the Private Calendar.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 10636

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the administration of the Immigration and Nationality Act, Dominga Pettit, the widow of a citizen of the United States, shall be held and considered to be within the purview of section 201(b) of that Act and the provisions of section 204 of such Act shall not be applicable in this case.

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

MICHAEL A. KORHONEN

Mr. DANIELSON. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 8307) for the relief of Michael A. Korhonen, No. 219 on the Private Calendar.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the bill as follows:

H.R. 8307

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any statute of limitations, lapse of time, bars of laches, or any proceeding, jurisdiction is hereby conferred upon the United States District Court for the District of Alaska to hear, determine, and render judgment upon any claim filed by Michael A. Korhonen, of Juneau, Alaska, against the United States for compensation for injuries and damages suffered by him due to the crash on June 15, 1967, of a United States aircraft in which the said Michael A. Korhonen was riding as an authorized observer on a search-and-rescue mission, such crash having occurred as the result of the alleged negligent operation of the aircraft by United States Coast Guard personnel.

SEC. 2. Suit upon any such claim may be instituted at any time within one year after the date of enactment of this Act. Nothing in this Act shall be construed as an inference of liability on the part of the United States. Except as otherwise provided in this Act, proceedings for the determination of such claim, and review and payment of any judgment or judgments thereon, shall be had in

the same manner as in the case of claims over which such court has jurisdiction under section 1346(b) of title 28, United States Code.

With the following committee amendments:

Page 1, line 4: After "proceeding," insert "or the operation of Section 2680(k) of Title 28, United States Code."

Page 2, line 7: After "United States" insert "Any such claim in the District Court shall be determined according to the substantive law which would apply in such a case if the crash had occurred within the State of Alaska."

The committee amendments were agreed to.

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

MARIE M. RIDGELY

Mr. DANIELSON. Mr. Speaker, I ask unanimous consent for the immediate consideration of the Senate bill (S. 2147) for the relief of Marie M. Ridgely, No. 221 on the Private Calendar.

The Clerk read the title of the Senate bill.

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

There was no objection.

The Clerk read the Senate bill, as follows:

S. 2147

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Marie M. Ridgely of Suitland, Maryland, is relieved of liability to the United States in the amount of $2,201.75, representing amounts received by her as a civil service annuitant while she was employed by the District of Columbia Board of Education for the period beginning June 1, 1965, and ending November 30, 1967. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, credit shall be given for amounts for which liability is relieved by this section.

SEC. 2. (a) The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Marie M. Ridgely an amount equal to the aggregate of the amounts paid by her, or withheld from sums otherwise due her, with respect to the indebtedness of the United States specified in the first section of this Act.

(b) No part of the amount appropriated in subsection (a) of this section in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this subsection shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

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

JOHN C. MAYOROS

Mr. DANIELSON. Mr. Speaker, I ask unanimous consent for the immediate consideration of the Senate bill (S. 2753) for the relief of John C. Mayoros, No. 222 on the Private Calendar.

The Clerk read the title of the Senate bill.

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

There was no objection.

The Clerk read the Senate bill, as follows:

S. 2753

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to John C. Mayoros of Middletown, Connecticut, the sum of $529.84, representing the amount the said John C. Mayoros would have received for hospitalization and medical care expenses incurred by him after his separation from active duty in the United States Air Force under a policy of health care insurance but for an administrative error on the part of the United States Air Force personnel who failed to notify the said John C. Mayoros, at the time of his separation from active duty, that there were insufficient pay and allowances due him to cover the required premium on the health care insurance requested by him but not issued.

SEC. 2. No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this section shall be deemed to be guilty of a misdemeanor and shall be fined in any amount not to exceed $1,000.

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

CASS COUNTY, N. DAK.

Mr. DANIELSON. Mr. Speaker, I ask unanimous consent for the immediate consideration of the Senate bill (S. 3483) for the relief of Cass County, N. Dak., No. 223 on the Private Calendar.

The Clerk read the title of the Senate bill.

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

Mr. HALL. Mr. Speaker, reserving the right to object, is this the type of bill that ordinarily would be considered a Private Calendar bill?

Mr. DANIELSON. If the gentleman will yield, I understand that it is. It is a private bill, although it is for a public entity which receives special relief.

Mr. HALL. Do I further understand that one State on one side of the river which the bridge traverses has already been paid and the other State has not been so equitably compensated?

Mr. DANIELSON. That is correct?

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

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

There was no objection.

The Clerk read the Senate bill, as follows:

S. 3483

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the Secretary of the Treasury is authorized and directed to pay, under the provisions of section 125 of title 23, United States Code to Cass County, North Dakota, the sum of $85,000 for expenses incurred by the Cass County, North Dakota, in reconstructing the Wild Rice Bridge across the Red River between Clay County, Minnesota, and Cass County, North Dakota, such amount representing the difference between the amount paid by the United States as emergency disaster relief and the amount the United States would have paid for the reconstruction of such bridge after it was destroyed by a flood in April 1969, if the access road from Stanley Township in Cass County had been designated a Federal aid secondary road at the time such flood destroyed such bridge.

(b) No part of the amount appropriated in this Act shall be paid or delivered by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this subsection shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any amount not in excess of $1,000.

With the following committee amendment:

Page 1, lines 6, 7, and 8: Strike "the Cass County, North Dakota, in reconstructing the Wild Rice Bridge across" and insert "Cass County, North Dakota, in reconstructing that portion of the Wild Rice Bridge which was designated as Federal-aid secondary Route 639, as of September 28, 1971, and which bridge crosses".

The committee amendment was agreed to.

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

JOHN C. ROGERS

Mr. DANIELSON. Mr. Speaker, I ask unanimous consent for the immediate consideration of the Senate bill (S. 909) for the relief of John C. Rogers.

The Clerk read the title of the Senate bill.

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

There was no objection.

The Clerk read the Senate bill, as follows:

S. 909

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That John C. Rogers of McMinnville, Oregon, is relieved of all liability for repayment to the United States of the sum of $135.17, representing the amount of an overpayment he received from the United States as the result of administrative error in determining the lump-sum payment for accumulated, unused leave to which the said John C. Rogers was entitled upon his discharge from active duty with the United States Navy. In the audit and settlement of accounts of any certifying or disbursing officer of the United States, credit shall ge given for amounts for which liability is relieved by this section.

SEC. 2. (a) The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said John C. Rogers, the sum of any amounts received or withheld

from him on account of the overpayment referred to in the first section of this Act.

(b) No part of any amount appropriated under this section shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Violation of this subsection is a misdemeanor punishable by a fine not to exceed $1,000.

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

M. SGT. WILLAM C. HARPOLD

Mr. DANIELSON. Mr. Speaker, I ask unanimous consent for the immediate consideration of the Senate bill (S. 2714) for the relief of M. Sgt. William C. Harpold, U.S. Marine Corps (retired).

The Clerk read the title of the Senate bill.

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

There was no objection.

The Clerk read the Senate bill, as follows:

S. 2714

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) Master Sergeant William C. Harpold, United States Marine Corps (retired), is relieved of all liability for repayment to the United States of the sum of $2,235.27, representing the amount of overpayments of retainer and retirement pay received by him from the United States Marine Corps during the period October 1, 1949, through June 30, 1971, as a result of an administrative error in computing his years of service for pay purposes, the United States Marine Corps having erroneously credited him for such purposes with a period of inactive service from November 27, 1926, through November 3, 1927.

(b) In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, full credit shall be given for the amount for which liability is relieved by this Act.

SEC. 2. (a) The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Master Sergeant William C. Harpold (retired), the sum of any amounts received or withheld from him on account of the overpayment referred to in the first section of this Act.

(b) No part of any amount appropriated under this section shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this subsection shall be deemed to be guilty of a misdemeanor and shall be fined in any amount not to exceed $1,000.

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

GARY WENTWORTH

Mr. DANIELSON. Mr. Speaker, I ask unanimous consent for the immediate consideration of the Senate bill (S. 3257) for the relief of Gary Wentworth, of Staples, Minn.

The Clerk read the title of the Senate bill.

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

There was no objection.

The Clerk read the Senate bill, as follows:

S. 3257

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) Gary Wentworth, of Staples, Minnesota, is relieved of all liability for repayment to the United States of the sum of $313.22, representing the amount of an overpayment received by him from the United States Marine Corps, prior to his discharge from such corps, as a result of an administrative error in balancing his pay record.

(b) In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, full credit shall be given for the amount for which liability is relieved by this Act.

SEC. 2. (a) The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Corporal Gary Wentworth, the sum of any amounts received or withheld from him on account of the overpayment referred to in the first section of this Act.

(b) No part of any amount appropriated under this section shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same is unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this subsection shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any amount not to exceed $1,000.

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

MAURICE MARCHBANKS

Mr. DANIELSON. Mr. Speaker, I ask unanimous consent for the immediate consideration of the Senate bill (S. 3055) for the relief of Maurice Marchbanks.

The Clerk read the title of the Senate bill.

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

There was no objection.

The Clerk read the Senate bill, as follows:

S. 3055

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Maurice Marchbanks is relieved of all liability to repay to the United States the sum of $667.20, the amount he was reimbursed by the United States in special expenses incurred in a move from the State of Texas to the State of Arizona for the purpose of employment with the United States Forest Service which expenses the United States Forest Service specially promised to pay and/or reimburse. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, full credit shall be given for the respective amounts for which liability is relieved by this Act.

SEC. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Maurice Marchbanks, the sum of any amounts received or withheld from him with respect to the indebtedness for which liability is relieved by this Act.

SEC. 3. No part of the amount appropriated in the first section of this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

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

MICHAEL JOSEPH WENDT

Mr. DANIELSON. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 14923) for the relief of Michael Joseph Wendt.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 14923

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Michael Joseph Wendt may be classified as a child within the meaning of section 101(b)(1)(F) of the Act, a petition filed in his behalf by Mrs. Elizabeth Mildred Wendt, citizen of the United States, pursuant to section 204 of the Act: *Provided,* That the natural parents or brothers or sisters of the beneficiary shall not, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act.

With the following committee amendments:

On page 1, line 6, after the words "the Act," strike out "upon approval of" and insert the word "and".

On page 1, line 7, after the name "Mrs. Elizabeth Mildred Wendt," insert the word "a".

On page 1, at the end of line 7, insert the words "may be approved".

On page 1, line 8, after the word "Act" insert the following: and the provisions of section 245(c) of the Act shall be inapplicable in this case.

The committee amendments were agreed to.

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

MAGNUS DAVID FORRESTER

Mr. DANIELSON. Mr. Speaker, I ask unanimous consent for the immediate consideration of the Senate bill (S. 2270) for the relief of Magnus David Forrester.

The clerk read the title of the Senate bill.

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

There was no objection.

The Clerk read the Senate bill, as follows:

S. 2270

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That not-

withstanding the provisions of paragraph (23) of section 212(a) of the Immigration and Nationality Act, Magnus Davis Forrester may be admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of such Act, upon the giving of a suitable and proper bond or undertaking approved by the Attorney General, in such amount and containing such conditions as he may prescribe. This Act shall apply only to the grounds for exclusion under such paragraph known to the Attorney General prior to the date of enactment of this Act.

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

WOLFGANG KUTTER

Mr. DANIELSON. Mr. Speaker, I ask unanimous consent for the immediate consideration of the Senate bill (S. 2275) for the relief of Wolfgang Kutter.

The Clerk read the title of the Senate bill.

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

There was no objection.

The Clerk read the Senate bill, as follows:

S. 2275

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the periods of time Wolfgang Kutter has resided in the United States since his lawful admission for permanent residence on August 13, 1962, shall be held and considered to meet the residence and physical presence requirements of section 316 of the Immigration and Nationality Act.

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

ALBERTO RODRIGUEZ

Mr. DANIELSON. Mr. Speaker, I ask unanimous consent for the immediate consideration of the Senate bill (S. 2822) for the relief of Alberto Rodriguez.

The Clerk read the title of the Senate bill.

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

There was no objection.

The Clerk read the Senate bill, as follows:

S. 2822

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the periods of time Alberto Rodriguez has resided in the United States and any State since his lawful admission for permanent residence on December 12, 1961, shall be held and considered to meet the residence and physical presence requirements of section 316 of the Immigration and Nationality Act. In the case the petition for naturalization may be filed with any court having naturalization jurisdiction.

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

GERALD VINCENT BULL

Mr. DANIELSON. Mr. Speaker, I ask unanimous consent for the immediate consideration of the Senate bill (S. 3583) for the relief of Gerald Vincent Bull.

The Clerk read the title of the Senate bill.

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

There was no objection.

The Clerk read the Senate bill, as follows:

S. 3583

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, the periods of time Gerald Vincent Bull has resided in the United States shall be held and considered to meet the residence and physical presence requirements of section 316 of the said Act.

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

JUAN MARCOS CORDOVA-CAMPOS

Mr. DANIELSON. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 10509) for the relief of Juan Marcos Cordova-Campos.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 10509

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Juan Marcos Cordova-Campos may be classified as a child within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in his behalf by Mr. and Mrs. Richard C. Nagle, citizens of the United States, pursuant to section 204 of the Act.

With the following committee amendment:

On page 1, line 8, strike out the word "Act." and substitute in lieu thereof the following:

Act, and the provision of section 245(c) of the Act shall be inapplicable in this case: *Provided,* That the natural parents or brothers or sisters of the beneficiary shall not, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act.

The committee amendment was agreed to.

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

OPPOSING THE GRANTING OF PERMANENT RESIDENCE IN THE UNITED STATES TO CERTAIN ALIENS

Mr. DANIELSON. Mr. Speaker, I ask unanimous consent for the immediate consideration of the resolution (H. Res. 1155) opposing the granting of permanent residence in the United States to certain aliens.

The Clerk read the resolution, as follows:

H. RES. 1155

Resolved, That the House of Representatives does not approve the granting of permanent residence in the United States to the aliens hereinafter named in which cases the Attorney General has submitted reports to the Congress pursuant to section 244(a)(1) of the Immigration and Nationality Act, as amended:

[redacted], Andrade, Manuel.
[redacted], Marshal, Abdul Rahman Khalil.
[redacted], Sasso, Pietro.
[redacted], Velasquez-Espinoza, Pedro.

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

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

APPALACHIAN REGIONAL HOSPITALS, INC.

Mr. DANIELSON. Mr. Speaker, I ask uanimous consent for the immediate consideration of the Senate bill (S. 3326) for the relief of the Appalachian Regional Hospitals, Inc.

The Clerk read the title of the bill.

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

Mr. HALL. Mr. Speaker, reserving the right to object, I would like a little explanation about this bill before we grant unanimous consent.

I have been given an opportunity by the staff of both bodies to review this bill, and it is very difficult for me to understand that we would not be setting a precedent of forgiveness—and as much of the milk of human kindness as there is in the spirit of forgiveness and, badly as it might be needed, I wonder if this would establish a precedent forgiving due income of the taxpayers' money and recovery to the Treasury that we cannot tolerate nationwide in the present poor state of our Treasury. I further wonder why there is such an urgent need for this particular action in the case of the Appalachian regional hospital.

I have full sympathy for the people of Appalachia, and great admiration for those who survive and have come forth and made their marks in the world and tried to help themselves. My ancestors and I derive from those hills. But I fail to understand, in spite of a careful reading of the report and prior acquaintance with the bill, why we should—here in the closing hours of Congress—with the press of legislation, consider this as urgent and an emergency wherein we will undoubtedly establish a precedent perhaps extending to many loans under the Hill-Burton grants, and the preceding and/or subsequent grants.

Mr. PERKINS. Mr. Speaker, will the distinguished gentleman yield?

Mr. HALL. I am glad to yield to the chairman.

Mr. PERKINS. First let me state that the report makes very clear that this

will not be the establishment of any precedent.

These hospitals were constructed back in 1953 to 1957, a chain throughout the Appalachian area which was to serve the coal miners and their dependents, and other needy patients.

Mr. HALL. Mr. Speaker, were these the hospitals that were formed as an experiment immediately after World War II under the direction of Adm. Warren Draper, working with the United Mine Workers, and in a form of prepaid contract insurance for total medical care?

Mr. PERKINS. The gentleman from Missouri is absolutely correct. And it later turned out that the welfare fund could not support the hospitals, and then it was that they turned the hospitals over to the Appalachian Regional Commission for operation.

If you will notice on the first page of the report, it is made very clear that this is not in any way—

To set a precedent for forgiveness of any other existing or future Economic Development Administration loans since EDA's legal authorization and administrative guide lines presently prevent loans without reasonable prospects for repayment . . .

The forgiveness of this loan is just a drop in the bucket of the amount that it would take to construct these hospitals today. This forgiveness simply means that the Appalachian regional hospitals will be able to expand their services and continue to serve the needy people in the area.

This will perhaps be the last time I will have an opportunity to engage in a dialog on the floor of the House of Representatives with my good friend Dr HALL from Missouri.

I do want to state that I have never known a more diligent guardian of the public welfare and a protector of the taxpayers' dollar. To my way of thinking, no man serving in the Congress has spent more time on the floor of the House and none certainly has been more diligent in debate, in testing, and probing and questioning the proponents of legislation to make sure that the Members of this body are well aware of the implications of all our actions and to assure himself that those actions benefit the national welfare.

The gentleman from Missouri is well aware of the fact that we have not always agreed; but when Dr. HALL disagrees with any Member, it has always been with the greatest courtesy.

Your service in the House has been characterized by the same dedication, skill, hard work, and intelligence that has marked your entire professional life as a medical doctor, surgeon, and medical officer during World War II.

I am proud to have served with you and I regret that we will not have the opportunity to serve together again in the 93d Congress. I would not want this opportunity to pass without indicating the high regard I have for my friend from Missouri.

The attitude of my colleague from Missouri toward these Appalachian hospitals is characteristic of the humanitarian attitude he has toward everything.

Mr. HALL. Mr. Speaker, if the gentleman would let me interrupt again, were they not turned over to the church?

Mr. PERKINS. That is correct; the gentleman is right.

Mr. HALL. It just happened that I had considerable to do——

Mr. PERKINS. With the Presbyterian Church.

Mr. HALL (continuing). With that organization the work involved not only the States mentioned here, but the Keystone State of Pennsylvania, at the time as far as the United Mine Workers welfare fund precontract practice of medicine is concerned. It just happens that I have often quoted this known experiment in prepaid contract health care in the argument that we have here about today about the support of the vaunted health maintenance organization. If there ever was an example in fact that should be quoted, it was this experiment which we are now bailing out at the taxpayers' expense many years later which everybody—the recipient, the patient, the doctors who were hired, the prepaid medical care experts, laborers, and labor leaders as well as the government people that were diverted from the U.S. Public Health Service, including Admiral Warren Draper, the Deputy Surgeon General of the Public Health Service—admitted was a total failure.

This should be quoted along with the successful Kaiser-Parmenté Foundation in our consideration of Health Maintenance Organizations—HMO's—if and when we are going to think and legislate them as a universal panacea and a way of life for accommodating national health insurance.

Mr. Speaker, without being rude—and I realize I interrupted my friend from Kentucky—I still do not think that the Federal Treasury is subject on-call for charitable donations. Because of that alone, I am against this bill, but because I have known the circumstances under which the EDA finds itself and its predecessor, the ARA, and these other bleeding hearts public assistance programs, and because of my jubilation with the advent of the closing of my last Congress sine die, hopefully today, I am going to withdraw my reservation of objection.

Mr. DELLENBACK. Mr. Speaker, further reserving the right to object, I yield to my friend from Kentucky (Mr. CARTER).

Mr. CARTER. Mr. Speaker, permit me at this time to speak in favor of the bill, S. 3326.

The purpose of the proposed legislation is to relieve Appalachian Regional Hospital, Inc., a nonprofit, nonsectarian corporation organized under the laws of the State of Kentucky, of all liability for repayment to the United States of the sum of $3,607,590, together with accrued interest representing the amount owed by the corporation to the United States under the terms of a loan made to the corporation by the Area Redevelopment Administration on June 26, 1964.

In its report to the committee the Department of Commerce stated that relief should be granted in this case. The Department also stated that such relief would not set a precedent for forgiveness of any other existing or future economic development administration loans since EDA's legal authorization and administrative guidelines presently prevent loans without reasonable prospects for repayment. The record indicated that the ARA loan—EDA's predecessor—never enjoyed any reasonable prospect for repayment.

The acceptance of a loan was regarded by the trustees of the hospital system as an expedient. Indeed, there was a clear understanding on the part of the ARH management and board that the loan would be converted to a grant when additional appropriations were made for ARA public facility grants. Unfortunately, as noted, ARA did not receive additional grant funds in fiscal year 1965 and, thus, the loan remained in existence.

In his letter of September 22 to the distinguished chairman of the Judiciary Committee of the other body, the General Counsel of the Department of Commerce stated:

Therefore, while we believe relief should be granted in this case, enactment of S. 3326 should not and will not serve as a precedent for forgiveness of any other existing or future EDA loans.

I assure my colleagues that this legislation is vital to the continued availability of adequate health services to the people of Appalachia.

Realizing that this measure would not set a precedent, let us not, therefore, turn our backs upon the people who need the services of these facilities. I urge that this bill pass.

Mr. DELLENBACK. Mr. Speaker, I appreciate very much the remarks of my colleague, the gentleman from Kentucky.

I note the report on this particular bill makes very clear the Department of Commerce expressly states enactment of this bill would not and should not serve as a precedent for forgiveness of any other existing or future EDA loans. Mr. Speaker, in the light of that I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the Senate bill, as follows:

S. 3326

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Appalachian Regional Hospitals, Incorporated (hereinafter referred to as the "corporation"), a nonprofit, nonsectarian corporation organized under the laws of the State of Kentucky, is hereby relieved of all liability for repayment to the United States of the sum of $3,607,590, together with all interest accrued thereon, representing the amount owed by the corporation to the United States under the terms of a loan made to the corporation by the Area Redevelopment Administration on June 26, 1964, the forgiveness of such loan being necessary to the provision of needed hospital facilities in the Appalachian region of Kentucky, West Virginia, and Virginia.

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

ADDITIONAL INVESTIGATIVE AUTHORITY, COMMITTEE ON EDUCATION AND LABOR

Mr. YOUNG of Texas. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1124 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 1124

Resolved, That, notwithstanding the provisions of H. Res. 213 of the Ninety-second Congress, the General Subcommittee on Labor of the Committee on Education and Labor is authorized to send not more than ten members (six majority and four minority) and three staff assistants (two majority and one minority) to Australia, New Zealand, Indonesia, Malaysia, Singapore, the Philippines, Okinawa, and Japan for the purposes of making a full and complete investigation and study of (1) the circumstances surrounding the production in foreign nations of goods which are subsequently sold in the United States in competition with domestically produced goods, and (2) the operation by the Federal Government of elementary and secondary schools, both at home and abroad, with a view to determining means of assuring that the children of officers and employees, and members of the Armed Forces of the United States will receive high-quality elementary and secondary education.

Notwithstanding the provisions of H. Res. 213 of the Ninety-second Congress, or any other provision of law, local currencies owned by the United States shall be made available to the members of the Committee on Education and Labor of the House of Representatives and employees engaged in carrying out their official duties for the purpose of carrying out the authority, as set forth in this resolution, to travel outside the United States. In addition to any other condition that may be applicable with respect to the use of local currencies owned by the United States by members and employees of the committee, the following conditions shall apply with respect to their use of such currencies:

(1) No member or employee of such committee shall receive or expend local currencies for subsistence in any country at a rate in excess of the maximum per diem rate set forth in section 502(b) of the Mutual Security Act of 1954 (22 U.S.C. 1754).

(2) No member or employee of such committee shall receive or expend an amount of local currencies for transportation in excess of actual transportation costs.

(3) No appropriated funds shall be expended for the purpose of defraying expenses of members of such committee or its employees in any country where local currencies are available for this purpose.

(4) Each member or employee of such committee shall make to the chairman of such committee an itemized report showing the number of days visited in each country whose local currencies were spent, the amount of per diem furnished, and the cost of transportation if furnished by public carrier, or, if such transportation is furnished by an agency of the United States Government, the cost of such transportation, and the identification of the agency. All such individual reports shall be filed by the chairman with the Committee on House Administration and shall be open to public inspection.

(5) Amounts of per diem shall not be furnished for a period of time in any country if per diem has been furnished for the same period of time in any other country, irrespective of differences in time zones.

Mr. YOUNG of Texas. Mr. Speaker, I yield 30 minutes to the gentleman from California (Mr. SMITH) pending which I yield myself such time as I may require.

Mr. Speaker, House Resolution 1124 is a supplemental investigative resolution authorizing overseas travel and the use of counterpart funds by the General Subcommittee on Labor of the Committee on Education and Labor.

Not more than 10 members of the committee—six majority and four minority—and three staff assistants—two majority and one minority—are authorized to travel to Australia, New Zealand, Indonesia, Malaysia, Singapore, the Philippines, Okinawa, and Japan to investigate goods being produced in competition with goods being produced in this country. Investigation also will be made of the operation of elementary and secondary schools for the United States Armed Forces.

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

Mr. Speaker, I yield to the gentleman from California.

Mr. SMITH of California. Mr. Speaker, these four travel resolutions will be the last ones I shall present, and I am happy to say that.

I have never felt that I had any more knowledge than any other Member; any more authority. I have always been hesitant to assume the authority to say whether other Members could travel or not. After all, I think the committee chairmen know their jobs and the Members also know theirs.

Some years ago this authority was given to the Committee on Rules with the thought we would stop some junketing.

This will be a very nice trip, Mr. Speaker, for 10 committee members and three staff members who are going to some nice countries. It will be very, very pleasant trip.

Whether there are any counterpart funds in any of these countries, I do not know, because I have not checked in the last 3 or 4 months to see if they are getting a little low or not.

In any event, Mr. Speaker, I reserve the balance of my time.

Mr. YOUNG of Texas. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ADDITIONAL INVESTIGATIVE AUTHORITY, COMMITTEE ON PUBLIC WORKS

Mr. YOUNG of Texas. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1147 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 1147

Resolved, That, notwithstanding the provisions of H. Res. 142, Ninety-second Congress, the Committee on Public Works is authorized to send not more than seven members of such committee, two majority staff assistants, and two minority staff assistants to the United Kingdom, Sweden, France, Germany, Turkey, Italy, Greece, Yugoslavia, and the Union of Soviet Socialist Republics for the purpose of conducting an investigation and study of public works, which would include mutual problems involving rivers and harbors, flood control, highways, public transportation, highway safety, water pollution, and related subjects; and is further authorized to send not more than seven members of such committee, two majority staff assistants, and one minority staff assistant to the Philippine Islands, Japan, Thailand, India, Turkey, Yugoslavia, Union of Soviet Socialist Republics and the United Kingdom, for the purpose of conducting an investigation of water pollution, public transportation, energy development, and generation.

Notwithstanding section 1754 of title 22, United States Code, or any other provision of law, local currencies owned by the United States shall be made available to the Committee on Public Works of the House of Representatives and employees engaged in carrying out their official duties under section 190(d) of title 2, United States Code: *Provided*, That (1) no member or employee of said committee shall receive or expend local currencies for subsistence in any country at a rate in excess of the maximum per diem rate set forth in section 502(b) of the Mutual Security Act of 1954, as amended by Public Law 88–633, approved October 7, 1964; (2) no member or employee of said committee shall receive or expend an amount for transportation in excess of actual transportation costs; (3) no appropriated funds shall be expended for the purpose of defraying expenses of members of said committee or its employees in any country where counterpart funds are available for this purpose.

Each member or employee of said committee shall make to the chairman of said committee an itemized report showing the number of days visited in each country where local currencies were spent, the amount of per diem furnished, and the cost of transportation if furnished by public carrier, or if such transportation is furnished by an agency of the United States Government, the cost of such transportation, and the identification of the agency. Amounts of per diem shall not be furnished for a period of time in any country if per diem has been furnished for the same period of time in any other country, irrespective of differences in time zones. All such individual reports shall be filed by the chairman with the Committee on House Administration and shall be open to public inspection.

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

House Resolution 1147 is a supplemental investigative resolution authorizing overseas travel and the use of counterpart funds by the Committee on Public Works.

The resolution authorizes seven members of the committee and three staff assistants to travel to the United Kingdom, Sweden, France, Germany, Turkey, Italy, Greece, Yugoslavia, and Russia to investigate and study problems involving rivers and harbors, flood control, highways, public transportation, highway safety, water pollution, et cetera.

In addition, the resolution authorizes seven members and three staff assistants of the committee to travel to the Philippine Islands, Japan, Thailand, India, Turkey, Yugoslavia, Russia, and England to investigate water pollution, public transportation, energy development, and generation.

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

Mr. SMITH of California. Mr. Speaker,

this will be another very nice trip for some Members after the election. I should like to take one of these trips. Perhaps we have some counterpart funds in India. We used to have rupees all over the place over there. Perhaps we could use some of that money.

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

Mr. SMITH of California. I yield to the gentleman from Missouri.

Mr. HALL. This is just almost too much to swallow. This has to be the junket to end all junkets.

I regret that the performance of district business requires my peppery and beloved colleague from Iowa to be absent today, so that he cannot hear this resolution read and not discussed.

How in the world we can learn the things that are set forth for this committee, under all the exceptions to existing laws of this resolution, by a bunch of committee members, during the lame duck period between two Congresses, making such a trip, is beyond me.

Obviously we cannot understand all the "notwithstandings" and exceptions, but it looks to me like an around the world trip, with one starting out toward the Philippines from the west coast, returning in the other direction, and another starting from the east coast via Russia—they both made certain to get the U.S.S.R. in. I just wonder where they will bypass each other in the circumnavigation?

There are seven Members and four assistants, two from the majority and two from the minority, going in different directions.

I believe it is unconscionable, even though in general I believe that the architect—Congress—should survey and have surveillance over that which is contracted for the Executive. I am not as much against junkets as many people are. I believe that sometimes the labor is worth the hire. But, I repeat this is unconscionable. I hope this will be voted down and returned to the committee.

Mr. YOUNG of Texas. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

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

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

The SPEAKER 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 202, nays 46, not voting 183, as follows:

[Roll No. 448]

YEAS—202

Abernethy	Barrett	Bray
Abzug	Bergland	Breaux
Adams	Betts	Brooks
Andrews, Ala.	Bevill	Brown, Mich.
Arends	Bingham	Brown, Ohio
Ashley	Blatnik	Broyhill, Va.
Aspinall	Boggs	Buchanan
Badillo	Brademas	Burke, Mass.
Burton	Hicks, Wash.	Powell
Carlson	Hogan	Preyer, N.C.
Carney	Holifield	Price, Ill.
Carter	Hosmer	Quie
Casey, Tex.	Jarman	Rangel
Cederberg	Johnson, Calif.	Rarick
Chamberlain	Jones, Ala.	Rees
Chisholm	Jones, N.C.	Reid
Clausen, Don H.	Karth	Reuss
	Kastenmeier	Rhodes
Colmer	Kazen	Robison, N.Y.
Conyers	Keith	Rodino
Culver	Kemp	Roe
Daniel, Va.	Kluczynski	Rooney, Pa.
Danielson	Koch	Rosenthal
de la Garza	Kyros	Roy
Dellenback	Landgrebe	Roybal
Dent	Landrum	Ruppe
Diggs	Latta	St Germain
Donohue	Lent	Sarbanes
Dorn	Long, Md.	Satterfield
Downing	Lujan	Saylor
Drinan	McClory	Scheuer
Dulski	McDade	Schneebeli
Duncan	McEwen	Schwengel
Eckhardt	McFall	Shriver
Edwards, Ala.	McKay	Spence
Edwards, Calif.	McKevitt	Springer
Eilberg	McKinney	Stanton, J. William
Erlenborn	Macdonald, Mass.	Stanton, James V.
Findley	Madden	Steed
Flood	Mahon	Steiger, Wis.
Flynt	Mann	Stephens
Foley	Mathias, Calif.	Stokes
Ford, William D.	Mathis, Ga.	Stubblefield
Forsythe	Mazzoli	Sullivan
Fraser	Meeds	Taylor
Frelinghuysen	Melcher	Teague, Tex.
Frey	Metcalfe	Tiernan
Garmatz	Miller, Ohio	Vander Jagt
Gaydos	Mills, Ark.	Vanik
Gettys	Mills, Md.	Wampler
Gonzalez	Minish	Ware
Grasso	Mink	Whalen
Gray	Mitchell	Whalley
Green, Pa.	Montgomery	White
Griffin	Moorhead	Whitten
Griffiths	Mosher	Wiggins
Grover	Murphy, Ill.	Williams
Gubser	Natcher	Wilson, Bob
Hagan	Nedzi	Wilson, Charles H.
Hammer-schmidt	Nix	
	Obey	Wyatt
Hansen, Idaho	O'Hara	Wydler
Harrington	O'Konski	Wyman
Harsha	O'Neill	Yates
Hastings	Passman	Young, Tex.
Hathaway	Patten	Zablocki
Helstoski	Perkins	Zion
Henderson	Pickle	
Hicks, Mass.	Poage	

NAYS—46

Archer	Davis, Ga.	Lloyd
Belcher	Dennis	McCloskey
Bennett	du Pont	McCollister
Biester	Eshleman	Mallary
Blackburn	Goodling	Myers
Brinkley	Gude	Pettis
Broyhill, N.C.	Hall	Pike
Burleson, Tex.	Hechler, W. Va.	Railsback
Byrnes, Wis.	Heckler, Mass.	Robinson, Va.
Camp	Heinz	Ruth
Clawson, Del	Hillis	Sebelius
Cleveland	Hutchinson	Shoup
Collier	Jacobs	Smith, Calif.
Conable	Kyl	Teague, Calif.
Conover	Lennon	Young, Fla.
Coughlin		

NOT VOTING—183

Abbitt	Brasco	Davis, S.C.
Abourezk	Broomfield	Davis, Wis.
Addabbo	Brotzman	Delaney
Alexander	Burke, Fla.	Dellums
Anderson, Calif.	Burlison, Mo.	Denholm
	Byrne, Pa.	Derwinski
Anderson, Ill.	Byron	Devine
Anderson, Tenn.	Cabell	Dickinson
	Caffery	Dingell
Andrews, N. Dak.	Carey, N.Y.	Dow
	Celler	Dowdy
Annunzio	Chappell	Dwyer
Ashbrook	Clancy	Edmondson
Aspin	Clark	Esch
Baker	Clay	Evans, Colo.
Baring	Collins, Ill.	Evins, Tenn.
Begich	Collins, Tex.	Fascell
Bell	Conte	Fish
Biaggi	Corman	Fisher
Blanton	Cotter	Flowers
Boland	Crane	Ford, Gerald R.
Bolling	Curlin	Fountain
Bow	Daniels, N.J.	Frenzel
Fulton	McMillan	Schmitz
Fuqua	Mailliard	Scott
Galifianakis	Martin	Seiberling
Gallagher	Matsunaga	Shipley
Giaimo	Mayne	Sikes
Gibbons	Michel	Sisk
Goldwater	Mikva	Skubitz
Green, Oreg.	Miller, Calif.	Slack
Gross	Minshall	Smith, Iowa
Haley	Mizell	Smith, N.Y.
Halpern	Mollohan	Snyder
Hamilton	Monagan	Staggers
Hanley	Morgan	Steele
Hanna	Moss	Steiger, Ariz.
Hansen, Wash.	Murphy, N.Y.	Stratton
Harvey	Nelsen	Stuckey
Hawkins	Nichols	Symington
Hays	Patman	Talcott
Hébert	Pelly	Terry
Horton	Pepper	Thompson, Ga.
Howard	Peyser	Thompson, N.J.
Hull	Pirnie	Thomson, Wis.
Hungate	Podell	Thone
Hunt	Price, Tex.	Udall
Ichord	Pryor, Ark.	Ullman
Johnson, Pa.	Pucinski	Van Deerlin
Jonas	Purcell	Veysey
Jones, Tenn.	Quillen	Vigorito
Keating	Randall	Waggonner
Kee	Riegle	Waldie
King	Roberts	Whitehurst
Kuykendall	Rogers	Widnall
Leggett	Roncalio	Winn
Link	Rooney, N.Y.	Wolff
Long, La.	Rostenkowski	Wright
McClure	Roush	Wylie
McCormack	Rousselot	Yatron
McCulloch	Runnels	Zwach
McDonald, Mich.	Sandman	
	Scherle	

So the resolution was agreed to.

Mr. GOODLING changed his vote from "yes" to "nay."

Messrs. HELSTOSKI, HAMMERSCHMIDT, and RUPPE changed their from "yea" to "nay."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

AMENDING DISASTER RELIEF ACT OF 1970

Mr. ROE. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 16598) to amend the Disaster Relief Act of 1970 to provide that community disaster grants be based upon loss of budgeted revenue.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 16598

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 241 of the Disaster Relief Act of 1970 (42 U.S.C. 4460) is amended to read as follows:

"COMMUNITY DISASTER GRANTS

"SEC. 241. (a) The President is authorized to make grants to any local government which, as the result of a major disaster, has suffered a substantial loss of revenue. Grants made under this section may be made for the tax year in which the disaster occurred and for each of the following two tax years. A grant under this section for the tax year in which the major disaster occurred shall not exceed the difference between the total revenue received by the local government for such year and the total revenue provided for in the budget of the local government which was in effect for such year. For each of the two tax years following the major disaster, a grant under this section shall not exceed the difference between the total

revenue received by the local government for the tax year for which the grant is made and the total revenue provided for in the budget of the local government which was in effect for such year. In no case shall a grant for the tax year following a major disaster exceed the difference between the total revenue received by the local government for the tax year for which the grant is made and an amount equal to 110 per centum of the total revenue provided for in the budget of the local government which was in effect for the tax year in which the major disaster occurred. In no case shall a grant for the second tax year following a major disaster exceed the difference between the total revenue received by the local governments for the tax year for which the grant is made and an amount equal to 120 per centum of the total revenue provided for in the budget of the local government which was in effect for the tax year in which the major disaster occurred.

"(b) For purposes of this section, the term 'revenue' includes revenue generated by the local government derived from property taxes (both real and personal) and other taxes, permits, licenses, fines and costs, departmental earnings, refunds, and reimbursements."

SEC. 2. The amendment made by the first section of this Act shall take effect with respect to grants to local governments for losses resulting from major disaster which occur after June 1, 1972.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

That section 241 of the Disaster Relief Act of 1970 (42 U.S.C. 4460) is amended to read as follows:

"COMMUNITY DISASTER GRANTS

"SEC. 241. (a) The President is authorized to make grants to any local government which, as the result of a major disaster, has suffered a substantial loss of revenue. Grants made under this section may be made for the tax year in which the disaster occurred and for each of the following two tax years. A grant under this section for the tax year in which the major disaster occurred, plus a grant from the State in which such local government is located made for the purposes of this section for such tax year, shall not exceed the difference between the total revenue received by the local government for such year and the total revenue provided for in the base budget of the local government which was in effect for such year. For each of the two tax years following the major disaster, a grant under this section, plus such a State grant for such tax years, shall not exceed the difference between the total revenue received by the local government for the tax year for which the grant is made and the total revenue provided for in the base budget of the local government which was in effect for such year. In no case shall a grant for the tax year following a major disaster, plus such a State grant for such tax year, exceed the difference between the total revenue received by the local government for the tax year for which the grant is made and an amount equal to 110 per centum of the total revenue provided for in the base budget of the local government which was in effect for the tax year in which the major disaster occurred. In no case shall a grant for the second tax year following a major disaster, plus such a State grant for such tax year, exceed the difference between the total revenue received by the local governments for the tax year for which the grant is made and an amount equal to 120 per centum of the total revenue provided for in the base budget of the local government which was in effect for the tax year in which the major disaster occurred.

"(b) For the purposes of this section—

"(1) The term 'revenue' includes revenue generated by the local government derived from property taxes (both real and personal) and other taxes, permits, licenses, fines and costs, departmental earnings, refunds, and reimbursements, but does not include extraordinary receipts of a nonrecurring nature.

"(2) The term 'base budget' means the budget of the local government which was in effect on that date prior to the date of the major disaster for which a grant is made under this section.

"(c) For the purposes of computing the revenue received by a local government in any tax year during which a grant is made under this section, the President shall use the tax rates and tax assessment valuation factors of the local government in effect at the time of the major disaster without reduction."

SEC. 2. The amendment made by the first section of this Act shall take effect with respect to grants to local governments for losses resulting from major disasters which occur after June 1, 1972.

Mr. DON H. CLAUSEN. Mr. Speaker, I rise in support of H.R. 16598, an amendment to the Disaster Relief Act of 1970. This legislation is designed to correct a defect in the current law regarding Federal grants to local governments to aid them in maintaining budgeted services following a major disaster. Many communities suffer not only damage to homes, businesses, and facilities, from a major disaster but also lose tax revenue, because of destroyed buildings and businesses. This adds to the hardships experienced by local governments. In many instances, the need for public services increases following a disaster, but without the predisaster tax base and revenues, local governments find it impossible to finance these services.

Section 241 of the Disaster Relief Act provides for grants for local governments for the purpose of maintaining revenues. Grants are determined on the basis of the average tax receipts for the year in which the disaster occurred and the preceding 2 years, and the difference that computed amount and the amount of taxes actually received is the amount that a community receives for the year in which a disaster occurs and 2 succeeding years.

Due to the expansive nature of many communities, this section is inadequate to meet the actual loss of tax revenues for current years' budgets. Under the grant formula, a town experiencing a budget growth rate of 10 percent a year over the past 3 years could hardly be expected to maintain budgeted services following a major disaster if grants computed under this section allowed for an average receipt of the past 3 years. That amount would be about 10 percent less than the year's budget in which the disaster occurred.

Accordingly, the committee reported H.R. 16598 to correct this deficiency. Simply stated, the total revenue provided for in the base budget which was in effect, for the year in which the disaster occurred, shall be used to determine the amount that would have been received for the entire year had a disaster not affected taxable property and business activity. The committee has also provided a 10-percent projected rate of growth for 2 years following a major disaster for the purposes of grants under this section. The committee also included language to guard against any voluntary reduction in tax revenues which would not normally occur. Local governments should make an effort to maintain revenues from structures in businesses unaffected by a major disaster. This provision is to guard against any windfall gain under this section by a local government following a disaster.

Additionally, the committee does not wish to penalize any local government which sustained a heavy debt in a tax year in which a disaster occurred. If, for example, a local government undertook a bond sale totaling a million dollars, those receipts should be considered extraordinary and nonrecurring, and should not be included in computing tax bases or revenues.

Finally, the committee wished to guard against further windfall gain by providing limitation on a Federal grant when State grants are given for the same purposes of this section. If a local community, under the formula of this bill, were to receive $200,000 and the State in which the local government existed were to give a hundred thousand dollars for the same losses of tax revenue, then the Federal share shall drop to $100,000. The total grant amounts, both State and Federal, should not exceed the amount provided for in the determination of such a grant.

I wish to commend Mr. FLOOD, of Pennsylvania, for pointing out this deficiency of section 241 of the Disaster Relief Act to the committee, and Mr. ROE of the committee for his splendid efforts in successfully guiding this legislation through committee.

Mr. FLOOD. Mr. Speaker, the purpose of this bill is clear—to prevent the fiscal collapse of local governments which have been stricken by major natural disasters. It is easily observed, when a town or city has been devastated, that homes have been wrecked, businesses ruined, and that many lives have been lost. What is not so easily seen is the dramatic impact which a natural disaster has upon the economic and fiscal base of the community.

Tax collections plummet—property values zoom downward—the local governments find themselves with a drastically eroded tax base, and the prospect of not being able to deliver badly needed services both while in the middle of the disaster and in subsequent years. The Congress recognized these terrible side effects of disaster when it passed the Disaster Relief Act of 1970 which contained a provision allowing for community disaster grants, section 241.

Great idea—good intentions—a fine plan of action, but one major fault—it just did not work. And believe me, I know. I can recite for the next 10 minutes a list of small towns and some cities on both sides of the Susquehanna River stretching for some 60 miles which were wiped out by the flooding from Hurricane Agnes; and which would receive either nothing under current law or merely a few hundred dollars. Under my amendment presented to you today, steps have been taken to rectify this unfortunate situation, and to assure that communi-

ties hit by disaster in the future will not find themselves in similar straits.

First, the grants are to be based upon loss of budgeted revenue rather than upon an average of tax collections over the past 3 years. In growing communities—and almost all are growing—the average of 3 years tax collections is significantly lower than the current disaster years tax collections. If you use the average figure as a base for making a community disaster grant, the result is zero grant money. What I have done in this bill is the result of practical experience in the field, so to speak. What is done in the bill is that the community will get a grant to make up for the difference in what their expected revenue was in the disaster year, and what they actually did collect. This assures that the effects of a seriously eroded tax base will not be immediately felt, with all the consequences that can mean.

Second, grants are to be made to make up for all locally generated revenues which have been cut due to the disaster. This excludes extraordinary revenues such as bond issues for obvious reasons, but does include property and other taxes, permits, fines, departmental earnings, refunds and reimbursements, et cetera, all of which suffer reduction in amounts collected when disaster strikes.

Mr. Speaker, safeguards have been written into this bill—tax rates and tax assessment valuation factors in effect at the time of the disaster shall be used for purposes of computing the grant, without reduction. Furthermore, any State grants—made strictly for the purposes outlined in this act—will reduce the amount of the Federal grant. In addition, the bill provides for the opportunity of local governments to grow and thus provide the demanded services which are so desparately needed at the local level. The bill allows a 10-percent growth in the budget in the year following the disaster, and an additional 10 percent in the second year, for the purposes of making these grants.

It is my contention that adequate safeguards exist in the bill to prevent abuse of the section of the disaster act; and that the enactment of the bill is a major step in bringing the destroyed area back to full productivity, and back to their role as one of the most important industrial and commercial centers in this Nation. I can assure you that the benefits will rebound to all of us manifold what we expend.

The SPEAKER. The question is on the committee amendment.

The committee amendment was agreed to.

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

GENERAL LEAVE

Mr. DON H. CLAUSEN. Mr. Speaker, I ask unanimous consent that all Members may extend their remarks on the Disaster Relief Act of 1970, H.R. 16598.

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

There was no objection.

JOHN P. WOODSON

Mr. JOHNSON of California. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 10638) for relief of John P. Woodson, his heirs, successors in interest or assigns, No. 203 on the Private Calendar.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 10638

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Agriculture shall convey by a quitclaim deed, without consideration, to John P. Woodson, his heirs, successors in interest or assigns all right, title, and interest of the United States in and to certain real property, more particularly described as follows:

The southeast quarter of the southwest quarter, south half of the southeast quarter, section 1, township 11 north, range 17 east; and the southwest quarter of the southwest quarter, section 6, township 11 north, range 18 east, Mount Diablo meridian, California.

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

STUDIES AND INVESTIGATIONS BY COMMITTEE ON POST OFFICE AND CIVIL SERVICE

Mr. YOUNG of Texas. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1039 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 1039

Resolved, That, notwithstanding the provisions of H. Res. 217, Ninety-second Congress, the Committee on Post Office and Civil Service, acting as a whole or by subcommittee, is authorized to send—

(1) not more than four members of such committee and two staff assistants for not more than twenty days, during the period August 18 to September 30, 1972, to conduct full and complete studies and investigations and make inquiries within its jurisdiction regarding foreign and military postal services, statistical agencies, international organizations with statistical and archival responsibilities, and the census programs in the following countries: Spain, Italy, Germany, Turkey, and Israel; and

(2) not more than ten members of such committee and three staff assistants for not more than eighteen days, during the period November 11 to December 23, 1972, to conduct full and complete studies and investigations and make inquiries within its jurisdiction regarding the operation of the overseas teacher programs, foreign postal services, including matters relating to rate-setting procedures, labor-management relations, modernization and mechanization, and the United States military postal services in the following countries: United Kingdom, France, Germany, Turkey, Italy, and Spain.

SEC. 2. (a) Notwithstanding the provisions of H. Res. 217 of the Ninety-second Congress, first session, local currencies owned by the United States shall be made available to the members of the Committee on Post Office and Civil Service of the House of Representatives and employees engaged in carrying out their official duties for the purposes of carrying out the committee's authority, as set forth in this resolution, to travel outside the United States. In addition to any other condition that may be applicable with respect to the use of local currencies owned by the United States by members and employees of the committee, the following conditions shall apply with respect to their use of such currencies:

(1) No member or employee of such committee shall receive or expend local currencies for subsistence in any country at a rate in excess of the maximum per diem rate set forth in section 502(b) of the Mutual Security Act of 1954 (22 U.S.C. 1754).

(2) No member or employee of such committee shall receive or expend an amount of local currencies for transportation in excess of actual transportation costs.

(3) No appropriated funds shall be expended for the purpose of defraying expenses of members of such committee or its employees in any country where local currencies are available for this purpose.

(4) Each member or employee of such committee shall make to the chairman of such committee an itemized report showing the number of days visited in each country whose local currencies were spent, the amount of per diem furnished, and the cost of transportation if furnished by public carrier, or, if such transportation is furnished by an agency of the United States Government, the cost of such transportation, and the identification of the agency. All such individual reports shall be filed by the chairman with the Committee on House Administration and shall be open to public inspection.

(b) Amounts of per diem shall not be furnished for a period of time in any country if per diem has been furnished for the same period of time in any other country, irrespective of differences in time zones.

With the following committee amendments:

On page 1, line 5, strike out "four" and insert in lieu thereof "five";

On page 1, line 7, strike out "August 18 to September 30, 1972," and insert in lieu thereof "November 20 to December 20, 1972,";

On page 2, line 3, strike out "ten" and insert in lieu thereof "five";

On page 2, line 4, strike out "three" and insert in lieu thereof "two"; and

On page 2, line 13, strike out "Turkey,".

The committee amendments were agreed to.

Mr. YOUNG of Texas. 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 1039 is a supplemental investigative resolution authorizing overseas travel and the use of counterpart funds by the Committee on Post Office and Civil Service.

As amended by the Committee on Rules, at the request of the Committee on Post Office and Civil Service, the resolution authorizes five members of the committee and two staff, assistants to travel to Spain, Italy, Germany, Turkey, and Israel during the period November 20 to December 20, 1972. Duration of the trip will be no more than 20 days and working visits will be made to principal statistical agencies of in the various countries and to the United National Food and Agriculture Organization in Rome. Consultations will be arranged for thorough briefings on the census and large scale survey programs in each country also.

In addition, the resolution authorizes not more than five members of the committee and two staff assistants to travel

to the United Kingdom, France, Germany, Italy, and Spain during the period November 11 to December 23, 1972. Duration of the trip will be no more than 18 days and an investigation will be conducted regarding pay and benefits for overseas teachers. It is anticipated that dependent schools will be visited in the various countries.

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

Mr. HALL. Mr. Speaker, has the distinguished Committee on Rules considered the fact that the Postal Service is out from under the jurisdiction of the Committee on Post Office and Civil Service and is now only a quasi-governmental organization; that there is very little information on such a junket that could be gained that could be interpreted to assist the U.S. Postal Service by such a trip? In its judgment, does it still feel that this trip is necessary?

Mr. YOUNG of Texas. I say to the gentleman from Missouri, the committee feels that the trip is necessary.

Mr. HALL. Mr. Speaker, having learned what it is to be chastised by only getting 46 votes against such a junket on the part of another committee of the House during the interim between election and reconvening of the next Congress by all the lame ducks, who can and who are truly interested, I shall not pursue the matter any further.

I want to register my real doubt and not object. I just hope that it is sunny and warm in Sunny Italy and Southern Spain.

Mr. YOUNG of Texas. I yield to the gentleman from California (Mr. SMITH).

Mr. SMITH of California. Mr. Speaker, it has always been the custom for the Post Office and Civil Service Committee to take such a trip as this after a session. I have read their reports over the past year, and I must say that I found them very knowledgeable, and thought that they did a very good job.

The gentleman from Missouri (Mr. HALL) brings up a question. I am receiving a number of questions in connection with our Postal Service. Some of the packages I get look like they have been jumped on coming across the country. Postal employees apparently cannot talk to Congressmen. I remember when I presented the rule on changing the Postal Service. I had some reservations, however I voted yea. When the Members finish this trip, I wish they would go around the United States and do a little checking.

Perhaps the House would like to take that service back next year and straighten it out. I think they are having some problems.

Mr. YOUNG of Texas. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ADDITIONAL INVESTIGATIVE AUTHORITY FOR COMMITTEE ON EDUCATION AND LABOR

Mr. YOUNG of Texas. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1127 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 1127

Resolved, That the Committee on Education and Labor, acting by the Ad Hoc Subcommittee on Discrimination Against Women, is authorized to conduct full and complete studies and investigations in not more than six countries of Asia and Europe.

For the purpose of carrying out the studies and investigations, the committee is authorized to send not more than nine members of the ad hoc subcommittee and two staff assistants for not more than thirty days during the period November 10, 1972 to December 31, 1972, to those countries within which such investigation and study is authorized to be conducted.

Notwithstanding the provisions of H. Res. 213 of the Ninety-second Congress, first session, local currencies owned by the United States shall be made available to the members of the Committee on Education and Labor of the House of Representatives and employees engaged in carrying out the authority, as set forth in this resolution, to travel outside the United States. In addition to any other condition that may be applicable with respect to the use of local currencies owned by the United States by members and employees of the committee, the following conditions shall apply with respect to their use of such currencies:

(1) No member or employee of such committee shall receive or expend local currencies for subsistence in any country at a rate in excess of the maximum per diem rate set forth in section 502(b) of the Mutual Security Act of 1954 (22 U.S.C. 1754).

(2) No member or employee of such committee shall receive or expend an amount of local currencies for transportation in excess of actual transportation costs.

(3) No appropriated funds shall be expended for the purpose of defraying expenses of members of the committee or its employees in any country where local currencies are available for this purpose.

(4) Each member or employee of such committee shall make to the chairman of such committee an itemized report showing the number of days visited in each country whose local currencies were spent, the amount of per diem furnished and the cost of transportation if furnished by police carrier, or, if such transportation is furnished by an agency of the United States Government, the cost of such transportation, and the identification of the agency. All such individual reports shall be filed by the chairman of the Committee on House Administration and shall be open to public inspection.

(5) Amounts of per diem shall not be furnished for a period of time in any country if per diem has been furnished for the same period of time in any other country, irrespective of difference in time zones.

Mr. HALL (during the reading). Mr. Speaker, I ask unanimous consent that the resolution be considered as read and printed in the RECORD.

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

There was no objection.

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

House Resolution 1127 is a supplemental investigative resolution authorizing overseas travel and the use of counterpart funds by the Committee on Education and Labor, acting by the Ad Hoc Subcommittee on Discrimination Against Women.

The resolution authorizes nine members of the subcommittee and two staff assistants to travel to not more than six countries of Asia and Europe for not more than 30 days duration during the period November 10 to December 31, 1972.

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

Mr. SMITH of California. Mr. Speaker, when this resolution was originally introduced I understood the distinguished gentlewoman from Oregon (Mrs. GREEN) was going to head up this trip, which I believe would be excellent. I know if she did there would be some very fine information coming back. Unfortunately, the gentlewoman has suffered an accident and may not be able to make the trip. I am sorry that is the case.

My understanding is that five women and four men are to take this trip. Of course, we are all for women and we are all for equal rights and no discrimination, so I assume we had better vote for this resolution, Mr. Speaker.

Mr. YOUNG of Texas. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AMENDING ADMINISTRATION CONFERENCE ACT

Mr. CONYERS. Mr. Speaker, I move to suspend the rules and pass the bill (S. 3671) to amend the Administrative Conference Act, as amended.

The Clerk read as follows:

S. 3671

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. Section 575 of title 5, United States Code, is amended—

(a) by amending paragraph (10) of subsection (c) to read as follows:

"(10) organize and direct studies ordered by the Assembly or the Council, to contract for the performance of such studies with any public or private persons, firm, association, corporation, or institution under title III of the Federal Property and Administrative Services Act of 1949, as amended (41 U.S.C. 251–260), and to use from time to time, as appropriate, experts and consultants who may be employed in accordance with section 3109 of this title at rates not in excess of the maximum rate of pay for grade GS–15 as provided in section 5332 of this title;";

(b) by redesignating paragraphs (11) and (12) of subsection (c) as paragraphs (14) and (15) respectively and by adding the following new paragraphs:

"(11) utilize, with their consent, the services and facilities of Federal agencies and of State and private agencies and instrumentalities with or without reimbursement;

"(12) accept, hold, administer, and utilize gifts, devises, and bequests of property, both real and personal, for the purpose of aiding and facilitating the work of the Conference. Gifts and bequests of money and proceeds from sales of other property received as gifts, devises, or bequests shall be deposited in the Treasury and shall be disbursed upon the order of the Chairman. Property accepted pursuant to this section, and the proceeds thereof, shall be used as nearly as possible in accordance with the terms of the gifts,

devises, or bequests. For purposes of Federal income, estate, or gift taxes property accepted under this section shall be considered as a gift, devise, or bequest to the United States;

"(13) accept voluntary and uncompensated services, notwithstanding the provisions of section 3679(b) of the Revised Statutes (31 U.S.C. 665(b));".

SEC. 2. Section 576 of title 5, United States Code, is amended to read as follows:

"§ 576. Appropriations.

"There are authorized to be appropriated sums necessary not in excess of $760,000 for the fiscal year ending June 30, 1974, $805,000 for the fiscal year ending June 30, 1975, $850,000 for the fiscal year ending June 30, 1976, $900,000 for the fiscal year ending June 30, 1977, and $950,000 for the fiscal year ending June 30, 1978, and for each fiscal year thereafter, to carry out the purposes of this subchapter.".

The SPEAKER pro tempore. Is a second demanded.

Mr. RAILSBACK. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

Mr. CONYERS. Mr. Speaker, I rise in support of the bill and I yield myself such time as I may consume.

The principal purpose of the pending legislation as amended by the committee is to raise the ceiling on appropriations for the Administrative Conference of the United States.

Identical measures were introduced in the Senate (S. 3671) and in the House (H.R. 13644) to remove the ceiling altogether. On August 18, S. 3671 passed the Senate without amendment. Meanwhile a subcommittee hearing on the House bill was held in May and the chairman of the Conference testified in support of the legislation. The committee also received letters from the then Acting Attorney General, from Clark MacGregor, counsel to the President for congressional relations, and from the American Bar Association favorable to H.R. 13644 as introduced.

The Administrative Conference was established in 1964 as a permanent agency of the Federal Government. The legislation establishing the Conference authorized appropriations not to exceed $250,000 per year. In 1969 this ceiling was increased to $450,000 per year.

The statutory mandate of the Administrative Conference is to develop recommendations for improvements in the procedures by which Federal departments and agencies fixed the rights and obligations of private businesses and individuals through administrative adjudication, rulemaking, licensing, and investigation. The Conference has no regulatory power; it may only make recommendations. It reports to the President, the Congress, the Judicial Conference, and the departments and agencies.

As appears on pages three through 18 of House Report 92–1418, demonstrated to the satisfaction of the committee, the administrative conference has been performing a very substantial volume of valuable and important work. Nevertheless, the committee believed that a relatively minor change should be made in section 1 of the bill and that, although the ceiling on appropriations for the conference should be raised, it should not be removed altogether. Beyond this, the committee would amend the title of the bill.

COMMITTEE CONCLUSIONS AS TO EXPERTS AND CONSULTANTS

The committee approves the provisions of section 1 of the bill which authorize the conference to enter into contracts for the performance of studies and to accept and utilize gifts, including gifts of services. A modification is recommended, however, with respect to the proposed increase in the maximum compensation payable to experts and consultants. The bill as introduced and passed the Senate would increase the present maximum from $100 per day to the maximum daily rate applicable to GS–18, $138.40. An increase seems warranted but the committee recommends that it be limited to the maximum daily rate applicable to GS–15. This now pays $127.92 per day. The GS–15 rate was recently applied by this committee to the compensation of experts and consultants who serve the Commission on Civil Rights and the committee believes that both rates should be the same.

COMMITTEE CONCLUSIONS AS TO CEILING ON APPROPRIATIONS

As I have said, the administrative conference has given a good account of itself and its work. It demonstrated, we believe, that its appropriation ceiling is too low and made a strong argument for eliminating the ceiling altogether.

Such a move would bring the budgetary and appropriations practices of the Conference in line with those of other permanent agencies. The Conference argues that an appropriations ceiling for a permanent agency like the Conference is awkward and unnecessary and that the ordinary budgetary and appropriations process affords adequate legislative review of Conference programs and performance. Undeniably, the delay occasioned by the need to get a ceiling removed or raised aggrevates problems of inflation. Also, elimination of the ceiling would relieve the committee of the necessity of making value judgments and setting priorities with respect to particular projects selected by the Conference within its competence.

Nevertheless, the committee is unable to recommend total elimination of the appropriations ceiling. The existence of a ceiling with respect to relatively new programs tends to retain in the committee at least a modicum of legislative oversight. The committee believes that the appropriations ceiling of the Conference should be substantially raised but that it should not be removed completely. The committee's recommendation is as follows:

COMMITTEE RECOMMENDATIONS AS TO APPROPRIATION CEILING

The ceiling for fiscal year 1973 has been approved and should remain at $450,000.

An increase in programs in the amount of $285,000 is recommended for fiscal year 1974 and subsequent years—this increase approximates the estimated annual cost of proposals by the Administrative Conference to institute additional programs as follows: publication of reports and activities—$60,000 per year; administrative support services—$25,000 per year; statistical evaluation of administrative delay—$100,000 per year; and added large scale projects—$100,000 per year, a total of $285,000.

In addition, the committee would authorize annual increases over the next 5 years—fiscal years 1974–78—that would be somewhat short of 6 percent a year for normal inflation and growth. The resulting ceilings would be as follows:

Fiscal year:	Amount
1974 ($450,000 plus $285,000)	$760,000
1975	805,000
1976	850,000
1977	900,000
1978 (and each fiscal year thereafter)	950,000

The average annual ceiling for fiscal years 1974 through 1978 would be $853,000. This compares with a substantially higher estimate of what would be desirable made by the Administrative Conference when it proposed an annual ceiling of $1,250,000 as an alternative to eliminating the ceiling altogether.

OTHER PROVISIONS OF S. 3671

Section 1 of the bill provides for a number of statutory changes designed to deal with problems which have arisen in the recent past or that can be anticipated in the near future. They should be adopted since similar provisions are commonly included in statutes governing advisory bodies such as the Administrative Conference.

Specifically, section 575(c)(10) of ttile 5, United States Code, should be revised to clarify the conference's authority to contract for studies as well as to have them performed by consultants employed on a temporary or intermittent basis. In addition, the revised paragraph should authorize the payment of consultants at a maximum daily equivalent to that of a GS–15.

The other amendments to section 575(c) authorize the Administrative Conference to utilize with their consent the services and facilities of State, Federal, and private agencies and instrumentalities, and to accept gifts, bequests, and voluntary and uncompensated services. These grants of authority are customary for agencies with research and advisory responsibilities and will enable the conference to participate with public agencies and private institutions in studies and other undertakings of mutual interest which might otherwise be beyond its financial capacities.

COST OF THE LEGISLATION

The cost of the activities of the Administrative Conference for fiscal year 1973 is not affected by this legislation and will remain subject to the present ceiling $450,000 per annum. With respect to subsequent years, the committee estimates that the Administrative Conference will be able to persuade the Appropriations Committee that the conference should be funded up to the limit provided in the amended bill for fiscal years 1974 through 1978. In that event, the program of the Administrative Conference will cost $760,000 for fiscal year 1974, $805,000 for fiscal year 1975, $850,000 for fiscal year 1976, $900,000 for fiscal year 1977, and $950,000 for fiscal year

1978, and for each fiscal year thereafter, as compared to a maximum of $450,000 per year under existing law.

Mr. Speaker, I urge favorable consideration of the measure.

I reserve the balance of my time.

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

I rise in support of S. 3671, an act amending the law affecting the Administrative Conference of the United States. This legislation has the support of the Administration, the Department of Justice, and the American Bar Association. It was favorably reported by the subcommittee and the full committee without a dissenting vote.

The legislation before you represents a modified version of a bill which I introduced (H.R. 13987) and which passed the other body by unanimous consent. The version passed by the other body which was amended by the Judiciary Committee would have removed the appropriation ceiling altogether, and increased the maximum to be paid experts and consultants from $100 per day to $138.40 per day. Although a good case was before the subcommittee to remove the appropriations ceiling, your committee chose to retain annual ceilings but to provide higher ceilings on a 5-year graduated basis and a fixed annual ceiling thereafter. Realizing that the Administrative Conference will have to appear annually before the Appropriations Committee even if the ceiling was removed altogether, the Judiciary Committee is of the opinion that it is the responsibility of the committee which authorized the appropriation to carry the primary burden in determining the amount of the authorization. This approach serves two meaningful functions:

First, it relieves some of the burden from the Appropriations Committee by providing guidelines and a record on which they can base a decision, and

Second, it provides a vehicle for a continuing interest in the agency by the authorizing committee and is helpful to that committee in discharging its legislative review responsibilities.

I would not want my colleagues to misunderstand the reasons behind this annual limited authorization. This limitation in no way reflects upon the value and usefulness of the Administrative Conference. If that were the case, the Judiciary Committee would have quickly removed the ceiling. The Administrative Conference is a unique agency performing a very valuable public service. Its basic philosophy is that our Federal bureaucracy can and indeed must make meaningful improvements in their practices and procedures. I envision the conference as a congressional ombudsman, keeping track of our massive Federal bureaucracy. I realize that this is not its principal function nor does it have the regulatory authority to enforce its recommendations. Its principal purpose is the correction of agency unfairness and agency imperfections through recommendations.

Its power of persuasion lies in its quality product. These recommendations are set forth in the subcommittee hearings—May 1972, Serial No. 25, 92d Congress, second session, pp. 44–56. To illustrate my point I would like to read a brief quote from a letter written by the Attorney General of the United States to the Administrative Conference dated March 20, 1972—p. 28 of the hearings:

> I am writing to compliment the Administrative Conference for its work in improving the quality of administrative justice meted out by Federal agencies. A number of studies and recommendations of the Conference have been of great interest and value to the Department of Justice.
>
> As you know, the study by the Conference of this Department's procedures for the remission and mitigation of forfeitures led to our adoption of new regulations with respect to such procedures. Similarly, we have found that the recent recommendation of the Conference with respect to the procedures of the Immigration and Naturalization Service in change-of-status cases rests upon a thorough analysis of this important process. The Service has already adopted some of the suggested changes and is giving most careful consideration to the others. The Department, of course, has a special interest in the recommendations of the Conference establishing guidelines for implementation of the Freedom of Information Act in view of our responsibility to defend the United States in suits brought under the Act.

The hearings contain similar letters from the Department of Health, Education, and Welfare, Civil Aeronautics Board, Food and Drug Administration, and the American Bar Association, the Section of Administrative Law, and so on.

Mr. Speaker, the scholarship of the Administrative Conference has been excellent, its research thorough and its workproduct most useful. For these reasons I urge my colleagues to support the enactment of S. 3671, as amended by the Judiciary Committee.

Mr. CONYERS. Mr. Speaker, I yield to the chairman of the Committee on Government Operations, the gentleman from California (Mr. HOLIFIELD).

Mr. HOLIFIELD. Mr. Speaker, I want to say just a few words in support of S. 3671. The Administrative Conference of the United States, and particularly its former chairman, Mr. Roger C. Cramton, who has recently been made the legal advisor for the entire executive branch as Assistant Attorney General in charge of the Office of Legal Counsel, have been particularly helpful to the Congress.

I am sure that many committees of Congress, and many Members, have been highly impressed by the superlative assistance the Conference and its Chairman have given them. While it is established in the executive branch, the Administrative Conference and its staff have a close relationship to Congress and to our legislative function. My experience has been that this relationship has been maintained on a nonpartisan basis and on a highly professional level.

During this Congress, the Chairman of the Administrative Conference gave extremely valuable testimony to the Government Operations Committee's Legislation and Military Operations Subcommittee in connection with legislation to create a Consumer Protection Agency and to our Foreign Operations and Government Information Subcommittee in connection with its indepth study of the effectiveness of the Freedom of Information Act. This testimony obviously required many hours of preparation.

Certainly the Administrative Conference of the United States should be given adequate authority and adequate funds.

I want to compliment the Committee on the Judiciary and my good friends Mr. CELLER and Mr. CONYERS for bringing S. 3671 to the floor. Enactment of this bill will help the Conference to continue and to expand its valuable work.

Mr. Speaker, I just want to rise in support of this bill. I happen to know something about this Administrative Conference of the United States and its very excellent chairman until just recently, Mr. Roger Cramton. He has been on call as an assistant to the House Committee on Government Operations in the field of administrative rules and regulations.

I also want to say the President's Commission on Procurement is completing more than 2 years of study on the function of the Federal Government in purchasing more than $50 billion worth of goods and services annually. The commission will make recommendations for improvement and correction of procedure in three fields of Federal functions: one, executive orders; two, statutory changes; and, three, improvement in the vast field of administrative rules and regulations.

The agencies of the Government will be dependent upon the advice from this conference as to how we can improve the vast field of rules and regulations. As we all know, when we pass a bill we always have a clause in there authorizing the administrator to make such rules and regulations as necessary for the implementation of the specific act. Rules and regulations have grown to the point where they are far greater in volume than the statutory language on which they are based. Congress in 1964 decided that it was necessary to have this type of continuing study.

I believe the modest sum required is justifiable, and I hope this bill will pass without objection.

Mr. CONYERS. Mr. Speaker, I thank the gentleman from California.

I have no further requests for time.

The SPEAKER. The question is on the motion offered by the gentleman from Michigan (Mr. CONYERS) that the House suspend the rules and pass the bill S. 3671, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The title was amended so as to read: "A bill to amend provisions of law relating to the Administrative Conference of the United States."

A motion to reconsider was laid on the table.

BUS SYSTEMS ACQUISITION BY WMATA

Mr. ABERNETHY. Mr. Speaker, I move to suspend the rules and pass the bill (S. 4062) to provide for acquisition by the Washington Metropolitan Area Transit Authority of the mass transit bus system engaged in scheduled regu-

lar route operations in the National Capital area, and for other purposes.

The Clerk read as follows:

S. 4062

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as "National Capital Area Transit Act of 1972".

STATEMENT OF FINDINGS AND PURPOSES

SEC. 2. The Congress finds that (1) an adequate and economically sound transportation system or systems, including bus and rail transit, serving the Washington metropolitan area is essential to commerce among the several States, and among such States and the District of Columbia, and to the health, welfare, and safety of the public; (2) economies and improvement of service will result from the unification of bus transit and rail transit operations as well as from integration of bus transit facilities within the Washington metropolitan area; (3) the Washington Metropolitan Area Transit Authority is a body corporate and politic organized pursuant to interstate compact among the States of Maryland and Virginia and the District of Columbia, with the consent of Congress, to plan, develop, finance, and operate improved transit facilities in the Washington metropolitan area transit zone; (4) an appropriate solution to the current bus transportation emergency is public ownership and operation of bus transit facilities within the Washington metropolitan area; (5) the cost of such public ownership should be shared by the Federal and local governments in the Washington metropolitan area in accordance with the matching formula authorized by the Urban Mass Transportation Act of 1964 (49 U.S.C. 1601–1612); and (6) to these ends it is necessary to enact the provisions hereinafter set forth.

TITLE I

CONSENT TO COMPACT AMENDMENT

SEC. 101. (a) The Congress hereby consents to amendments to articles XII and XVI of title III of the Washington Metropolitan Area Transit Regulation Compact (D.C. Code, sec. 1–1431 note) substantially as follows:

(1) Section 56 of article XII is amended by adding at the end thereof the following new paragraph:

"(e) The Authority may acquire the capital stock or transit facilities of any private transit company and may perform transit service, including service by bus or similar motor vehicle, with transit facilities so acquired, or with transit facilities acquired pursuant to article VII, section 20. Upon acquisition of the capital stock or the transit facilities of any private transit company, the Authority shall undertake the acquisition as soon as possible of the capital stock or the transit facilities of each of the other private transit companies within the zone requesting such acquisition. Lack of such request however, shall not be construed to preclude the Authority from acquiring the capital stock or the transit facilities of any such company pursuant to section 82 of article XVI."

(2) Subsection (a) of section 82 of article XVI is amended by deleting "or by a private transit company" at the end of such subsection and by inserting in lieu thereof the following: "whenever such property cannot be acquired by negotiated purchase at a price satisfactory to the Authority".

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

ACQUISITION OF PRIVATE BUS COMPANIES OPERATING WITHIN THE WASHINGTON METROPOLITAN AREA

SEC. 102. (a) Based on the findings set forth in section 2 of this Act, it is the sense of the Congress that the Washington Metropolitan Area Transit Authority (hereafter in this Act referred to as the "Transit Authority") should initiate negotiations as soon as possible with the ownership of D.C. Transit System, Incorporated (and its subsidiary, the Washington, Virginia, and Maryland Coach Company), the Alexandria, Barcroft, and Washington Transit Company, and the WMA Transit Company for acquisition by the Transit Authority of capital stock or facilities, plant, equipment, real and personal property of such bus companies of whatever nature, whether owned directly or indirectly, used or useful for mass transportation by bus of passengers within the Washington metropolitan area. It is further the sense of the Congress that representatives of the Transit Authority should participate in any labor contract negotiations undertaken prior to acquisition by the Transit Authority of such bus companies.

(b) The franchise to operate a system of mass transportation of passengers for hire granted to D.C. Transit System, Incorporated, by the Act of July 24, 1956 (70 Stat. 598) is hereby canceled, effective upon the date immediately preceding the date on which the Transit Authority acquires the transit facilities of D.C. Transit System, Incorporated.

(c)(1) The Transit Authority, and any transit company owned or controlled by the Transit Authority, may operate charter service by bus in accordance with title III of the Washington Metropolitan Area Transit Regulation Compact only between any point within the transit zone and any point in the State of Maryland or Virginia, or a point within 250 miles of the Zero Mile Stone located on the Ellipse.

(2) For the purposes of this subsection, the term "transit zone" means the area designated in section 3 of title III of the Washington Metropolitan Area Transit Regulation Compact.

(d) D.C. Transit System, Incorporated, a corporation of the District of Columbia, may—

(1) continue to exist as such a corporation and amend its charter in any manner provided under the laws of the District of Columbia;

(2) avail itself of the provisions of the District of Columbia Business Corporation Act in respect to a change of its name; and

(3) become incorporated or reincorporated in any manner provided under the laws of the District of Columbia.

Nothing in this Act shall be construed so as to cause or require the corporate dissolution of D.C. Transit System, Incorporated.

TITLE II

DISTRICT OF COLUMBIA AUTHORIZATIONS

SEC. 201. (a) The Commissioner of the District of Columbia is authorized to contract with the Transit Authority for payment to it of the District's share of the cost to the Transit Authority of acquiring—

(1) the private bus companies referred to in section 102(a) of this Act; and

(2) any rolling stock, real estate, or other capital resources required for the operation of bus service in the District of Columbia either at the time of acquisition of such bus companies or at some future time.

(b) Subsection (b) of the first section of the Act of June 6, 1958 (D.C. Code, sec. 9–220) (relating to the borrowing authority of the District of Columbia), is amended by adding at the end thereof the following new paragraph:

"(5) Loans may be made under this subsection to carry out the purposes of section 210(a) of the National Capital Area Transit Act of 1972."

TITLE III

FINANCING

SEC. 301. Transit Authority, for the purpose of effecting the acquisition of the mass transit bus system or systems as contemplated by this Act, together with such improvements or replacement of acquired equipment and facilities as may be found necessary or desirable by the Secretary of Transportation (hereafter in this title referred to as the "Secretary") in conjunction with such acquisition and within a reasonable time thereafter, not to exceed six months, is eligible for capital grant assistance pursuant to section 3 of the Urban Mass Transportation Act of 1964. For this purpose, the Transit Authority shall be considered a "local public body" within the meaning of that section and, accordingly, the Secretary may authorize and approve capital grant assistance to the Transit Authority in the maximum amount provided for in the Urban Mass Transportation Act of 1964 toward the cost of acquisition of such bus system or systems, including the cost of improvements to or replacement of acquired equipment and facilities approved by the Secretary in junction with such acquisition. Such assistance shall be provided from funds available to the Urban Mass Transportation Administration of the Department of Transportation.

SEC. 302. (a) If the Secretary should determine that immediate action is urgently required to protect the public interest in the National Capital area, he may waive any or all provisions of the Urban Mass Transportation Act of 1964 (except section 13(c) thereof), and immediately grant to the Transit Authority from funds available to the Urban Mass Transportation Administration of the Department of Transportation such sums as are contemplated under section 301.

(b) The Secretary, after determining that immediate action is necessary in the public interest in accordance with subsection (a) of this section, may, in accordance with subsection (c) of this section, advance from funds available to the Urban Mass Transportation Administration of the Department of Transportation such funds as he determines to be necessary for payment to the Transit Authority to provide temporary financing for that portion of the cost of acquisition of the mass transit bus system or systems contemplated by this Act, together with associated improvements to or replacement of acquired equipment and facilities, which are not provided for by the Secretary pursuant to section 301 of this Act. For this purpose, such advance shall not be construed as a loan made under section 3 of the Urban Mass Transportation Act of 1964. Funds advanced pursuant to this section shall be considered as "other than Federal funds" within the meaning of section 4(a) of the Urban Mass Transportation Act of 1964.

(c) The Secretary shall not advance funds under this section until he has determined that the Transit Authority has the capacity and ability to arrange for repayment of such advance in accordance with section 303 of this Act.

SEC. 303. The advance authorized under section 302(b) shall be repaid by the Transit Authority to the Urban Mass Transportation Administration of the Department of Transportation from contributions by the District of Columbia and other local government jurisdictions or from other non-Federal sources as may be available to the Transit Authority and which were not estimated to be available for financing the mass transit rail rapid system authorized by the National Capital Transportation Act of 1969. Repayment of such advance may be deferred by the Secretary of Transportation, at the request of the

Transit Authority, but not beyond the end of the fiscal year following the fiscal year in which the advance was made. Repayment shall be made with interest at a rate to be determined by the Secretary of the Treasury calculated in accordance with the formula set forth in section 3(c) of the Urban Mass Transportation Act of 1964. Principal and interest repaid pursuant to this section shall be credited to the Urban Mass Transportation Fund and shall be considered a restoration of obligational authority available to the Secretary under section 4(c) of the Urban Mass Transportation Act of 1964.

TITLE IV

SEC. 401. (a) The United States District Court for the District of Columbia shall have complete and exclusive jurisdiction over any proceedings by the Transit Authority for the condemnation of property, wherever situated, of D.C. Transit System, Incorporated (including its subsidiary, the Washington, Virginia, and Maryland Coach Company), the Alexandria, Barcroft, and Washington Transit Company, and the WMA Transit Company. Such proceedings shall be instituted and maintained in accordance with the provisions of this section and the provisions of subchapter IV of chapter 13 of title 16, District of Columbia Code, except that the court may appoint a commission in accordance with rule 71A(h) of the Federal Rules of Civil Procedure in connection with the issue of compensation arising out of any such proceedings.

(b) Any such condemnation proceedings shall be commenced by the Attorney General of the United States, upon the request of the Transit Authority, by filing with the United States District Court for the District of Columbia a complaint and declaration of taking containing a description of the land and other assets to be taken, together with a sum of money deposited with the registrar of such court in accordance with the applicable provisions of law set forth in subsection (a) of this section. Upon such filing and deposit, title to the possession of the assets described in any such complaint and declaration of taking shall pass to the Transit Authority and the value of the assets so acquired shall be determined as of that date.

(c) The trial of any such condemnation proceedings shall be a preferred cause and shall be commenced at the earliest date convenient to the court.

(d) Any proceeding brought by the Transit Authority under this section against the Alexandria, Barcroft, and Washington Transit Company shall be transferred, upon motion made by such Transit Company, to the United States District Court for the Eastern District of Virginia, and such district court shall have, upon such transfer, complete and exclusive jurisdiction over such proceeding. Any action brought by the Transit Authority under this section against the WMA Transit Company, shall be transferred, upon motion made by the WMA Transit Company, to the United States District Court for the District of Maryland, and such district court shall have, upon such transfer, complete and exclusive jurisdiction over such proceeding.

TITLE V

AUDIT AND REVIEW

SEC. 501. The Comptroller General of the United States shall have access to all books, records, papers, and accounts and operations of the Transit Authority, and any company with which the Transit Authority is conducting negotiations under this Act, and any company eligible to receive or receiving any funds authorized by this Act. The Comptroller General is authorized to inspect any facility or real or personal property of the Transit Authority or of such companies.

TITLE VI

ARLINGTON CEMETERY AND SMITHSONIAN STATIONS

SEC. 601. The National Capital Transportation Act of 1969, approved December 9, 1969 (83 Stat. 320) as amended, is hereby further amended by adding at the end thereof the following new section:

"SEC. 13. (a) The Secretary of Transportation shall make payments to the Transit Authority in such amounts as may be requisitioned from time to time by the Transit Authority sufficient, in the aggregate, to finance the cost of designing, constructing, and equipping (1) a rail rapid transit station partially under Memorial Drive designed to serve the Arlington Cemetery with two entrances surfacing adjacent to the sidewalks north and south of Memorial Drive and east of Jefferson Davis Highway, and (2) an additional entrance in the vicinity of the northeast end of the Smithsonian Station surfacing on the Mall south of Adams Drive; except that the aggregate amount of such payments shall not exceed $7,385,000.

"(b) There are authorized to be appropriated to the Secretary of Transportation, without fiscal year limitation, not to exceed $7,385,000 to carry out the purposes of this section. The appropriations authorized in this subsection shall not be subject to the provisions of this Act requiring contributions by the local governments and shall be in addition to the appropriations authorized by section 3(c) thereof."

The SPEAKER pro tempore. Is a second demanded?

Mr. BROYHILL of Virginia. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

PARLIAMENTARY INQUIRY

Mr. HALL. Mr. Speaker, a parliamentary inquiry.

Is the gentleman opposed to the bill?

Mr. BROYHILL of Virginia. Mr. Speaker, I am in favor of the bill.

Mr. HALL. I thank the Speaker.

There was no objection.

Mr. ABERNETHY. Mr. Speaker, this bill is substantially what the House considered on Wednesday, October 11; it is quite comparable. In fact, the bill before the House a few days ago was H.R. 16724, which would have, as this does, established a public transit bus system in the metropolitan area. That bill was called up under suspension of the rules, and it failed by a very narrow margin.

The only substantial change in the bill now before us from the one that was before the House a few days ago is the condemnation procedure that will be followed in the courts for the acquisition of these transit systems in the event that WMATA and the private bus companies fail in their negotiations.

The House bill provided for a three-judge Federal court for all three jurisdictions in the metropolitan area, that is, the District of Columbia, Maryland, and Virginia. The Senate bill provides that the matter shall be heard before one district judge with power to appoint commissioners, to aid in the condemnation details, if the judge sees fit to refer the matter to such commissioners.

The bill has been well and fully debated heretofore for the benefit of the Members, and I see no good purpose served at this late hour in debating it further.

I will be happy to yield time to some Member if he so desires.

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

Mr. ABERNETHY. I yield to the gentleman from Minnesota such time as he may consume.

Mr. FRASER. Mr. Speaker, I thank the gentleman from Mississippi (Mr. ABERNETHY) for yielding to me.

I just would like to say, Mr. Speaker, that I was not here during the debate on the bill that came up a few days ago, but I would only like to impress on the Members of the House the seriousness of the bus problem here in the District, and in the adjoining areas. I dislike, I think as much as anyone, the record established by the present owner of the D.C. Transit System, but it is too late to do anything about that.

If we do not act now, everyone who is concerned with our transit problems fears there will be a real collapse of the system before Congress can come back next January. They fear that there might be a total collapse of bus transportation in the area.

So, Mr. Speaker, I would really urge every Member of the House to think very carefully before opposing this legislation because, again, I say they may leave the District without transportation, and that would be a real disaster.

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

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

Mr. GUDE. Mr. Speaker, I thank the gentleman from Minnesota for yielding, and I would say to the gentleman that I have here a copy of a letter from one of his colleagues from Minnesota (Mr. NELSEN) the ranking Republican member of the House Committee on the District of Columbia, in which he expressed his deep regret that because of unavoidable commitments back in Minnesota he could not be here today. But this is a copy of a letter to the minority leader (Mr. GERALD R. FORD) which has been reproduced and in it the gentleman from Minnesota (Mr. NELSEN) strongly urges passage of this legislation.

I know that my colleague, the gentleman from Minnesota (Mr. FRASER) is very close to his colleague from Minnesota (Mr. NELSEN) and also knows of Mr. NELSEN's strong support for this legislation.

HOUSE OF REPRESENTATIVES,
Washington, D.C., October 14, 1972.

Hon. GERALD FORD,
Minority Leader, House of Representatives, Washington, D.C.

DEAR JERRY: I regret that it was necessary for me to return to Minnesota late Friday night because of certain commitments I had back in my District. However, I have dictated this letter by telephone to express my hope for favorable action by the House of Representatives on S. 4062, a bill that provides for acquisition by the Washington Metropolitan Area Transit Authority of the mass transit bus system engaged in scheduled regular route operations in the national capital area.

As you know, earlier this week the House version of the bus acquisition bill, H.R. 16724, was defeated by a narrow margin of 11 votes under the rules of suspension that provided that it required two-thirds of those present

and voting. Had we been able to have our regular District Committee Day on October 9, 1972, a bare majority would have been all that would have been necessary and, of course, the bill would have passed. As it is now, the Congress having enacted legislation to provide for a subway system and having also enacted legislation for its financing so as to provide a subway system for the entire national capital area, we now find that the last necessary piece of legislation to carry through the mass transit operations is a bill to provide for this bus system acquisition.

It would be unfortunate in the extreme if this final necessary piece of legislation could not be acted on favorably in this session. It is my opinion that failure to act now could well precipitate other problems after the Congress adjourns that would cause great inconvenience to the residents of the entire Washington metropolitan area.

I have worked closely with the Subcommittee Chairman, Congressman Cabell, of Texas to enact this legislation, and both he and I are in agreement that the passage of S. 4062 is in the public interest, and I certainly urge its passage.

Kindest regards.

Sincerely yours,

ANCHER NELSEN,
Member of Congress.

I might also state that I know colleagues will be pleased that the track removal costs and any retirement fund inadequacy to place it on a sound footing for transit employees will be treated as liabilities considered by WMATA in negotiations for purchase with the transit companies and by the courts in any condemnation proceedings. This is treated in detail in the Senate report and the debate in that body which took place today.

Mr. FRASER. I know that if Mr. NELSEN were here today he would strongly support this legislation.

I think the legislation has very broad support from the committee on both sides of the aisle, and again I strongly urge support of this legislation.

Mr. BROYHILL of Virginia. Mr. Speaker, Senate bill S. 4062—bus systems acquisition by WMATA—under the heading "Condemnation Procedure" on page 6, states as follows:

Nothing in this Act shall be construed as granting to the Transit Authority the power to, and the Transit Authority shall not, assume or otherwise acquire any of the liabilities, either contingent or actual, on D.C. Transit System, Inc.

Mr. Speaker, in any takeover of an operating company, there are many liabilities and expenses, which must be assumed and adjustment made therefor by the company taking over operation. This is true with respect to the negotiations that may take place between Transit Authority and D.C. Transit.

It is entirely proper that the Transit Authority shall take over certain liabilities, however, the Transit Authority will be allowed credit for them against the purchase price to be paid by the Transit Authority.

Therefore the Transit Authority must be permitted to assume certain of these liabilities, providing, however, that in assuming them provision is made for compensation to the Transit Authority by D.C. Transit System.

Nothing contained in the Senate report on this point should be construed as prohibiting the Transit Authority from assuming liabilities of D.C. Transit providing the Authority is paid compensation therefor by D.C. Transit System, Inc.

Mr. BADILLO. Mr. Speaker, I rise in support of S. 4062 and urge its speedy passage. Although differing in some respects from the House version, this bill is a necessary measure to establish a sound, modern mass transportation system for the National Capital area. It is unfortunate, indeed, that H.R. 16724 failed by such a narrow margin under suspension of the rules last Wednesday, but I am confident final action will be completed on the Senate bill by the close of business today.

Since it was not in the report accompanying the bill before the House earlier this week, I do want to point out to my colleagues some disturbing language in the Senate report. In that report, under the heading "Condemnation procedure," the Senate committee asserts that—

Nothing in this Act shall be construed as granting to the Transit Authority the power to, and the Transit Authority shall not, assume or otherwise acquire any of the liabilities, either contingent or actual, of D.C. Transit System, Inc.

Unless this language is qualified in the legislative history, such a restriction could well hinder the negotiation of a contract between the Transit Authority and the transit company operators—a contract which I understand is approaching fruition after months of negotiation. It should be pointed out that some operating liabilities—such as labor contracts, pension funds, fuel and tire contracts, et cetera—are normally assumable liabilities in takeovers such as this and the Transit Authority should be permitted by this legislation to assume them, with the provision for adequate compensation to the Transit Authority from the D.C. Transit System.

Simply by adding the phrase "unless compensation is paid therefor by D.C. Transit System, Inc. to the Transit Authority," the problem created by the Senate report language can be alleviated.

Clearly, the Transit Authority should not be in the position of assuming extraordinary liabilities, but the assumption of usual liabilities is common and to prevent such assumption in this case might well jeopardize a contract on which so much time and effort has been spent in behalf of the citizens of the Metropolitan Washington area.

Mr. VANIK. Mr. Speaker, I rise in protest against this legislation. As presently worded this bill provides for a bail-out of the mismanaged D.C. Transit System with a tremendous gain to the management and a heavy loss to the public. This bill pays Mr. O. Roy Chalk entirely too much, since he has obligations under the existing franchise contracts to remove rails and repair streets, which exceed the value of any assets remaining in the D.C. Transit System.

The present buses and equipment and facilities of the D.C. Transit System have already been paid for by the users of the transportation system.

We owe Mr. O. Roy Chalk nothing—but the back of our hands.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Mississippi, (Mr. ABERNETHY) that the House suspend the rules and pass the bill, S. 4062.

The question was taken.

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

The SPEAKER 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 184, nays 60, answered "present" 1, not voting 186, as follows:

[Roll No. 449]

YEAS—184

Abernethy	Foley	Mills, Md.
Abzug	Ford,	Minish
Adams	William D.	Mink
Addabbo	Forsythe	Mitchell
Arends	Fraser	Moorhead
Aspinall	Frelinghuysen	Mosher
Badillo	Garmatz	Myers
Barrett	Gettys	Natcher
Bennett	Gonzalez	Nedzi
Bergland	Grasso	Nix
Betts	Gray	Obey
Bevill	Green, Pa.	O'Hara
Biester	Griffin	O'Konski
Bingham	Gubser	O'Neill
Blackburn	Gude	Passman
Blanton	Hagan	Patten
Blatnik	Halpern	Pepper
Boggs	Hammer-	Perkins
Brademas	schmidt	Pettis
Bray	Hansen, Idaho	Pickle
Breaux	Harrington	Poage
Brooks	Hastings	Preyer, N.C.
Brown, Mich.	Hathaway	Price, Ill.
Brown, Ohio	Hechler, W. Va.	Quie
Broyhill, N.C.	Heckler, Mass.	Rangel
Broyhill, Va.	Helstoski	Rees
Buchanan	Henderson	Reid
Burke, Mass.	Hicks, Mass.	Reuss
Burton	Hicks, Wash.	Rhodes
Byrnes, Wis.	Hillis	Riegle
Camp	Hogan	Robison, N.Y.
Carlson	Holifield	Rodino
Carney	Hosmer	Roe
Carter	Jarman	Rooney, Pa.
Casey, Tex.	Johnson, Calif.	Rosenthal
Cederberg	Jones, Ala.	Roy
Chamberlain	Karth	Roybal
Chisholm	Kastenmeier	Sarbanes
Clausen,	Kazen	Saylor
Don H.	Kemp	Scheuer
Collier	Kluczynski	Schwengel
Conable	Koch	Stanton,
Conover	Kyros	J. William
Conyers	Landrum	Steiger, Wis.
Coughlin	Lennon	Stephens
Culver	Lent	Stokes
Danielson	Lloyd	Stubblefield
Davis, Ga.	McClory	Sullivan
de la Garza	McCloskey	Taylor
Dent	McEwen	Vander Jagt
Diggs	McFall	Ware
Donohue	McKay	Whalen
Downing	McKevitt	Whalley
Drinan	McKinney	White
du Pont	McMillan	Wiggins
Eckhardt	Madden	Williams
Edwards, Ala.	Mahon	Wilson, Bob
Edwards, Calif.	Mathias, Calif.	Wilson,
Eilberg	Mathis, Ga.	Charles H.
Erlenborn	Mazzoli	Wyatt
Evins, Tenn.	Meeds	Yates
Findley	Metcalfe	Young, Tex.
Flood	Mills, Ark.	Zablocki

NAYS—60

Andrews, Ala.	Griffiths	Montgomery
Archer	Hall	Pike
Brinkley	Harsha	Powell
Burleson, Tex.	Heinz	Railsback
Clawson, Del	Hutchinson	Rarick
Cleveland	Jonas	Robinson, Va.
Colmer	Jones, N.C.	Ruppe
Daniel, Va.	Kyl	Ruth
Dellenback	Landgrebe	St Germain
Dennis	Latta	Satterfield
Dorn	Long, Md.	Schneebeli
Dulski	Lujan	Sebelius
Duncan	McCollister	Shriver
Eshleman	McDade	Slack
Flynt	Mallary	Smith, Calif.
Frey	Mann	Spence
Gaydos	Miller, Ohio	

Stanton, James V.	Ullman	Wyman
Teague, Calif.	Vanik	Young, Fla.
Tiernan	Wampler	Zion
	Whitten	

ANSWERED "PRESENT"—1

Goodling

NOT VOTING—186

Abbitt	Flowers	Nichols
Abourezk	Ford, Gerald R.	Patman
Alexander	Fountain	Pelly
Anderson, Calif.	Frenzel	Peyser
	Fulton	Pirnie
Anderson, Ill.	Fuqua	Podell
Anderson, Tenn.	Galifianakis	Price, Tex.
	Gallagher	Pryor, Ark.
Andrews, N. Dak.	Giaimo	Pucinski
	Gibbons	Purcell
Annunzio	Goldwater	Quillen
Ashbrook	Green, Oreg.	Randall
Ashley	Gross	Roberts
Aspin	Grover	Rogers
Baker	Haley	Roncalio
Baring	Hamilton	Rooney, N.Y.
Begich	Hanley	Rostenkowski
Belcher	Hanna	Roush
Bell	Hansen, Wash.	Rousselot
Biaggi	Harvey	Runnels
Boland	Hawkins	Sandman
Bolling	Hays	Scherle
Bow	Hébert	Schmitz
Brasco	Horton	Scott
Broomfield	Howard	Seiberling
Brotzman	Hull	Shipley
Burke, Fla.	Hungate	Shoup
Burlison, Mo.	Hunt	Sikes
Byrne, Pa.	Ichord	Sisk
Byron	Jacobs	Skubitz
Cabell	Johnson, Pa.	Smith, Iowa
Caffery	Jones, Tenn.	Smith, N.Y.
Carey, N.Y.	Keating	Snyder
Celler	Kee	Springer
Chappell	Keith	Staggers
Clancy	King	Steed
Clark	Kuykendall	Steele
Clay	Leggett	Steiger, Ariz.
Collins, Ill.	Link	Stratton
Collins, Tex.	Long, La.	Stuckey
Conte	McClure	Symington
Corman	McCormack	Talcott
Cotter	McCulloch	Teague, Tex.
Crane	McDonald, Mich.	Terry
Curlin		Thompson, Ga.
Daniels, N.J.	Macdonald, Mass.	Thompson, N.J.
Davis, S.C.		Thomson, Wis.
Davis, Wis.	Mailliard	Thone
Delaney	Martin	Udall
Dellums	Matsunaga	Van Deerlin
Denholm	Mayne	Veysey
Derwinski	Melcher	Vigorito
Devine	Michel	Waggonner
Dickinson	Mikva	Waldie
Dingell	Miller, Calif.	Whitehurst
Dow	Minshall	Widnall
Dowdy	Mizell	Winn
Dwyer	Mollohan	Wolff
Edmondson	Monagan	Wright
Esch	Morgan	Wydler
Evans, Colo.	Moss	Wylie
Fascell	Murphy, Ill.	Yatron
Fish	Murphy, N.Y.	Zwach
Fisher	Nelsen	

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Annunzio and Mr. Thompson of New Jersey for, with Mr. Hébert against.

Mr. Hays and Mr. Brasco for, with Mr. Waggonner against.

Mr. Howard and Mr. Monagan for, with Mr. Delaney against.

Mr. Begich and Mr. Rooney of New York for, with Mr. Rogers against.

Mr. Carey of New York and Mr. Biaggi for, with Mr. Alexander against.

Mr. Boland and Mr. Celler for, with Mr. Byron against.

Mr. Cotter and Mr. Dingell for, with Mr. Chappell against.

Mr. Fountain and Mr. Fulton for, with Mr. Daniels of New Jersey against.

Mr. Giaimo and Mr. Fuqua for, with Mr. Denholm against.

Mr. Hanley and Mr. Jones of Tennessee for, with Mr. Fisher against.

Mr. Leggett and Mr. McCormack for, with Mr. Flowers against.

Mr. Moss and Mr. Randall for, with Mr. Macdonald of Massachusetts against.

Mr. Sikes and Mr. Sisk for, with Mr. Mollohan against.

Mr. Smith of Iowa and Mr. Staggers for, with Mr. Podell against.

Mr. Stratton and Mr. Stuckey for, with Mr. Rostenkowski against.

Mr. Teague of Texas and Mr. Udall for, with Mr. Shipley against.

Mr. Wright and Mr. Mikva for, with Mr. Steed against.

Mr. Clark and Mr. Corman for, with Mr. Wolff against.

Mr. Anderson of Tennessee and Mr. Ashley for, with Mr. Anderson of California against.

Mr. Keating and Mr. Ashbrook for, with Mr. Andrews of North Dakota against.

Mr. Cabell and Mr. Grover for, with Mr. Burlison of Missouri against.

Mr. Mailliard and Mr. Conte for, with Mr. Baker against.

Mr. Johnson of Pennsylvania and Mr. Frenzel for, with Mr. Broomfield against.

Mr. Horton and Mr. Harvey for, with Mr. Clancy against.

Mr. Mizell and Mr. Nelsen for, with Mr. Devine against.

Mr. Pelly and Mr. Smith of New York for, with Mr. Scherle against.

Mr. Springer and Mr. Steele for, with Mr. Wydler against.

Mr. Talcott and Mr. Thomson of Wisconsin for, and Mr. Dickinson against.

Mr. Veysey and Mr. Winn for, with Mr. Widnall against.

Mr. Zwach and Mr. Clay for, with Mr. Burke of Florida against.

Mr. Abourezk and Mr. Collins of Illinois for, with Mr. Clancy against.

Mr. Matsunaga and Mr. Hawkins for, with Mr. King against.

Mr. Kee and Mrs. Hansen of Washington for, with Mr. Hunt against.

Mr. Dellums and Mr. Seiberling for, with Mr. Thompson of Georgia against.

Mr. Van Deerlin and Mr. Vigorito for, with Mr. Esch against.

Mr. Curlin and Mr. Murphy of New York for, with Mr. Whitehurst against.

Mr. Abbitt and Mr. Byrne of Pennsylvania for, with Mr. Ichord against.

Mr. Aspin and Mr. Dow for, with Mr. Mayne against.

Mr. Fascell and Mr. Hamilton for, with Mr. Minshall against.

Mr. Gibbons and Mr. Hanna for, with Mr. Price of Texas against.

Mr. Hungate and Mr. Jacobs for, with Mr. Rousselot against.

Mr. Melcher and Mr. Miller of California for, with Mr. Shoup against.

Mr. Morgan and Mr. Murphy of Illinois for, with Mr. Skubitz against.

Mr. Pucinski and Mr. Roberts for, with Mr. Snyder against.

Mr. Roush and Mr. Runnels for, with Mr. Davis of Wisconsin against.

Mr. Symington and Mr. Yatron for, with Mr. Quillen against.

Until further notice:

Mr. Link with Mr. Belcher.
Mr. Hull with Mr. Bell.
Mr. Long of Louisiana with Mr. Collins of Texas.
Mr. Baring with Mr. Brotzman.
Mr. Caffery with Mr. Crane.
Mr. Davis of South Carolina with Mr. Goldwater.
Mr. Edmondson with Mr. Anderson of Illinois.
Mr. Evans of Colorado with Mr. Derwinski.
Mr. Galifianakis with Mr. Kuykendall.
Mr. Gallagher with Mrs. Dwyer.
Mrs. Green of Oregon with Mr. Bow.
Mr. Haley with Mr. Fish.
Mr. Nichols with Mr. McClure.
Mr. Patman with Mr. McCulloch.
Mr. Purcell with Mr. Terry.
Mr. Pryor of Arkansas with Mr. Wylie.
Mr. Roncalio with Mr. McEwen.
Mr. Thone with Mr. Scott.
Mr. Sandman with Mr. Steiger of Arizona.
Mr. Schmitz with Mr. Pirnie.
Mr. Michel with Mr. Peyser.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

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

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

There was no objection.

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 subject of my special order pertaining to the retirement of the following Congressmen from Mississippi: Messrs. COLMER, ABERNETHY, and GRIFFIN.

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

There was no objection.

FURTHER MESSAGE FROM THE SENATE

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

H.R. 7093. An act to provide for the disposition of judgment funds of the Osage Tribe of Indians of Oklahoma;

H.R. 8273. An act to amend section 301 of the Immigration and Nationality Act;

H.R. 10384. An act to release certain restrictions on the acquisition of lands for recreational development and for the protection of natural resources at fish and wildlife areas administered by the Secretary of the Interior;

H.R. 11563. An act to amend chapter 87 of title 5, United States Code, to waive employee deductions for Federal Employees' Group Life Insurance purposes during a period of erroneous removal or suspension;

H.R. 13158. An act to name a bridge across a portion of Oakland Harbor, Calif., the "George P. Miller-Leland W. Sweeney Bridge";

H.R. 15763. An act to amend chapter 25, title 44, United States Code, to provide for two additional members of the National Historical Publications Commission, and for other purposes;

H.R. 15965. An act to amend the District of Columbia Teachers' Salary Act of 1955 to increase salaries, to provide certain revisions in the retirement benefits of public school teachers, and for other purposes;

H.R. 16804. An act to rename the Mineola Dam and Lake as the Carl L. Estes Dam and Lake;

H.R. 17038. An act designating the Oakley Reservoir on the Saugamon River at Decatur, Ill., as the William L. Springer Lake;

H.J. Res. 912. Joint resolution granting the consent of Congress to an agreement between the States of North Carolina and Virginia establishing their lateral seaward boundary;

H. Con. Res. 710. Resolution extending the greetings and felicitations of Congress to the American Public Health Association on the occasion of the 100th anniversary of its founding; and

H. Con. Res. 718. Concurrent resolution providing for the reprinting of additional copies of House Report 92-1519, entitled "Securities Industry Study."

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

H.R. 13396. An act to authorize an increase in land acquisition funds for the Delaware Water Gap National Recreation Area, and for other purposes.

The message also announced that the Senate agrees to the amendments of the House to bills of the Senate of the following titles:

S. 1198. An act to authorize the Secretary of Agriculture to review as to its suitability for preservation as wilderness the area commonly known as the Indian Peaks Area in the State of Colorado;

S. 1462. An act to provide for the distribution to the Sisseton and Wahpeton Tribes of Sioux Indians of their portion of the funds appropriated to pay judgments in favor of the Mississippi Sioux Indians in Indian Claims Commission dockets numbered 142 and 359, and for other purposes;

S. 3358. An act to prohibit the use of certain small vessels in United States fisheries;

S. 3524. An act to extend the provisions of the Commercial Fisheries Research and Development Act of 1964, as amended;

S. 3943. An act 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.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 3230) entitled "An act to provide for the disposition of funds appropriated to pay a judgment in favor of the Assiniboine Tribes of Indians in Indian Claims Commission docket numbered 279-A, and for other purposes."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 141) entitled "An act to establish the Fossil Butte National Monument in the State of Wyoming, and for other purposes."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1852) entitled "An act to provide for the establishment of the Gateway National Recreation Area in the States of New York and New Jersey, and for other purposes."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3419) entitled "An act to protect consumers against unreasonable risk of injury from hazardous products, and for other purposes."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 16654) 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."

The message also announced that the Senate agrees to the House amendment to the foregoing bill.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 17034) entitled "An act making supplemental appropriations for the fiscal year ending June 30, 1973, and for other purposes."

The message also announced that the Senate agrees to the House amendments to the Senate amendments Nos. 10, 18, 23, 24, 61, 70 and 76.

The message also announced that the Senate disagrees to the amendments of the House to the bill (S. 3876) entitled "An act to amend the Securities Exchange Act of 1934 to provide for the regulation of clearing agencies and transfer agents, to create a National Commission on Uniform Securities Laws, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. WILLIAMS, Mr. PROXMIRE, Mr. MONDALE, Mr. BENNETT, and Mr. TOWER to be the conferees on the part of the Senate.

The message also announced that the Senate recedes from amendment No. 2 to a bill of the House of the following title:

H.R. 5066. An act to authorize appropriations for fiscal year 1972 to carry out the Flammable Fabrics Act.

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

H.R. 15375. An act to amend the National Traffic and Motor Vehicle Safety Act of 1966 to authorize appropriations for fiscal year 1973.

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

S. 1478. An act to regulate interstate commerce by requiring premarket testing of new chemical substances and to provide for screening of the results of such testing prior to commercial production, to require testing of certain existing chemical substances, to authorize the regulation of the use and distribution of chemical substances, and for other purposes.

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

S. 4062. An act to provide for acquisition by the Washington Metropolitan Area Transit Authority of the mass transit bus systems engaged in scheduled regular route operations in the National Capital area, and for other purposes.

FISHERMEN'S PROTECTIVE ACT

Mr. DE LA GARZA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 14385) to amend section 7 of the Fishermen's Protective Act of 1967.

The Clerk read as follows:

H.R. 14385

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (e) of section 7 of the Fishermen's Protective Act of 1967 (22 U.S.C. 1977(e)), is amended to read as follows:

"(e) The provisions of this section shall be effective until July 1, 1977.".

SEC. 2. Clause (1) of subsection (f) of section 7 of the Fishermen's Protective Act of 1967 (22 U.S.C. 1977 (f)(1)), is amended to read as follows:

"(1) the term 'Secretary' means the Secretary of Commerce.".

The SPEAKER pro tempore. Is a second demanded?

Mr. GOODLING. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

Mr. DE LA GARZA. Mr. Speaker, under section 7 of the Fishermen's Protective Act, the Secretary of Commerce is authorized to carry out a program for the reimbursement of certain losses—other than fines, license fees, registration fees, and other direct costs which are reimbursable through the Secretary of State under section 3 of the act—incurred as a result of the seizure of a U.S. commercial fishing vessel by a foreign country on the basis of rights or claims in territorial waters or on the high seas which are not recognized by the United States. Section 7 provides that any owner of a United States commercial fishing vessel, upon application, may enter into an agreement for such coverage with the Secretary of Commerce.

The agreement would provide for guarantee payments to participating vessel owners to cover such things as damage, destruction, loss, or confiscation of the vessel, fishing gear or other equipment, dockage and utility fees, payment to the owners and crew of the market value of fish confiscated or spoiled during the detention of the vessel, and payment to owners and crew of up to 50 percent of the estimated gross income lost as the result of the seizure or detention.

The act established a separate account in the Treasury out of which claims would be paid. The authority to carry out this program will expire February 8, 1973.

Since its inception on February 9, 1969, the program has met with considerable enthusiasm and interest by the U.S. commercial fishing industry. Guarantee agreements numbering 45 were effected for fiscal year 1969, 66 for fiscal year 1970, 214 for fiscal year 1971, and 213 as of June 15, 1972, for fiscal year 1972. Of the 213 agreements for fiscal year 1972, 103 are for tuna vessels and 110 are for shrimp vessels.

H.R. 14385 would amend section 7 of the Fishermen's Protective Act of 1967 to extend the effective date of the provisions of this section from February 8, 1973, to July 1, 1977. In addition, the bill

would transfer the administration of the program authorized by the act from the Secretary of the Interior to the Secretary of the Interior to the Secretary of Commerce pursuant to the provisions of Reorganization Plan No. 4 of 1970.

Mr. Speaker, the cost of carrying out this program is paid for by the participating vessel owners and the Federal Government on a matching fund basis, the Federal share being approximately 40 percent with the vessel owners' share being about 60 percent.

The cost to the Federal Government in the event this legislation is enacted into law would be approximately $60,000 per year.

Mr. Speaker, H.R. 14385 was introduced at the request of the administration and it was unanimously ordered reported by the Merchant Marine and Fisheries Committee.

I urge its prompt passage.

Mr. GOODLING. Mr. Speaker, I rise in support of passage of H.R. 14385, which amends section 7 of the Fishermen's Protective Act of 1967. Basically, the 1967 act, as amended, provides for reimbursement to those owners of fishing vessels illegally seized by foreign countries on the basis of rights or claims in regard to their territorial waters.

The bill would merely substitute Federal agency authority for administration of the act from Department of the Interior to Department of Commerce in line with the creation of NOAA and the realinement of responsibilities thereto under Reorganization Plan No. 4.

The bill would also extend the life of the temporary guarantee program from 1973 to July 1, 1977. This guarantee program, in essence, is a form of insurance against damage to or confiscation of a vessel, equipment, or catch, and against losses of income, due to illegal detention of such by a foreign country. Your committee is extremely hopeful that the upcoming Law of the Sea Conference of the United Nations will bring a permanent resolution to these illegal harassments of American fishermen so that the need for the continuation of this program will cease to exist. In the meantime, however, continuation of the program is warranted, justified, and desirable pending international resolution of this complex legal issue.

Favorable action on this measure will send the bill to the President for enactment into law as the other body already has passed an identical measure.

Mr. Speaker, this bill has my ardent support, and so far as I know, there is no opposition. It is an administration bill. A similar bill has been passed by the other body. If we pass this tonight, it will be on the way to the White House.

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

Mr. DE LA GARZA. I would be very happy to yield to the gentleman from Missouri.

Mr. HALL. Mr. Speaker, I would like to ask the gentleman, would this bill be necessary if we had the backbone and the old-fashioned spirit that made America great, where we could send a "white fleet" around the world and, although speaking softly, carrying a big stick, and refuse to pay millions of dollars for tribute? I might cite some of the other great Americanisms of bygone times, although the people who are "with it" today would probably consider them "square."

Mr. Speaker, what I mean to say is that if we used gunboat diplomacy, would it be necessary to continue to pay ransom and use the taxpayers' money in order to reclaim our own tuna boats?

Why do we not first of all take back some of the gunboats and destroyers we have loaned them down there in the spirit of military training and assistance? And, secondly, why do we not just station one of our cruisers that we have had in mothballs down there? If we did that, I am certain they would not be raiding our fishing fleets quite so much.

Has anybody thought about that, or can anybody answer that question?

Mr. DE LA GARZA. Mr. Speaker, I would say to the gentleman this subject has been brought up. Unfortunately, this committee has no jurisdiction in that field. If the gentleman would make that inquiry of someone on the Committee on Armed Services, for example, or the Committee on Foreign Affairs, he might obtain that information. We do not deal with that particular phase in our jurisdiction.

Of course, that is the problem we are up against. It is one of jurisdiction and oversight, whereas the State Department continues to lead both the executive branch and the legislative branch around by the nose. I think it is wrong. We are voting additional funds.

Although certainly the fishermen need to be protected, they ought to be protected physically instead of by buying off other nations.

I sympathize with the gentleman's thinking. I would hope it would be possible, but, unfortunately, under the present circumstances it is not. We have to do the best we can and this is the only alternative we have at this time.

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

(Mr. KEITH (at the request of Mr. GOODLING) was granted permission to extend his remarks at this point in the RECORD.)

Mr. KEITH. Mr. Speaker, I support this extension of the Fishermen's Protective Act of 1967. But I regret that the conferees deleted the so-called Kennedy amendment in the bill H.R. 7117. That provision incorporated the substance of legislation jointly sponsored by myself and our colleagues, particularly Mr. HARRINGTON and Mrs. HECKLER.

Our proposal would in effect have authorized and directed the Secretary of Commerce to compensate vessel owners and their crews for damages caused by illegal acts. This would have been in addition to the compensation for seizures by foreign governments as provided for in the bill before us.

Specifically the amendment would have recognized the problems of American trawlers and lobster fishermen whose nets and gear have been extensively damaged on several occasions by massive foreign fleets. The foreigners oftentimes have callously plotted their courses through our tiny fleets and across the gear of our individual fishing vessels.

And so, although I support passage of this complimentary bill to H.R. 7117, I nevertheless sincerely hope that the 93d Congress will review this entire foreign policy question. We must find some way to furnish more adequate protection to our domestic fishing industry. The next Congress should do it—and I understand the conferees have agreed to the start of extensive hearings on this early next year.

(Mr. GARMATZ (at the request of Mr. DE LA GARZA) was granted permission to extend his remarks at this point in the RECORD.)

Mr. GARMATZ. Mr. Speaker, it gives me great pleasure to rise and speak in support of H.R. 14385, a bill I introduced at the request of the administration.

Mr. Speaker, the guarantee program established by section 7 of the Fishermen's Protective Act authorizes an owner of a U.S. fishing vessel to enter into an agreement with the Secretary of Commerce for the purpose of guaranteeing to such owner payments covering losses—other than fines, fees, and other direct charges, which are covered under section 3 of the act—incurred as a result of an illegal seizure of such vessel by a foreign country. Losses authorized to be covered by the agreement would include such things as damage, destruction, loss or confiscation of the vessel, fishing gear or other equipment; dockage and utility fees; fish confiscated or spoiled; and up to 50 percent of the loss of income occasioned by the detention.

Mr. Speaker, since its inception in 1969, this program has been used by many owners of U.S. fishing vessels. In fact, 100 tuna vessels and 110 shrimp vessels were insured under this program during fiscal year 1972. Of the 70 seizures that have been reported since the inception of this program, only three were not covered by the guarantee agreements. Vessel owners participating in the program are required to pay fees to the Secretary of Commerce which have averaged in the past about 60 percent of the cost of carrying out this program.

Mr. Speaker, H.R. 14385, would extend this program for approximately an additional 5 years—from February 8, 1973, to June 30, 1977—at a cost to the Federal Government estimated to be about $60,000 per year.

Mr. Speaker, this program has been a great success. It expires February 8, 1973, and in order for this worthwhile program to be continued, it is necessary that action be taken on this legislation immediately.

Mr. Speaker, I urge its prompt passage.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. DE LA GARZA) that the House suspend the rules and pass the bill H.R. 14385.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

Mr. DE LA GARZA. Mr. Speaker, I ask

unanimous that the Committee on Merchant Marine and Fisheries be discharged from further consideration of the Senate bill (S. 3545) to amend section 7 of the Fishermen's Protective Act of 1967, an identical bill to the one just passed, and ask for its immediate consideration.

The Clerk read the title of the Senate bill.

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

There was no objection.

The Clerk read the Senate bill, as follows:

S. 3545

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (e) of section 7 of the Fishermen's Protective Act of 1967 (22 U.S.C. 1977(e)), is amended to read as follows:

"(e) The provisions of this section shall be effective until July 1, 1977.".

SEC. 2. Clause (1) of subsection (f) of section 7 of the Fishermen's Protective Act of 1967 (22 U.S.C. 1977(f)(1)), is amended to read as follows:

"(1) the term 'Secretary' means the Secretary of Commerce.".

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

A similar House bill (H.R. 14385) was laid on the table.

GENERAL LEAVE

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

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

There was no objection.

PENNSYLVANIA AVENUE BICENTENNIAL DEVELOPMENT CORPORATION

Mr. TAYLOR. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 10751) to establish the Pennsylvania Avenue Bicentennial Development Corporation, to provide for the preparation and carrying out of a development plan for certain areas between the White House and the Capitol, to further the purposes for which the Pennsylvania Avenue National Historic Site was designated, and for other purposes, as amended.

The Clerk read as follows:

H.R. 10751

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Pennsylvania Avenue Development Corporation Act of 1972".

SEC. 2. The Congress finds and declares—

(a) that it is in the national interest that the area adjacent to Pennsylvania Avenue between the Capitol and the White House, most of which was designated on September 30, 1965, as a national historic site under the Historic Sites Act of August 21, 1935 (16 U.S.C. 461 et seq.), be developed, maintained, and used in a manner suitable to its ceremonial, physical, and historic relationship to the legislative and executive branches of the Federal Government and to the governmental buildings, monuments, memorials, and parks in or adjacent to the area;

(b) that the area adjacent to Pennsylvania Avenue between the Capitol and the White House, because of its blighted character, imposes severe public, economic, and social liabilities upon the District of Columbia as the seat of the government of the United States, thereby impending its sound growth and development and constituting a serious and growing threat to the public health, safety, morals, and welfare of its inhabitants;

(c) that to insure suitable development, maintenance, and use of the area and the elimination of blight, it is essential that there be developed and carried out as an entirety plans for this area which will specify the uses, both public and private, to which property is to be put, the programing and financing of necessary acquisitions, construction, reconstruction, and other activities;

(d) that such duties and responsibilities can best be developed and carried out by vesting the requisite powers in a Federal corporation which can take maximum advantage of the private as well as the public resources which will be necessary;

(e) that the powers conferred by this Act are for public uses and purposes for which public powers may be employed, public funds may be expended, and the power of eminent domain and the police power may be exercised, and the granting of such powers is necessary in the public interest; and

(f) that the area thus to be developed, maintained, and used in accordance with the provisions of this Act (hereinafter referred to as the development area) shall be the area bounded as follows:

Beginning at a point on the southwest corner of the intersection of Fifteenth Street and E Street Northwest;

thence proceeding easterly along the southerly side of E Street to the southwest corner of the intersection of Thirteenth Street and Pennsylvania Avenue Northwest;

thence southeasterly along the southerly side of Pennsylvania Avenue to a point being the southeast corner of the intersection of Pennsylvania Avenue and Third Street Northwest;

thence northerly along the east side of Third Street to the northeast corner of the intersection of C Street and Third Street Northwest;

thence westerly along the north side of C Street to the northeast corner of the intersection of C Street and Sixth Street Northwest;

thence northerly along the east side of Sixth Street to the northeast corner of the intersection of E Street and Sixth Street Northwest;

thence westerly along the north side of E Street to the northeast corner of the intersection of E Street and Seventh Street Northwest;

thence northerly along the east side of Seventh Street to the northeast corner of the intersection of Seventh Street and F Street Northwest;

thence westerly along the north side of F Street to the northwest corner of the intersection of F Street and Ninth Street Northwest;

thence southerly along the west side of Ninth Street to the northwest corner of the intersection of Ninth Street and E Street Northwest;

thence westerly along the north side of E Street to the northeast corner of the intersection of E Street and Thirteenth Street Northwest;

thence northerly along the east side of Thirteenth Street to the northeast corner of the intersection of F Street and Thirteenth Street Northwest;

thence westerly along the north side of F Street to the northwest corner of the intersection of F Street and Fifteenth Street Northwest;

thence northerly along the west side of Fifteenth Street to the northwest corner of the intersection of Pennsylvania Avenue and Fifteenth Street Northwest;

thence westerly along the southern side of Pennsylvania Avenue to the southeast corner of the intersection of Pennsylvania Avenue and East Executive Avenue Northwest;

thence southerly along the east side of East Executive Avenue to the intersection of South Executive Place and E Street Northwest;

thence easterly along the south side of E Street to the point of beginning being the southwest corner of the intersection of Fifteenth Street and E Street Northwest.

SEC. 3. (a) There is hereby created a body corporate to be known as the Pennsylvania Avenue Development Corporation (hereinafter referred to as the "Corporation").

(b) The Corporation shall be dissolved upon completion, as determined by the Board of Directors, of its implementation of the development plan provided for in section 5 of this Act. Upon dissolution, assets remaining after all the obligations and indebtedness of the Corporation has been fulfilled and paid or satisfied shall be the assets of the United States.

(c) The powers and management of the Corporation shall be vested in a Board of Directors consisting of fifteen members, as follows:

(1) The Secretary of the Interior;

(2) The Secretary of the Treasury;

(3) The Secretary of Housing and Urban Development;

(4) The Secretary of Transportation;

(5) The Administrator of General Services;

(6) The Commissioner of the District of Columbia;

(7) The Chairman, District of Columbia Council; and

(8) Eight, at least four of whom shall be residents and who are registered voters of the District of Columbia, appointed by the President from private life, who shall have knowledge and experience in one or more fields of history, architecture, city planning, retailing, real estate construction, or government.

(d) Each member of the Board of Directors specified in paragraphs (1) through (7) of subsection (c) may designate another official to serve on the Board in his stead if unable to serve in person.

(e) Each member of the Board of Directors appointed under paragraph (8) of subsection (c) shall serve for a term of six years from the expiration of his predecessor's term; except that (1) any Director appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term, and (2) the terms of office of the Directors first taking office shall begin on the date of the enactment of this Act, and shall expire as designated at the time of appointment, two at the end of two years, two at the end of four years, and four at the end of six years. A Director may continue to serve until his successor has qualified.

(f) The President shall designate a Chairman and a Vice Chairman from among the members of the Board of Directors, chosen from private life.

(g) The Chairman, upon his appointment, shall invite to serve on the Board of Directors as nonvotinig members the following:

(1) The Chairman of the Commission of Fine Arts;

(2) The Chairman of the National Capital Planning Commission;

(3) The Secretary of the Smithsonian Institution;

(4) The Director of the National Gallery of Art;

(5) The Architect of the Capitol;
(6) The Archivist of the United States;
(7) The Chairman of the District of Columbia, Commission on the Arts; and
(8) The Chairman of the District of Columbia Redevelopment Land Agency.

(h) Members of the Board of Directors who are officers or employees of the Federal or District of Columbia government shall receive no additional compensation by virtue of their membership on the Board. Other members of the Board, when engaged in the activities of the Corporation, shall be entitled to receive compensation at the daily equivalent of the rate of GS–18 of the General Schedule, and travel expenses, including per diem in lieu of subsistence, as authorized by law (5 U.S.C. 5703(b)–(d) and 5707) for persons in the Government service employed intermittently.

(i) The Board of Directors shall meet at the call of the Chairman, who shall require it to meet not less often than once each three months. A majority of the voting members of the Board of Directors (or their designated alternates) shall constitute a quorum.

(j) There shall be established a nonvoting Advisory Board of seven members appointed by the Chairman from among tenants and owners of real property within the development area. The Advisory Board shall meet at least twice annually with the Board of Directors, and shall otherwise offer such advice and assistance as may be of benefit to the Board of Directors during preparation of the development plan.

SEC. 4. (a) The Board of Directors shall have the power to appoint and fix the compensation and duties of the Executive Director and such other officers and employees of the Corporation as may be necessary for the efficient administration of the Corporation; the Executive Director and two other officers of the Corporation may be appointed and compensated without regard to the provision of title 5 of the United States Code governing appointments in the competitive service and chapter 51 and subchapter 53 of title 5 of the United States Code .

(b) Administrative services shall be provided by the General Services Administration on a reimbursable basis.

SEC. 5. (a) The development plan for the development area shall include, but not be limited to: (1) the types of uses, both public and private, to be permitted; (2) criteria for the design and appearance of buildings, facilities, open spaces, and other improvements; (3) an estimate of the current values of all properties to be acquired; (4) an estimate of the relocation costs which would be incurred in carrying out the provisions of section 8 of this Act; (5) an estimate of the cost of land preparation for all properties to be acquired; (6) an estimate of the reuse values of the properties to be acquired; (7) a program for the staging of a proposed development, including a detailed description of the portion of the program to be scheduled for completion by 1976; (8) a determination of the marketability of such development; (9) an estimate of the development costs, both public and private; (10) a thorough study of the economic impact of such development, including the impact on the local tax base, the metropolitan area as a whole, and the existing business activities within the development area; and (11) the procedures (including both interim and long-term arrangements) to be used in carrying out and insuring continuing conformance to the development plan.

(b) The development plan provided for in subsection (a) shall be prepared with the Cooperation of the Department of the Interior, the General Services Administration, and the District of Columbia government with the maximum feasible use of their staffs and other resources on a reimbursable basis by the Corporation.

(c) After the development plan has been completed and approved by the Board of Directors of the Corporation, the plan shall be transmitted to the Secretary of the Interior, who shall consult with the National Capital Planning Commission, and the Mayor and the City Council of the District of Columbia. The Secretary of the Interior shall notify the Corporation of his approval, disapproval, or recommended modifications from the standpoint of the plan's compatibility with his responsibilities for the administration, protection, and development of the areas within the Pennsylvania Avenue National Historic Site and the Corporation shall not initiate or authorize any action which would diminish or dilute the authority and responsibility of the Secretary of the Interior with respect to such areas.

(d) Upon approval by the Secretary of the Interior, the Corporation shall transmit the development plan to the President of the Senate and the Speaker of the House of Representatives. Following the expiration of sixty legislative days after the date of such transmittal, the Corporation may proceed with the execution and implementation of the plans as authorized by the other provisions of this Act unless between the date of transmittal and the end of the sixty legislative day period, either the Senate or the House of Representatives passes a resolution in opposition to the development plan.

(e) Activities under the development plan shall be carried out in accordance with the approved development plan. The Corporation may alter, revise, or amend the plan, but any such alteration, revision, or amendment which is a substantial change from the approved development plan shall take effect only upon compliance with the procedures set forth in subsections (c) and (d) of this section. For the purposes of this subsection, the term "substantial change" shall mean one involving a major alteration in the character or intensity of an existing or proposed use in the development area which in the opinion of the Corporation causes an increase or decrease of 10 per centum or more of the dollar amount of the estimate prepared in accordance with subsection (a)(9) of this section, or one which, in the opinion of the Secretary of the Interior, affects his responsibilities for the administration, protection, and development of the areas within the Pennsylvania Avenue National Historic Site.

(f) To avoid duplication and unnecessary expense the Corporation shall, to the maximum feasible extent in conducting its operations, utilize the services and facilities of other agencies, including the Department of the Interior, General Services Administration, the National Capital Planning Commission, the District of Columbia government, and the District of Columbia Redevelopment Land Agency.

SEC. 6. In carrying out its powers and duties, the Corporation—

(1) shall have all necessary and proper powers for the exercise of the authorities vested in it;

(2) shall have succession in its corporate name;

(3) may adopt and use a corporate seal which shall be judicially noticed;

(4) may sue and be sued in its corporate name. All litigation arising out of the activities of the Corporation shall be conducted by the Attorney General;

(5) may adopt, amend, and repeal bylaws, rules, and regulations governing the manner in which its business may be conducted and the powers vested in it may be exercised;

(6) may acquire lands, improvements, and properties within the development area by purchase, lease, donation, or exchange; may hold, maintain, use, or operate such properties; may sell, lease, or otherwise dispose of such real and personal property and any interest therein as the Corporation deems necessary to carry out the development plan: or may lease, repurchase, or otherwise acquire and hold any property which the Corporation has theretofore sold, leased, conveyed, transferred, or otherwise disposed of. *Provided,* That condemnation proceedings for the acquisition of real property (including interests therein), which may be necessary or appropriate in order to carry out the development plan, shall be conducted in accordance with the procedural provisions of chapter 13, subchapter IV, of title 16 of the District of Columbia Code: *Provided further,* That prior to acquiring any residential property there shall be a finding of assurance of adequate replacement housing consonant with the requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (84 Stat. 1894);

(7) may enter into and perform such contracts, leases, cooperative agreements, or other transactions with any agency or instrumentality of the United States, the several States, or the District of Columbia or with any person, firm, association, or corporation (including agreements with private utility companies with respect to the relocation of utility lines and other facilities in the development area) as may be deemed necessary or appropriate to the conduct of activities authorized under this Act;

(8) may establish (through covenants, regulations, agreements, or otherwise) such restrictions, standards, and requirements as are necessary to assure development, maintenance, and protection of the development area in accordance with the development plan;

(9) may borrow money prior to July 1, 1981, by issuing marketable obligations, in such amounts as may be authorized in appropriation Acts of the United States Congress. The Corporation's obligations issued under this paragraph shall be in such forms and denominations, shall have such maturities (not in excess of forty years), shall bear such rates of interest, shall be subject to such terms and conditions, and shall be issued in such manner and at such times and prices as may be approved by the Secretary of the Treasury;

(10) may borrow money from the Treasury of the United States in such amounts as may be authorized in appropriation Acts, but not to exceed $50,000,000. Such borrowings from the Treasury shall have such maturities, terms, and conditions as may be agreed upon by the Corporation and the Secretary of the Treasury, but the maturities may not be in excess of forty years, and such borrowings may be redeembale at the option of the Corporation before maturity. Such borrowings shall bear interest at a rate determined by the Secretary of the Treasury taking into consideration the average market yield on outstanding marketable obligations of the United States of comparable maturities during the month preceding the issuance of the obligations of the Corporation. The interest payments on such obligations may be deferred with the approval of the Secretary of the Treasury but any interest payment so deferred shall bear interest. Said obligations shall be issued in amounts and at prices approved by the Secretary of the Treasury. The authority of the Corporation to issue obligations hereunder shall expire June 3, 1980, except that obligations may be issued at any time after the expiration of said period to provide funds necessary for the performance of any contract entered into by the Corporation, prior to the expiration of said period. The Secretary of the Treasury is authorized and directed to purchase any obligations of the Corporation to be issued under this paragraph and for such purpose the Secretary of the Treasury is authorized to use as a public debt transaction of the United States the proceeds from the sale of any securities issued under the Second Liberty Loan Bond Act, as amended, and the purposes for which securities may be issued under the Second Liberty Loan Bond Act,

as amended, are extended to include any purchase of the Corporation's obligations under the paragraph;

(11) may invest any funds held in reserve or sinking funds, or any moneys not required for immediate use or disbursement, with the approval of the Secretary of the Treasury, in obligations of the United States Government, or obligations the principal and interest of which are guaranteed by the United States Government: *Provided*, That this authority shall not extend to moneys obtained by borrowing from the Government or through appropriations to the Corporation;

(12) may procure insurance against any loss in connection with its property and other assets and operations;

(13) may contract for and accept any gifts or grants or property of financial or other aid in any form from the Federal Government or any agency or instrumentality thereof, or from any State or any agency or instrumentality thereof, or from any source, and comply subject to the provisions of this Act, with the terms and conditions thereof;

(14) may determine the character of and necessity for its obligations and expenditures, and the manner in which they shall be incurred, allowed, and paid, subject to provisions and laws specifically applicable to wholly owned Government corporations;

(15) may prepare or cause to be prepared plans, specifications, designs, and estimates of cost for the construction, reconstruction, rehabilitation, improvement, alteration, or repair of any project, and from time to time may modify such plans, specifications, designs, or estimates;

(16) may acquire, construct, reconstruct, rehabilitate, improve, alter, or repair or provide for the construction, reconstruction, improvement, alteration, or repair of any project;

(17) may grant options to purchase any project or may renew any leases entered into by it in connection with any of its projects, on such terms and conditions as it may deem advisable;

(18) may manage any project, owned or leased by the Corporation, and may enter into agreements with the District of Columbia government or any agency or instrumentality thereof, or with any person, firm, partnership, or corporation, either public or private, for the purpose of causing any such project to be managed;

(19) may utilize or employ the services of personnel of any agency or instrumentality of the Federal Government or of the District of Columbia, with the consent of the agency or instrumentality concerned, upon a reimbursable basis, or utilize voluntary or uncompensated personnel;

(20) shall publish and disseminate information and make known to potential users, by advertisement, solicitation, or other means, the availability for development of lands in the development area;

(21) may execute all instruments necessary or appropriate in the exercise of any of its functions under this Act, and may delegate to members of the Board or the Executive Director such of its powers and responsibilities as it deems appropriate and useful for the administration of the Corporation; and

(22) shall be entitled to the use of the United States mails in the same manner as the executive departments of the Government, and shall have all the rights, privileges, and immunities of the United States with respect to debts due from insolvent, deceased, or bankrupt debtors.

SEC. 7. (a) Nothing in this Act shall preclude other agencies or instrumentalities of the Federal Government or of the District of Columbia from exercising any lawful powers in the development area consistent with the development plan or the provisions and purposes of this Act; but no such agency or instrumentality shall release, modify, or depart from any feature or detail of the development plan without the prior approval of the Corporation.

(b) After the date of the enactment of this Act, no new construction (including substantial remodeling, conversion, rebuilding, enlargement, extension, or major structural improvement of existing building, but not including ordinary maintenance or remodeling or changes necessary to continue occupancy) shall be authorized or conducted within the development area except upon prior certification by the Corporation that the construction is, or may reasonably be expected to be, consistent with the carrying out of the development plan for the area: *Provided:* That if the development plan for the area does not become effective under the provisions of section 5 within twelve months of the date of enactment of this Act, this subsection shall be no further force and effect until such time as the development plan does become effective under that section.

SEC. 8. (a) The title to any real property (or interest therein) acquired under the authority of this Act shall be taken by and in the name of the Corporation and proceedings for condemnation or other acquisition of property shall be brought by and in the name of the Corporation.

(b) In the administration of a relocation program or programs pursuant to the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, the Corporation may utilize the services of the District of Columbia Redevelopment Land Agency. Costs of such services shall be reimbursed by the Corporation to the District of Columbia Redevelopment Land Agency.

(c) All relocation services performed by or on behalf of the Corporation shall be coordinated with the District of Columbia's central relocation programs.

(d) Owners and tenants of real proprty whose residence, or retail, wholesale, service or other business is terminated as a result of acquisitions made pursuant to this Act shall be granted a preferential right to lease or purchase from the Corporation or its agent such like real property as may become available for a similar use upon implementation of the development plan. Any such preferential right shall be limited to the parties in interest and shall not be transferable or assignable.

SEC. 9. (a) In effectuating the purposes of this Act, the Corporation:

(1) shall consult and cooperate with District of Columbia officials and community leaders at the earliest practicable time;

(2) shall give primary consideration to local needs and desires and to local and regional goals and policies as expressed in urban renewal, community renewal, and comprehensive land use plans and regional plans; and

(3) shall foster local initiative and participation in connection with the planning and development of its projects.

(b) The Corporation shall comply with all District of Columbia laws, ordinances, codes, and regulations in constructing, reconstructing, rehabilitating, altering, and improving any project: *Provided*, That the provisions of section 428 of title 5 of the District of Columbia Code shall apply to all the constructing, reconstructing, rehabilitating, altering, and improving of all buildings by the Corporation. The construction, reconstruction, rehabilitation, alteration, and improvement of any project by non-Government sources shall be subject to the provisions of the District of Columbia Code and zoning regulations.

SEC. 10. (a) Since the exercise of the powers granted by this Act will be in all respects for the benefit of the people, the Corporation is hereby declared to be devoted to an essential public and governmental function and purpose and shall be exempt from all taxes and special assessments of every kind of the United States and of the District of Columbia.

(b) To the end that the District of Columbia may not suffer undue loss of tax revenue by reason of the provisions of subsection (a), the Corporation, in connection with any real property acquired and owned by the Corporation in carrying out the provisions of this Act shall pay to the District of Columbia government an amount equal to the amount of the real property tax which would have been payable to the District of Columbia government beginning on the date of acquisition of such real property by the Corporation if legal title to such property had been held by a private citizen on such date and during all periods to which such date relates.

SEC. 11. The Corporation shall transmit to the President and the Congress, annually each January and at such other times as it deems desirable, a comprehensive and detailed report of its operations, activities, and accomplishments under this Act.

SEC. 12. (a) The Corporation shall contribute to the civil service retirement and disability fund, on the basis of annual billings as determined by the Civil Service Commission for the excess, if any, of the Government's share of the normal cost of the civil service retirement system applicable to the Corporation's employees and their beneficiaries over the agency contributions required by section 8334(a)(1) of title 5, United States Code.

(b) The Corporation shall include in the annual billings provided for under subsection (a) above, a statement of the fair portion of the cost of the administration of the fund, which shall be paid by the Corporation into the Treasury as miscellaneous receipts.

SEC. 13. The Corporation is authorized to use in the conduct of its business all its funds and other assets and all funds and other assets which have been or may hereafter be transferred to, allocated to, borrowed by, or otherwise acquired by it.

SEC. 14. (a) All general penal statutes relating to the larceny, embezzlement, or conversion of public moneys or property of the United States shall apply to moneys and property of the Corporation.

(b) Any person who, with intent to defraud the Corporation, or to deceive any director, officer, or employee of the Corporation or any officer or employee of the United States, (1) makes any false entry in any book of the Corporation, or (2) makes any false report or statement for the Corporation, shall, upon conviction thereof, be fined not more than $10,000 or imprisoned not more than five years, or both.

(c) Any person who with intent to defraud the Corporation (1) receives any compensation, rebate, or reward, or (2) enters into any conspiracy, collusion, or agreement, express or implied, shall on conviction thereof be fined not more than $5,000 or imprisoned not more than five years, or both.

SEC. 15. Section 101 of the Government Corporation Control Act (31 U.S.C. 846) is amended by inserting "Pennsylvania Avenue Development Corporation;" after "Farmers Home Corporation;".

SEC. 16. If any provisions of this Act or the application thereof to any body, agency, situation, or circumstances is held invalid the remainder of the Act and the application of such provision to other bodies, agencies, situations, or circumstances shall not be affected thereby.

SEC. 17. There are hereby authorized to be appropriated not to exceed $1,000,000 for the development of the plan to be prepared pursuant to section 5 of this Act. No appropriations shall be made from the Land and Water Conservation Fund established by the Act of September 3, 1964 (78 Stat. 897, as amended, 16 U.S.C. 4601), to effectuate the purposes of this Act.

The SPEAKER pro tempore. Is a second demanded?

Mr. SAYLOR. Mr. Speaker, I demand second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

Mr. TAYLOR. Mr. Speaker, I yield 5 minutes to the gentleman from Colorado (Mr. ASPINALL).

Mr. ASPINALL. Mr. Speaker, the bill before the House at this time is H.R. 10751 by Representative SAYLOR and myself. It provides for the establishment of the Pennsylvania Avenue Development Corp., for the purpose of planning and redeveloping the area which we all know as Pennsylvania Avenue in the District of Columbia.

BACKGROUND

Few streets in America are as important to the people of this Nation as Pennsylvania Avenue. Along this street some of the most important ceremonial functions occur. At this time, the Capital is in the process of preparing for the inaugural ceremony which will take place in a few months. In the past, many Presidents have passed along the Avenue enroute to make their speeches or State of the Union inaugural addresses. For some, this has been their last journey.

I do not believe that anyone could say that Pennsylvania Avenue is unimportant to the American public. It is the most significant, visible evidence of the physical connection between the executive and legislative branches of the Government.

While it is important to the Nation, Mr. Speaker, it has fallen in to a state of neglect which I need not describe for my colleagues since they are familiar with the area. It deserves better. It needs to be upgraded so that it will be the national showcase that we would all like for it to be, and H.R. 10751 provides the mechanism which will make that desire a real possibility. The legislation is now under consideration by the House and will, if enacted, create a public corporation which, after careful planning and due consideration of all points of view, can redevelop and revitalize America's "Main Street."

EXPLANATION OF THE BILL

Mr. Speaker, H.R. 10751 creates a public corporation which would be governed by a 15-member board of directors. Seven are to represent the interested agencies of the Federal and District of Columbia governments, and eight are to be selected by the President to represent the public. Of these eight, four are required to be residents and registered voters in the District of Columbia. In addition to these voting members, the bill provides for eight nonvoting representatives of various governmental entities and it establishes a seven-member advisory board composed of tenants and owners of real property located within the development area.

As contemplated by the legislation, the corporation will prepare a development plan for the area located along and adjacent to Pennsylvania Avenue between the Capitol and the White House. When the plan is completed, it is to be submitted to the Secretary of the Interior. He, in turn, is required to consult with the appropriate officials of the District of Columbia government and with the National Capital Planning Commission before giving his approval or disapproval. If he approves the plan, then it will be transmitted to the Congress where it would be referred to the appropriate Committee so that hearings could be held. After due consideration of the plan, then either House of Congress could disapprove it and, by a vote to that effect, could prevent its implementation. Both Chambers would have 60 legislative days to act on the proposed plan before the corporation could proceed to implement the plan.

Once the plan has cleared all of the necessary hurdles, the corporation would have all of the powers generally granted to a public corporation, including, among others, the power to contract, to borrow money, to employ personnel, and to acquire land and improvements—by eminent domain, if necessary—to sue and be sued, et cetera. For all practical purposes, most of these powers would not come into play, unless and until the plan is approved and the corporation commences the implementation of the plan.

As the plan is implemented, Mr. Speaker, some properties will undoubtedly be acquired and some people will be inconvenienced. As this occurs, there will necessarily be some disruption of existing business operations; however, the committee has attempted to work into the legislation adequate, reasonable, and fair safeguards for those directly affected. The bill specifically provides that existing owners and tenants displaced by construction projects are to be entitled to the first opportunity to occupy, lease, or purchase properties similar in purpose to the ones which they formerly owned or occupied. This preferential right is a right of first refusal and it is a right which cannot be transferred to any other person or group of persons. It is designed specifically to do equity for those who will be most directly affected.

COST

It is not contemplated that the corporation will require direct appropriations after the plan is completed. The bill, however, does authorize the appropriation of not more than $1 million for the development of the plan. It does not authorize any direct funding for the implementation of the plan. I hasten to add, however, that the members of the committee felt that even the borrowing authority of the corporation should be limited and the bill provides that not more than $50 million may be borrowed from the Treasury of the United States for the purpose of implementing the plan. This money is to be repaid, with interest, to the Federal Treasury from the proceeds derived from the sale or lease of the redeveloped property.

CONCLUSION AND RECOMMENDATION

Mr. Speaker, the idea of revitalizing Pennsylvania Avenue is not new. It has been an issue before the Congress for more than a decade. One of the first persons to give the matter his support was President John F. Kennedy. He presented a plan to the Congress, but at that time it seemed too ambitious and too expensive. Then, President Johnson gave it his endorsement, but again the complexity of the program prevented its enactment.

Now, President Nixon has given this project his wholehearted support. H.R. 10751 is the outgrowth of the plan which he presented to the Congress. It is a cautious plan; it is a carefully considered plan; and it is a plan which I believe will work if we give it our support now. There are adequate safeguards all along the way if this program seems to be too ambitious or too expensive.

The interests of the city of Washington are represented in every conceivable way.

The Secretary of the Interior has an opportunity to review it.

The Congress of the United States can veto it.

And the Appropriations Committees can maintain surveillance over it through the purse strings.

It is difficult to perceive a more logical, reasonable approach than that provided by H.R. 10751. I support the bill and I commend it to my colleagues and urge them to approve it.

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

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

Mr. HALL. Mr. Speaker, I appreciate the gentleman from Colorado yielding. I have listened to every word of the gentleman's explanation, and I realize, of course, there is a difference between Pennsylvania Avenue between the White House and the Capitol and Booneville Street between South Springfield, or Commercial Street, as we oldtimers used to call it in Springfield. But that is an awfully important street, too. It was on that street that Wild Bill Hickock shot Mr. Tutt after he had taken his watch away from him the night before in a game of cards. Does the gentleman suppose that the street of Booneville in Springfield could with some such enabling legislation as this get one one-hundredth as much drawdown on the U.S. Treasury as this authorizes, on a loan basis, or maybe $10,000 for planning purposes?

Mr. ASPINALL. May I say to my good friend, I do not know just how much significance would be attached to the situation that he brings to my attention.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. TAYLOR. Mr. Speaker, I yield the gentleman 3 additional minutes.

Mr. ASPINALL. I do know this. I have spent a great deal of my time since I have been in the Congress trying to take care of my colleagues where they have had something of national or international significance, and we have, of course, provided them sums of money—sometimes large and sometimes small.

All I know is that there is not very much about Pennsylvania Avenue, as it now exists, as you go toward the White House—on the righthand side of the road, that pleases me very much. There are some new buildings coming into existence. But even with those new buildings—there are the old buildings and some of them are in disrepair and many of them are vacant which causes them to

be more unsightly in my opinion than they have been up to the present time.

I feel this is a worthwhile attempt. I do not believe we are going to have to spend any money other than the one million. I think the plan will come up with the ultimate costs of any place. I know that I have seen plan after plan ever since 1961 that have been provided—and many of them have been expensive—very expensive. This legislation does not appear to me to be too expensive so far as the Federal Government is concerned.

The contribution of the Federal Government will, of course, be the lending of the money. And facetiously, I might say, I hope there is some credit still left in the United States Treasury so that it can be used for that purpose.

Mr. HALL. I must question whether there is much left in the Treasury or not.

I know the value of the historical street, old street down which all Presidents have to ride for their inauguration. I am well aware of the fact that historically the first asphalt was brought from Trinidad to be used as an experiment in paving techniques, and was spread on that street.

Mr. ASPINALL. If the gentleman will permit me—the first place that they used concrete was 12 miles from where I was born in Logan County, Ohio. We have never had too much of a memorial there. So I understand my colleague's feeling.

Mr. HALL. I am speaking, of course, facetiously—I wonder even in spite of the oncoming bicentennial, if this is the best use of the taxpayers' money.

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

Mr. ASPINALL. I yield to the gentleman.

Mr. VANIK. I am concerned about this borrowing and loan authority to issue guaranteed obligations.

Is that within or without the debt limit? Will that borrowing be within or without the debt limit? Because this corporation is going to have the authority to issue marketable obligations and so forth and may borrow from the Treasury in such amounts as may be authorized by appropriations—but not to exceed $50 million.

Just a couple of days ago there was placed on the market $250 million in subway bonds at 7.5 percent, guaranteed by the people of the entire United States. We are getting ourselves into a very difficult situation. We are talking about a debt ceiling and our conferees are engaged in trying to settle it.

The SPEAKER. The time of the gentleman has expired.

Mr. TAYLOR. Mr. Speaker, I yield the gentleman 2 additional minutes.

Mr. VANIK. I need 3 minutes. I would like to have 3 minutes, if the gentleman will yield.

I would like to point out that the conferees are discussing the expenditure limitation and the borrowing of our Government outside of the Federal debt limit is going to be $224 billion at the end of next year. But we cannot control inflation if we go on spending and fail to hold down borrowing.

This is an important question—is this borrowing that is contemplated by this legislation—is it contemplated to be within the debt, or is it contemplated to be outside of the debt ceiling.

Mr. ASPINALL. The only answer I can give to my colleague is that that will be a part of the plan provided and at that time the Congress can take action on what is involved.

My feeling is that it should be within the debt limit—whatever that debt limit may be.

Mr. VANIK. And it is your opinion, Mr. Chairman, that this legislation will not preclude the Congress from determining that issue at a later date?

Mr. ASPINALL. That is correct.

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

Mr. ASPINALL. I yield to the gentleman.

Mr. TAYLOR. I would like to point out to the gentleman that the act provides that the borrowing will have to be authorized by the appropriations process.

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

Mr. ASPINALL. I yield to the gentleman.

Mr. TIERNAN. Is it my understanding that this corporation is trying to devise a plan for this?

Mr. ASPINALL. There will be a plan that will be proposed by the commission, and that then will be given to the various groups designated in the legislation, and then it will go to the White House, and then come up here before the committees for their review.

The SPEAKER. The time of the gentleman has again expired.

Mr. TAYLOR. Mr. Speaker, I yield the gentleman 1 additional minute.

Mr. TIERNAN. Mr. Speaker, what is contemplated in the plan? Are the buildings to be included in the plan going to be Federal buildings, or are they going to be private buildings?

Mr. ASPINALL. The buildings that are going to be built will be built by a corporation, and they will then be operated by the corporation, and rents will be charged.

Mr. TIERNAN. So that they will then be in the business of being landowners in that area; is that right?

Mr. ASPINALL. As I understand it, this will be a part of it.

Mr. TIERNAN. What about the rights of the individuals who have property there?

Mr. ASPINALL. As I said awhile ago, some of them will be hurt, but in my opinion the preferential right which is to be given to each one of those owners is to the owners themselves, not to persons who would be the successors of the owners. They will have a preferential right.

Mr. TIERNAN. It will be similar to what will be provided for in the redevelopment areas?

Mr. ASPINALL. That is right.

Mr. TIERNAN. So the owners will be the only ones to have that right to either build or lease; is that right?

Mr. ASPINALL. That is right.

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

Mr. Speaker, I rise in support of this bill, H.R. 10751. As its principal sponsor, I strongly support its purpose to establish the Pennsylvania Avenue Development Corp. for the preparation and carrying out of a development plan to revitalize certain areas between the White House and the Capitol, and to further the purposes for which the Pennsylvania Avenue National Historic Site was designated.

This bill has five basic elements. The first is the congressional finding and recognition of the fact that certain areas between the White House and the Capitol are blighted and impose severe economic, public, and social liabilities on the seat of Government, and that it is in the national interest for the area to be developed, maintained, and used in a manner suitable to its historical, ceremonial, and physical relationship to the legislative and executive branches of our Federal Government.

Second, the area to be developed, maintained, and used in accordance with the requirements of the bill are specifically identified and contain approximately 23 acres or about 1 million square feet. The area lies to the north of Pennsylvania Avenue, running from East Executive Avenue adjoining the White House to Third Street NW.

Third is the establishment of the Pennsylvania Avenue Development Corp., a public corporation vested with the requisite powers, duties, and responsibilities to develop and carry out a plan for the revitalization of Pennsylvania Avenue.

The fourth basic element of this bill is the Pennsylvania Avenue development plan. The bill provides in detail the minimum factors which must be included in the development plan. The plan must be prepared in cooperation with the Department of the Interior, the General Services Administration, and the District of Columbia government.

Once the plan is prepared by the corporation, the plan is transmitted to the Secretary of the Interior. The Secretary of the Interior consults with the National Capital Planning Commission and the District of Columbia government. If the Secretary of the Interior approves the plan, it is then transmitted to the Congress of the United States for final approval of the development plan.

The fifth and final element of this legislation is the congressional control and oversight of the development plan. Congress can within 60 legislative days following transmittal of the plan disapprove the plan. If Congress does not so act, the Pennsylvania Avenue Development Corp. can proceed to implement the plan subject to the congressional appropriation process.

I would ask my colleagues to understand that Washington, D.C., is unique. There is no other capital city like it and there is no other avenue like Pennsylvania Avenue.

Washington, D.C., and Pennsylvania Avenue symbolize the majesty and power of this American Republic and the triumphs and tragedies of the American people. It is along Pennsylvania Avenue that our new Chiefs of State travel to accept the mantle of power bestowed by the American people. It is along Pennsylvania Avenue that in death six of our

Presidents and numerous national leaders have traveled in state funerals. And, it is along Pennsylvania Avenue that this Nation has victoriously celebrated the closing of four major wars.

But, in its uniqueness, Pennsylvania Avenue and Washington, D.C., are like every other American city. Since 1960, the central core of our Capital City began to decay. Private commercial activities plagued by crime and desolate after working hours began to seek other locations. Many buildings became outmoded and uneconomic for new enterprises and remain virtually empty. Private investors reluctant to invest capital in an area of uncertain future continues the blighted character of our Capital City along Pennsylvania Avenue.

However, the rebuilding of Pennsylvania Avenue has begun and significant developments have been completed or are in progress. A new 6-acre Capitol Reflecting Pool on the Mall is completed, and the Department of Labor Building and the South Portal Building will complete the western border of the Capitol Grounds. The center leg freeway tunnel is nearing completion, hopefully, to allow traffic to bypass the Capitol.

The National Gallery is moving forward with plans for its major addition at Fourth and Pennsylvania Avenues.

North of the gallery a recognized and completed municipal center and Judiciary Square are beginning to take shape. The General Services Administration has awarded contracts and construction has begun on the Hirshhorn Museum and Sculpture Garden in conjunction with the tunneling of Ninth Street as it crosses the Mall. The Woodrow Wilson International Center is proposed for construction along Eighth Street. The new FBI Building is under construction and the Coast Guard Building has been demolished.

The revitalization of Pennsylvania Avenue and its adjacent area is underway. The temporary buildings on the Mall at 12th and Pennsylvania Avenue is an example of what private interest can do in this area.

One of the unique and vital aspects of this legislation is the partnership that results from requiring both Federal and private participation in the development of Pennsylvania Avenue. The Pennsylvania Avenue Development Corp. will, as provided in this bill, H.R. 10751, through combined Federal and commercial interests, become the vehicle for the commemoration of the dreams and visions of our Founding Fathers.

We must remember that Washington, D.C. is more than the seat of our Government and the residence of its nearly 1 million citizens. It is a second home to every American and the symbol of this Nation to the world. Its problems are the problems of all our cities. And the fulfillment of the plans that began the building of this Capital from swampland will clearly demonstrate our ability to solve these problems and find new opportunities as we begin to embark upon our third century.

Mr. Speaker, I urge my colleagues to suspend the rules and support the passage of this legislation.

Mr. TAYLOR. Mr. Speaker, the House now has before it a bill (H.R. 10751) originally cosponsored by our colleagues the chairman and the ranking members of the Committee on Interior and Insular Affairs (Mr. ASPINALL and Mr. SAYLOR). The legislation provides for the creation of a public corporation to plan and redevelop Pennsylvania Avenue and the adjacent area in the Nation's Capital.

BACKGROUND

I am sure that everyone recognizes the significance of Pennsylvania Avenue as the Nation's main street. As the connecting link between the executive branch and the legislative branch of the Federal Government it functions as the route for our most important ceremonial activities.

Inaugural processions and funeral corteges of the leaders of American Government pass along this famous route from time to time, but it also serves as one of the lifelines of the city of Washington.

Presently, many businesses line the northern side of the street and Government buildings dominate the southern side. Years passed by without any substantial change along the avenue, but now the area is confronted with a double threat—the first involves deteriorating structures which detract from the setting of this important site and the second involves new structures which might be constructed with no reasonably coordinated plan.

The Committee on Interior and Insular Affairs has been confronted with this legislative problem for several years and we have considered it on many occasions, but there has always been some insurmountable problem which has prevented its recommendation to the House. The bill now before the House endeavors to avoid some of the previous problems by authorizing the creation of a public corporation which would study the area, develop a plan, and present it to the Congress. This coordinated plan could not be implemented for 60 legislative days. This would allow ample time for both Houses of the Congress to review the program. If neither House acts to reject the plan, then the corporation could proceed to borrow the money needed to implement the plan if the funds are approved by the usual appropriations process.

Mr. Speaker, I think that everyone recognizes that a coordinated approach is required if this most important area is to be protected from haphazard development in the future. We feel that sufficient controls have been included in the legislation to assure an opportunity for local viewpoints to be expressed and represented at all stages of consideration. At the same time, we believe that the national interest in this historic area must be protected.

COMMITTEE AMENDMENT

Mr. Speaker, the committee amendment strikes all after the enacting clause in the bill and inserts a new text. The objective of the legislation remains unchanged, but the committee modified the provisions of the bill:

To assure effective legislative control over the program by requiring the plan to be submitted to the Congress for review and by permitting either Chamber, by formal action, to terminate it.

To eliminate all references to the Bicentennial celebration which seemed irrelevant to the basic purposes of the bill;

To treat land owners and tenants equitably by allowing them a preferential right to lease or purchase properties within the redeveloped area which are comparable to those that they presently own or occupy; and

To limit the Federal financial commitment to the project to direct appropriations for the development of the plan plus borrowing which would be subject to the usual appropriations process.

COST

Mr. Speaker, under the terms of the bill, the only direct authority to appropriate funds for the purposes of this legislation is the authority to appropriate up to $1 million to develop the plan for the redevelopment of the area. If the plan is approved by the Secretary of the Interior and not rejected by the action of either House of Congress, then the Corporation can borrow up to $50 million from the Treasury of the United States subject to the usual appropriations process. The borrowed money is to be repaid to the Treasury from proceeds derived from the lease or sale of the redeveloped properties.

CONCLUSION

Mr. Speaker, this is not a new proposal. Comparable plans were formulated by previous administrations under the leadership of Presidents Kennedy and Johnson. Those plans were reviewed by the Committee on Interior and Insular Affairs, but they were never brought to the floor of the House.

H.R. 10751 offers a real opportunity to make some progress on this important project and, at the same time, it retains congressional oversight over the program so that it can be terminated if it does not meet the standards imposed.

In my opinion, this offers a real opportunity for a constructive solution to this matter and should be favorably considered by the House. I urge my colleagues to support the enactment of H.R. 10751, as recommended by the Committee on Interior and Insular Affairs.

Mr. VANIK. Mr. Speaker, I oppose the passage of this legislation. It creates another bureaucracy, another Government corporation with borrowing authority. This bill would provide for the creation of a corporation with up to $50 million in borrowing authority—borrowing which will not be clearly reflected in the budget picture of the Federal Government—borrowing which will be relatively uncontrolled—borrowing which will place additional pressures on the money markets.

This is another bill to provide special preferences to the Federal City. I recognize the importance of a beautiful National Capital. But we are building this Capital City out of the tax dollars of the hard-pressed cities of the rest of the Nation. We are building a marble city here on the banks of the Potomac—a city which we can show off to the rest of the world—but in the meantime, the rest of our great cities seem to sink into deeper and deeper difficulties. I have no doubt, Mr. Speaker, that the redevelopment problems of my own city of Cleve-

land, Ohio, could be largely met and overcome if they could be provided with a Federal Government development corporation.

While I agree with the objectives of this legislation, I do not believe that it should be accomplished through a costly multiplication of agencies. Several days ago, $250 million in 7½ percent District of Columbia bonds were sold to the public—guaranteed by all of the taxpayers of America. Several weeks ago this House passed legislation for a multimillion-dollar convention center in the District of Columbia under another authority guaranteed by the taxpayers of America.

What will be left to save the other cities of America which so desperately need our help?

The SPEAKER. The question is on the motion offered by the gentleman from North Carolina (Mr. TAYLOR) that the House suspend the rules and pass the bill H.R. 10751, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

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

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

There was no objection.

AUTHORIZING FEASIBILITY INVESTIGATIONS ON CERTAIN POTENTIAL RESOURCE DEVELOPMENTS

Mr. JOHNSON of California. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 16554) to authorize the Secretary of the Interior to engage in feasibility investigations of certain potential water resources developments, as amended.

The Clerk read as follows:

H.R. 16554

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized to engage in feasibility studies of the following potential water resource developments:

1. Cache Creek project in Comanche, Cotton, Tillman, Jackson, and Kiowa Counties in southwestern Oklahoma.

2. Garrison diversion unit, M&I water facilities, Pick-Sloan Missouri Basin program, in central North Dakota.

3. Oahe unit, M&I water facilities, Pick-Sloan Missouri Basin program in east-central South Dakota.

4. Ventura County Water Management project, California.

5. Tucumcari project in San Miguel County in east-central New Mexico.

6. Uncompahgre project improvement and extension in Montrose and Delta Counties in the vicinity of Montrose and Delta, Colorado.

7. Dominguez Reservoir project in Mesa and Delta Counties, Colorado.

8. Lower James-Fort Randall water diversion proposal of the Pick-Sloan Missouri River Basin program, South Dakota.

The SPEAKER. Is a second demanded?

Mr. SAYLOR. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. JOHNSON of California. Mr. Speaker, I yield such time as he may consume to the gentleman from Colorado, the chairman of the full committee, Mr. ASPINALL.

Mr. ASPINALL. Mr. Speaker, I rise at this time to discuss and recommend passage of H.R. 16554, a bill to authorize the Secretary of the Interior to conduct feasibility investigations of certain potential water resource developments. This bill is a routine measure which enables the Secretary to seek funds for investigating eight potential programs for authorization under the Federal reclamation law. It is one of a continuing series of measures required to be enacted by the Congress in accordance with the provisions of law forbidding the Secretary to engage in feasibility investigations unless they are specifically authorized by act of Congress.

The eight programs authorized by H.R. 16554 are in six of the western reclamation States. They are programs which have been studied at the reconnaissance level and which have been found to have sufficient prospects of justification to warrant the expenditure of funds for the more detailed study given to projects at the feasibility stage.

This bill is not an appropriations measure. It is an authorization for which there must follow requests for appropriations if and when the executive sees fit to fund the studies. The total amount authorized to be made available for the eight programs is $3,525,000 which will be spread over several years. If the funds were appropriated at the most rapid rate that they could be used, they would spread over a term of 5 or more years. In actual practice, it may be that certain of the programs will never be funded.

I make this observation in the light of trends we see, regrettably, being followed by the Executive toward water resource development generally. The specific trend to which I refer is one of decreasing emphasis on programs which have proven their public worth, such as the Federal reclamation program. The trend is away from these programs toward those that appear to have a quicker political payoff. No longer do we seem to make investments in America's long-term economic stability and strength such as comes from a combining of public funds and the labor of our citizens to produce prosperous self-sustaining communities. Instead, we seem to be obsessed with thinking up doles of one kind or another that neither create economic wealth nor encourage our citizens to work toward such an end.

The plight of western water resource development that has been the result of Executive deemphasis and, in many cases, outright hostility, can best be illustrated by the fact that at this moment there is not pending before Congress a single reclamation project which the administration has recommended for two decades of service on the Committee authorization.

This is the first time in my more than on Interior and Insular Affairs that we have had this situation—and there are two ways to look at this.

One would be that I have left no unfinished work in the reclamation field. If I could truly regard it in this light, I would leave the House and the committee with a feeling of a job completed. More likely, however, it is better to assess the situation as one in which I am in basic disagreement with the sense of public values which has brought the program to this predicament.

Mr. Speaker, I submit that the so-called decisionmakers in the administrative branch are short-sighted and wrong in drying up our rural water programs. The passage of time will prove this. In the meanwhile there is nothing more we can do in this Congress than to leave the seeds out of which may germinate a continuing program. H.R. 16554 represents such. My colleague and friend, the gentleman from California, who is managing this bill will discuss the specifics of the measure. Accordingly I would only take the time to comment on one item included in it. That is item numbered 6, the Uncompahgre project improvement program. This is a study in which ways will be sought to preserve the economy of two western Colorado counties which has developed around one of the original Federal reclamation programs. This project needs help to survive and to remain as a cornerstone of regional economic well-being. The people have done all that can reasonably be expected of them, and they are falling farther and farther behind. The study included for authorization in H.R. 16554 will be a first step toward rehabilitating their physical works and refinancing their debt.

While the other programs in the bill are all worthwhile and deserving of authorization, the Uncompahgre project improvement stands out as one of the most deserving undertakings that I have ever sponsored in this House. I am confident that my colleagues will join with me in giving it a first step on the way to realization.

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

Mr. Speaker, I rise in support of H.R. 16554, to authorize the Secretary of the Interior to engage in feasibility investigations of certain potential water resource development projects or units thereof.

The bill as amended and reported by the Committee on Interior and Insular Affairs authorizes a feasibility study and investigation of eight potential water resource development projects or a unit of a project. These studies will involve potential projects or units in the States of California, Colorado, New Mexico, North Dakota, Oklahoma, and South Dakota.

This bill is in keeping with the passage and enactment of the Federal Water Project Recreation Act of 1965 which required the preauthorization by the Congress of all studies and investigations

leading to the preparation of feasibility studies and reports on potential reclamation projects.

The estimated cost of the feasibility studies authorized by this legislation is $3,525,000. The committee report on this legislation contains an analysis of each of the potential projects included in the bill stating the location of the project, the project data as disclosed by reconnaissance studies, the purpose and description of the investigation, project status, justification, local interest, and estimated feasibility investigation costs.

Mr. Speaker. I support the passage of this legislation and urge its enactment.

Mr. JOHNSON of California. Mr. Speaker, I yield myself such time as I may consume to speak in favor of speedy enactment of H.R. 16554, to authorize the Secretary of the Interior to engage in feasibility investigations of certain potential water resource developments. This bill results from an executive request by the Department of the Interior to which certain amendments were made in the Committee on Interior and Insular Affairs after full and complete hearings and consideration by the Subcommittee on Irrigation and Reclamation.

The chairman of the full committee, the gentleman from Colorado, has previously described the policy environment within which we are attempting to carry forward a program of orderly development of the water and related land resources of the Western United States. I subscribe to and endorse his assessment of the situation and would digress to add at this point that the gentleman has done more than any other person in our time to provide a sound policy base on which to build this program. Those of us who may be privileged to carry on his work will not find it easy to replace his wise leadership and tireless dedication to the cause of a strong rural west.

Mr. Speaker, H.R. 16554 is not the most important bill that has ever come out of the Subcommittee on Irrigation and Reclamation during WAYNE ASPINALL's association with that body, but it is the last one. Like all other Aspinall bills, it has had a thorough going over. We did not accept all of the administration's recommendations and likewise we did not limit ourselves to the dimensions of the executive request. Members will note from the committee report that we deleted one item, added two others and severed yet another into two parts. This is a typical product of our committee system in which we never rubberstamp anybody.

Specifically, the bill is characterized by its emphasis on municipal and industrial water supply. Five of the eight items are predominantly or exclusively for that purpose. Two of the eight programs are exclusively municipal water oriented. They are the Garrison diversion and Oahe units. The work to be done in each of these cases is to provide a means for delivery regulation, and storage of municipal water from the major facilities of the authorized Garrison diversion and Oahe units to the participating communities in the States of North Dakota and South Dakota. In each of these cases, it is the intent of the bill to authorize studies for all potential participating communities, although such study will likely be staged to coincide with the availability of water from the parent unit.

Three additional programs, Cache Creek, Okla., Ventura County water management, Calif.; and Dominguez Reservoir project, Colo., are predominantly municipal and industrial water supply oriented. Although they have multiple-purpose implications, the corollary purposes do not include irrigation.

The three remaining programs included in H.R. 16554 have a predominant irrigation emphasis, but two of them—Tucumcari, N. Mex., and Uncompahgre, Colo.—are existing projects with varying problems. In the first mentioned case there is a shortage of water while in the latter case, there is a great need for rehabilitation as Chairman ASPINALL described. Only one program in this bill contemplates any measure of irrigation and that is the Lower James-Fort Randall, S. Dak. Here a water supply would be furnished for private and other forms of non-Federal application.

Mr. Speaker, this is, in a sense, a routine bill similar to four or five other bills we have passed in the last 8 years. It is, in another sense, a landmark bill—accomplishing as it does an almost complete change in emphasis from the traditional new-land irrigation program of the Bureau of Reclamation to one meeting a broader spectrum of interests and purposes.

As has been pointed out, it is a modest bill in terms of its monetary impact. It will afford the means of bringing the unquestioned disciplinary competence of the Bureau of Reclamation to bear on a new and different array of western problems. For this reason, it warrants the support of all Members interested in a stronger and better America and I recommend speedy adoption by this body.

Mr. HOSMER. Mr. Speaker, I rise in support of this legislation.

The purpose of this bill is to authorize the Secretary of the Interior to engage in eight feasibility investigations of potential water resource developments.

The eight water resource projects are explained in detail in the committee report on this legislation and involve potential projects in the States of California, Colorado, New Mexico, North Dakota, Oklahoma, and South Dakota. The committee report also includes the estimated cost of these studies to be in the neighborhood of $3.5 million.

The Federal Water Project Recreation Act of 1965 requires congressional authorization of the feasibility studies on all potential reclamation projects. The Committee on Interior and Insular Affairs is advised that completed reconnaissance studies and reports or comparable information indicate preliminarily that these potential projects are economically desirable, financially justified, and enjoy local support and interest. Therefore, the feasibility studies of these potential projects are warranted at this time.

Mr. Speaker, I urge my colleagues to suspend the rules and support the passage of H.R. 16554.

Mr. VANIK. Mr. Speaker, I oppose this legislation which would provide for the expenditure of $3.5 million on new water use feasibility projects. This bill simply prepares the way for more fantastically expensive reclamation projects—despite the fact that we already have billions of dollars of reclamation projects underway and additional billions in projects which have been authorized but unfunded.

These projects, these "feasibility" projects, simply drain money from the rest of the country so that new sources of water can be provided to the growing agribusinesses of the West. The taxpayers and farmers of Ohio are paying billions to open up new farmlands for new production under Department of the Interior programs—while the taxpayers continue to pay additional billions in soil bank and crop removal programs of the Department of Agriculture.

It is my understanding that the General Accounting Office will soon release a report on the way in which these water projects and "feasibility" studies have been used to "serve" the public. I doubt that the report will be favorable and I would hope that the Congress would suspend these projects until a thorough review of this entire area could be made.

The SPEAKER. The question is on the motion offered by the gentleman from California (Mr. JOHNSON), that the House suspend the rules and pass the bill H.R. 16554, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

Mr. JOHNSON of California. Mr. Speaker, I ask unanimous consent that the Committee on Interior and Insular Affairs be discharged from further consideration of a similar bill (S. 3959) to authorize the Secretary of the Interior to engage in feasibility investigations of certain potential water resource developments.

The Clerk read the title of the Senate bill.

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

There was no objection.

The Clerk read the Senate bill, as follows:

S. 3959

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized to engage in feasibility studies of the following potential water resource developments:

1. Cache Creek project in Comanche, Cotton, Tillman, Jackson, and Kiowa Counties in southwestern Oklahoma.

2. Garrison Diversion Unit, M&I Water Facilities, Pick-Sloan Missouri Basin program, in central North Dakota.

3. Oahe Unit, M&I Water Facilities, Pick-Sloan Missouri Basin program in east-central South Dakota.

4. Three Forks Divison, Pick-Sloan Missouri Basin program, in Gallatin and Madison Counties, northwest Montana.

5. Tucumcari Project in San Miguel County in east-central New Mexico.

6. Uncompahgre Project Improvement and

Extension in Montrose and Delta Counties in the vicinity of Montrose and Delta, Colorado.

AMENDMENT OFFERED BY MR. JOHNSON OF CALIFORNIA

Mr. JOHNSON of California. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. JOHNSON of California: Strike out all after the enacting clause of S. 3959 and insert in lieu thereof the provisions of H.R. 16554, as passed.

The amendment was agreed to.

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

A similar House bill (H.R. 16554) was laid on the table.

GLEN CANYON NATIONAL RECREATION AREA, ARIZ. AND UTAH

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (S. 27) to establish the Glen Canyon National Recreation Area in the States of Arizona and Utah, with Senate amendments to the House amendment, and concur in the Senate amendments to the House amendment.

The Clerk read the title of the bill.

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

Page 5, lines 9 and 10, of the House engrossed amendment, strike out "Secretaries of the Department of Interior and the Department of transportation," and insert: "Secretary".

Page 6, of the House engrossed amendment, strike out lines 6 to 18, inclusive.

Page 6, line 19, of the House engrossed amendment, strike out "(d)" and insert: "(c)".

Page 6, line 19, of the House engrossed amendment, strike out "e" and insert: "d)".

Page 6, line 22, of the House engrossed engrossed amendment, strike out "*e*" and insert: "(*d*)".

Page 7, line 4, of the House engrossed amendment, strike out "(f)" and insert: "(e)".

Page 7, lines 4 and 5, of the House engrossed amendment, strike out "Secretaries of Interior and Transportation," and insert: "Secretary".

Page 7, line 13, of the House engrossed amendment, strike out "of the Interior".

Page 7, line 23, of the House engrossed amendment, strike out "$175,000" and insert: "$400,000".

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

There was no objection.

The Senate amendments to the House amendment were concurred in.

A motion to reconsider was laid on the table.

LAND ACQUISITION FUNDS, DELAWARE WATER GAP NATIONAL RECREATION AREA

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 13396) to authorize an increase in land acquisition funds for the Delaware Water Gap National Recreation Area, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 6, strike out "$68,812,000" and insert: "$65,000,000".

Page 1, after line 6, insert:

SEC. 2. That section 2 of the Act of September 1, 1965 (79 Stat. 612) is amended by adding at the end thereof the following: "*Provided further*, That whenever an owner of property elects to retain a right of use and occupancy pursuant to this Act, such owner shall be deemed to have waived any benefits or rights under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (84 Stat. 1894).".

Page 1, after line 6, insert:

SEC. 3. (a) That the Secretary of the Interior is authorized and directed to issue, subject to the provisions of this section, to Frank W. Whitenack of Georgetown, Colorado, a patent in fee (exclusive of oil, gas, and other mineral rights) to the following described tract of land, situated in the vicinity of Georgetown, Colorado:

Beginning at a stake at corner numbered 1, whence the northeast corner section 5, township 4 south, range 74 west, sixth principal meridian bears north 29 degress 57 minutes west 761.7 feet, thence east 279.7 feet to corner numbered 2, thence south 176.0 feet to corner numbered 3, thence south 82 degrees 16 minutes west 200.5 feet to corner numbered 4 which is also corner numbered 1, survey numbered 18737, Dora Lode, thence south 7 degrees 44 minutes east 150 feet to corner numbered 5, which is also corner numbered 4, survey numbered 18737 Dora Lode, thence north 82 degrees 16 minutes east 180.1 feet to corner numbered 6, thence south 992.6 feet to corner numbered 7, thence west 660 feet to corner numbered 8, thence north 502 feet to corner numbered 9, thence south 60 degrees 20 minutes east 119.4 feet to corner numbered 10, which is also corner numbered 3 survey numbered 408 Mills Placer, thence north 17 degrees 30 minutes east 919.7 feet to the place of beginning.

(b) The patent in fee authorized by this Act shall be issued subject to the payment by the said Frank W. Whitenack to the Secretary of the Interior of an amount equal to the fair market value of the property conveyed as determined by the Secretary after appraisal, exclusive of improvements placed thereon by Frank W. Whitenack and his grantees.

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

Mr. HALL. Mr. Speaker, reserving the right to object, will the distinguished gentleman from Colorado, the distinguished chairman of the Committee on Interior and Insular Affairs, tell us what the amendment is which the Senate added on?

Mr. ASPINALL. Mr. Speaker, if my colleague, the gentleman from Missouri, will yield to me, it is with some personal embarrassment and hesitation that I tell him what this amendment is, but having talked to him heretofore on the matter I will advise him that the gentleman from Colorado, just as the gentleman from Missouri, is a stickler for rules and he believes in the enforcement of the rule of germaneness.

All I can say is what was done on the other side in my opinion is so little and trivial in its ultimate effect that, even though it is not germane, that I consider it kind of a sneaky way to get a piece of legislation through, but on the other hand the parent bill is of much importance. There is no question about the importance of the Delaware Water Gap legislation.

What is involved is that the other body put on a small private bill known as S. 4064, which provided for the conveyance of a small tract of land to an individual who has had possession of the land for many years, who is not able to get it under the provisions of an act which we passed several years ago, and who, in my opinion, really has a right to property.

The equities are on his side, but I just do not particularly like the legislative procedure which was used any more than my friend from Missouri does. I hope, Mr. Speaker, that he will overlook the transgression of the other body.

Mr. HALL. Mr. Speaker, I certainly must say that I appreciate the continued forthrightness of a great colleague, chairman of the Committee on Interior and Insular Affairs, the gentleman from Colorado, in answering my questions. I almost got more than I wanted to hear.

This is the same bill that we discussed, debated and passed in due course last night, the Delaware Water Gap Authority?

Mr. ASPINALL. It is the same bill we took care of last night.

Mr. HALL. And in order to prevent suspension of a project already underway up there, and to get rid of squatters who have moved in while land was being acquired during the stalemate?

Mr. ASPINALL. The gentleman is correct. It is very necessary legislation.

Mr. HALL. Mr. Speaker, as much as I object to the other body adding on nongermane amendments, and subject as this is to a point of order, and in spite of the fact that it would only take one objection to kill it, I will withdraw my reservation at this time.

Mr. ASPINALL. I thank my friend from Missouri (Mr. HALL).

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

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

REVISION OF PAY STRUCTURE OF AIRPORT POLICE

Mr. HENDERSON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 7625) to adjust the pay of the police force at Washington and Dulles Airports, as amended.

The Clerk read as follows:

H.R. 7625

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subchapter VI of chapter 53 of title 5, United States Code, is amended by adding at the end thereof the following new section:

"§ 5366. Police forces of Washington National Airport and Dulles International Airport

"The Secretary of Transportation shall fix the per annum rates of basic pay of positions on the police force of Washington National Airport and the police force of Dulles International Airport in accordance with the rates of basic compensation, including lon-

gevity increases, provided in section 101 and sections 201 through 506, as appropriate, of the District of Columbia Police and Firemen's Salary Act of 1958, as amended (D.C. Code, section 4–823 and sections 4–824 through 4–837), for officers and members of the Metropolitan Police force in corresponding or similar classes or subclasses.".

(b) The analysis of subchapter VI of chapter 53 of title 5, United States Code, is amended by adding at the end thereof—

"5366. Police forces of Washington National Airport and Dulles International Airport."

SEC. 2. Section 5102(c) of title 5, United States Code, is amended—

(1) by striking out the word "or" at the end of paragraph (26);

(2) by striking out the period at the end of paragraph (27) and inserting in lieu of the period of semicolon and the word "or"; and

(3) by adding immediately below paragraph (27) the following new paragraph:

"(28) officers and members of the police force of Washington National Airport and the police force of Dulles International Airport.".

SEC. 3. The amendments made by this Act shall become effective at the beginning of the first pay period which commences on or after the date of enactment of this Act.

SEC. 4. No rate of basic pay shall be reduced by reason of the enactment of this Act.

The SPEAKER. Is a second demanded?

Mr. HOGAN. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. HENDERSON. Mr. Speaker, I rise in support of H.R. 7625 which was ordered reported by the Post Office and Civil Service Committee by a vote of 16 to 0.

The sole purpose of this legislation is to provide a pay scale for the police at Dulles International and Washington National Airports which would equal the pay of similar positions within the District of Columbia Metropolitan Police Force.

To effectuate this purpose the bill proposes to remove the airport police positions from under the classification provisions of title 5, United States Code, and from under the General Schedule pay system.

Under the provisions of this bill the Secretary of Transportation would have the authority to fix the basic pay of airport police positions in accordance with the rates of pay provided for similar positions under the District of Columbia Police and Firemen's Salary Act of 1958, as amended.

According to the testimony presented before our committee, the current starting salary for an airport police officer under the General Schedule is $7,807 per year. In contrast, the starting salary for a private in the District of Columbia Police Force is $10,000 per year.

Not only do the salaries of the airport police compare unfavorably with those of the District of Columbia Police but they compare equally unfavorably with those of other metropolitan area police forces such as Fairfax, Montgomery, and Prince Georges Counties, to name a few.

Under such circumstances it is small wonder that the recruitment of suitable personnel for airport police positions has become increasingly more difficult.

Consequently, the police forces at both airports have deteriorated to the point where the public and air passengers no longer can be assured of adequate protection against crimes and violence at either airport.

To allow such a situation to exist at the two airports that are owned and operated by the Federal Government is inexcusable.

I am convinced that the enactment of this legislation will result in a significant improvement in the quality of law enforcement at the two airports.

I believe that the pay structure proposed by this legislation is fully justified and that it deserves the support of every Member of this body.

Mr. HOGAN. Mr. Speaker, H.R. 7625 is designed to correct an inequity which, though small in the total scheme of Government, is nevertheless significant to the huge number of passengers who use Dulles and National Airports every year.

During the past few years, we have seen a marked increase in airport-related crimes. Hijacking has received the lion's share of publicity. But crimes ranging from bomb threats to automobile thefts have been increasing at an alarming rate.

Much emphasis has been placed on increased airport security throughout the country. Yet, paradoxically, in the only two airports owned and operated by the Federal Government, salaries of police officers have lagged seriously behind police salaries in metropolitan areas, including Metropolitan Washington.

The starting base salary for airport police officers—who must have 3 years of related police work to qualify—is $7,319, GS–5, step 1. Currently, GS–5 police positions have a special range starting at $7,807. However, since this is based on regulatory authority vested in the Civil Service Commission, it can be taken away at any time. This compares with $9,100 in Alexandria, $9,069 in Fairfax County, $9,021 in Montgomery County, and a newly approved $10,000 in the District of Columbia for rookie police officers. We cannot continue to allow these salaries to lag if we hope to have adequate airport security.

H.R. 7625 would exempt airport police positions from the classification and pay provisions of title 5 of the United States Code and authorize the Secretary of Transportation to establish a separate pay system which would be equivalent to similar positions applying to the District of Columbia police force.

This approach is the rule rather than the exception in other major airports throughout the country. Most of them employ airport police whose salaries closely match or are identical to those of the metropolitan area they serve. In many cases, they are actually part of the local or State police force. Those cities where airport police salaries are equivalent to those of the major city in the area include Baltimore, Boston, Cleveland, San Francisco, Chicago, Seattle, Detroit, Miami, and others.

Cities where the starting salaries for airport police are above the $10,000 starting salary for District of Columbia police include Los Angeles, $10,628; Cleveland, $10,742; Pittsburgh, $10,800; Philadelphia, $10,328; Chicago, $10,424; San Francisco, $10,680; Seattle, $10,320; and St. Paul, $10,128.

None of the major airports surveyed paid as little as Washington National and Dulles Airports for their police officers. Yet the National Airport Act, which the Congress passed, insists that these two airports should be models for the country. With these embarassing pay scales at our two Federal airports, we are certainly not a model for other airports to emulate.

However, pay is only one aspect of the problem—though a major one. We hope that the passage of this bill will force the Department of Transportation to improve other aspects of the airport police program.

Finally, Mr. Speaker, let me add that the Post Office and Civil Service Committee generally does not adopt the approach used in this bill. As a rule, it is not a good practice to pull groups out of the Classification Act for special pay considerations. But the failure of the classification system to recognize changing pay and classification patterns outside the Government is particularly evident in protective occupations. We are dealing here with an emergency which can be handled at this time only through legislation. Hopefully, we will soon have a legislative package which will create a new pay and classification system for all protective occupations in the Federal Government.

I urge the House to adopt H.R. 7625.

The SPEAKER. The question is on the motion offered by the gentleman from North Carolina (Mr. HENDERSON) that the House suspend the rules and pass the bill H.R. 7625, as amended.

The question was taken; and—two-thirds having voted in favor thereof—the rules were suspended and the bill, as amended, was passed.

The title was amended so as to read: "A bill to revise the pay structure of the police forces of the Washington National Airport and Dulles International Airport, and for other purposes."

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. HENDERSON. 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 North Carolina?

There was no objection.

RECLASSIFICATION OF DEPUTY U.S. MARSHALS

Mr. HENDERSON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 13895) to amend title 5, United States Code, to provide for the reclassification of positions of deputy U.S. marshal, and for other purposes, as amended.

The Clerk read as follows:

H.R. 13895

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a)

subchapter VI of chapter 53 of title 5, United States Code, is amended by adding at the end thereof the following new section:

"§ 5366. Pay of nonsupervisory deputy United States marshals

"(a) The Attorney General shall fix the annual rates of basic pay of positions of deputy United States marshal (other than supervisory and managerial positions) within each of the following ranges of pay rates and steps:

"(1) a pay range the pay rates and steps of which equal, in amount of pay for corresponding steps and in total number of steps, the annual corresponding step-rates and the total number of steps of GS–7 of the General Schedule, as in effect from time to time.

"(2) a pay range the pay rates and steps of which equal, in amount of pay for corresponding steps and in total number of steps, the annual corresponding step-rates and the total number of steps of GS–9 of the General Schedule, as in effect from time to time.

"(3) a pay range the pay rates and steps of which equal, in amount of pay for corresponding steps and in total number of steps, the annual corresponding step-rates and the total number of steps of GS–11 of the General Schedule, as in effect from time to time.

"(b) In the administration of the pay structure established by subsection (a) of this section, the Attorney General shall adapt and apply, to the maximum possible extent, the principles and provisions of subchapter III of this chapter relating to pay matters generally, including (but without limitation) periodic and meritorious step-increases, pay saving, and promotions to higher pay ranges, and shall establish and operate a system of such promotions.".

(b) The table of sections of subchapter VI of chapter 53 of title 5, United States Code, at the beginning of such chapter 53, is amended by adding—

"5365. Police force of National Zoological Park.".

immediately below—

"5366. Pay of nonsupervisory deputy United States marshals."

(c) Section 5102(c) of title 5, United States Code, is amended—

(1) by striking out the word "or" immediately after the semicolon at the end of paragraph (26);

(2) by striking out the period at the end of paragraph (27) and inserting in lieu of the period a semicolon and the word "or"; and

(3) by adding immediately below paragraph (27) the following new paragraph:

"(28) deputy United States marshals of a nonsupervisory or nonmanagerial level whose pay is fixed under section 5366 of this title.".

SEC. 2. (a) Effective on the effective date of this section, the initial adjustments of the rates of basic pay of employees on the rolls on such date to whom the amendments made by the first section of this Act apply shall be as follows:

(1) an employee in GS–4, GS–5, or GS–6 of the General Schedule immediately before the effective date of this section shall be paid initially, within the range of pay rates described in section 5366(a)(1) of title 5, United States Code, as enacted by the first section of this Act, at that step of such pay range which corresponds numerically to that step of the grade of the General Schedule at which he was paid immediately before such effective date.

(2) an employee in GS–7 or GS–8 of the General Schedule immediately before the effective date of this section shall be paid initially within the range of pay rates described in section 5366(a)(2) of title 5, United States Code, as enacted by the first section of this Act, at that step of such pay range which corresponds numerically to that step of the grade of the General Schedule at which he was paid immediately before such effective date.

(3) an employee in GS–9 of the General Schedule immediately before the effective date of this section shall be paid initially within the range of pay rates described in section 5366(a)(3) of title 5, United States Code, as enacted by the first section of this Act, at that step of such pay range which corresponds numerically to that step of the grade of the General Schedule at which he was paid immediately before such effective date.

(b) An increase in pay by reason of an initial adjustment of pay under subsection (a) of this section shall not be deemed an equivalent increase in pay within the meaning of section 5335 of title 5, United States Code, for purposes of step-increases under the pay structure established by section 5366(a) of title 5, United States Code, as enacted by the first section of this Act. For purposes of periodic step-increases under such pay structure, an employee shall be credited, as of the effective date of this section, with all service since his last periodic step-increase under section 5335 of title 5, United States Code, before such effective date.

(c) No rate of basic pay in effect immediately before the effective date of this section shall be reduced by reason of the enactment of this Act.

SEC. 3. The preceding provisions of this Act shall become effective at the beginning of the first applicable pay period which commences on or after the thirtieth day following the date of enactment of this Act.

The SPEAKER. Is a second demanded?

Mr. HOGAN. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. HENDERSON. Mr. Speaker, I rise in support of H.R. 13895, which was ordered reported by the Post Office and Civil Service Committee by a vote of 18 to 0.

This is a very simple but very necessary piece of legislation. The sole purpose of this bill is to raise the salaries of nonsupervisory Deputy U.S. Marshals.

Under existing law, Deputy U.S. Marshals are compensated in accordance with the General Schedule pay rates, contained in title 5 of the United States Code. Ordinarily, these Marshals are hired at grade GS–6, which has a starting salary of $8,153 per year. Grades GS–7 and GS–8 are considered to be the full working levels for nonsupervisory Deputy Marshals.

Under the provisions of this bill, nonsupervisory Deputy U.S. Marshals would be excluded from the General Schedule, but the Attorney General would be required to compensate them at rates of pay equivalent to the rates contained in grades GS–7, 9, and 11 of the General Schedule.

Thus, the effect of this legislation is to elevate the pay of nonsupervisory Deputy Marshals from the existing range of GS–6 to GS–9, to a range of GS–7 to GS–11.

Deputy U.S. Marshals perform a variety of important and often dangerous functions.

They repeatedly are required to perform emergency services because of their demonstrated ability to handle difficult and potentially explosive situations.

Consequently, their hours of duty are irregular, and the demands on their mental and physical health often are severe.

There can be no question that these Deputy Marshals frequently are exposed to great personal danger while carrying out their assigned duties.

Unfortunately, the pay of these Deputy Marshals is not commensurate with the difficulty of their duties and responsibilities and the personal risks to which they constantly are exposed.

When compared to the salaries of Washington area police forces, such as the District of Columbia Police Force, the pay of the Deputy U.S. Marshals suffers badly.

If the pay of these employees is not increased, the Government cannot hope to compete with the municipal and county police forces for the competent personnel it needs to fill these vital positions.

Therefore, in the interests of equity, competency, and the safety of the American public, I urge the passage of this legislation.

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

Mr. Speaker, H.R. 13895 would raise the pay of nonsupervisory deputy U.S. marshals from the current range of GS–4 to GS–9 to the range of GS–7 to GS–11. Specifically, the current range runs from a GS–4 starting salary of $6,544 to the maximum rate of GS–9 which is $14,358. The new ranges in the bill would be $9,053—GS–7, step 1—to $17,305—GS–11, step 10.

The normal rate for a deputy U.S. marshal entering on duty is GS–6, step 1—$8,153. However, GS–4's and 5's are being hired now under the Vietnam veteran's readjustment program.

The range of duties performed by deputy U.S. marshals is wide. Among other things they guard important political figures and witnesses; serve civil and criminal warrants; transport prisoners; make arrests; seize and dispose of property under court order; protect key figures in court cases; perform an important role in the prevention of air hijackings; and perform emergency services during riots and demonstrations.

They perform these and other duties at any time during the day and night. They are often called upon to work long hours far away from their homes. And, as crime and violence have increased, their job has become increasingly more dangerous. At least five deputy marshals lost their lives in the line of duty during 1971.

Recently, right here in Washington, we had a dramatic and tragic example of the dangers involved in the job when Deputy Marshal Norman E. Sheriff was killed during a funeral to which he had escorted a Federal prisoner.

The increased emphasis on crime control over the past several years has brought an even heavier workload for marshals. For example, the Organized Crime Control Act of 1970 increased the number of persons for whom marshals must provide protection. And Federal programs to prevent air pirating have deeply involved deputy marshals who concentrate on preventing hijackings by better surveillance on the ground which brings them into close contact with many dangerous criminals.

Yet, with the increased danger and workload, little has been done to recognize the deputy marshal for what he is; a major factor in our efforts to fight crime.

This legislation will help to upgrade the professionalism of the U.S. Marshal Service.

The morale of the Deputy U.S. Marshal's Service is falling to a low level.

While the Post Office and Civil Service Committee does not normally approve legislation which provides special pay treatment for particular groups of employees, we are dealing here, as we are with the airport police, with an emergency situation. Hopefully, the Deputy U.S. Marshals will fall under a new system for all protective occupations which may come before us next year. However, we cannot afford to wait in this case.

I therefore urge the House to pass H.R. 13895.

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

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

Mr. KAZEN. From what to what will this raise them?

Mr. HOGAN. At the present time the current range is from GS–4 to GS–9. We will be raising them to the range of GS–7 to GS–11. Salarywise, GS–4 starts at $6,544. Under the bill before us the salary will be $9,053, which is certainly not very generous, even at this.

Mr. HANLEY. Mr. Speaker, I strongly support both H.R. 7625 and H.R. 13895. The former would raise the pay of police at Washington National and Dulles Airports to a point of equivalency with the pay of District of Columbia police. The latter would upgrade the pay of Deputy U.S. Marshals.

As chairman of the subcommittee which considered and approved the two bills, I am pleased that in these two cases we are recognizing the need to upgrade the pay and status of our law enforcement officials. Excellent testimony was received showing that the pay of these two categories of law enforcement positions are so seriously underpaid that major recruitment and morale problems have ensued.

The Civil Service Commission, the Department of Transportation, and the Justice Department have the tools to solve the problem, but have failed to use them. During the next Congress, I am hopeful that we may be able to work out a new system which will include all Federal protective occupations, and place them in an equitable pay relationship with similar occupations outside the Federal Government. However, in these two cases, the emergency is now. I urge the House to pass both H.R. 7625 and H.R. 13895.

The SPEAKER. The question is on the motion offered by the gentleman from North Carolina (Mr. HENDERSON) that the House suspend the rules and pass the bill, H.R. 13895, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The title was amended so as to read: "A bill to amend title 5, United States Code, to revise the pay structure for nonsupervisory positions of Deputy U.S. marshal, and for other purposes."

A motion to reconsider was laid on the table.

GENERAL LEAVE

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

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

There was no objection.

EXECUTIVE SCHEDULE POSITIONS IN DEPARTMENT OF JUSTICE

Mr. HENDERSON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 14934) to amend title 5, United States Code, to make levels III and IV of the Executive schedule applicable to certain positions within the Department of Justice, and for other purposes, as amended.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title 5 of the United States Code is amended—

(a) by adding at the end of section 5314 the following new paragraph:

"(59) Special Assistant Attorney General.";

(b) by adding at the end of section 5315 the following new paragraph:

(97) United States Attorney for the Central District of California."; and

(c) by deleting from section 5216—

"(116) United States Attorney for the Southern District of California.".

SEC. 2. The provisions of this Act shall take effect on the first day of the first applicable pay period which begins on or after the date of enactment.

The SPEAKER. Is a second demanded?

Mr. HOGAN. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. HENDERSON. Mr. Speaker, H.R. 14934 was sponsored on the basis of an official recommendation by the Acting Attorney General.

This legislation has two objectives.

First, it would raise the position of the Special Assistant Attorney General from Executive level IV—$38,000 per year—to Executive level III—$40,000 per year.

Second, it would raise the position of U.S. Attorney for the Central District of California from Executive level V—$36,000 per year—to Executive level IV—$38,000 per year.

The position of Special Assistant Attorney General was created by the President as part of the administration's program to combat drug abuse through law enforcement measures and education and rehabilitation programs.

The Special Assistant Attorney General acts as the Director of the Office for Drug Abuse Law Enforcement and as a special consultant to the President for Drug Abuse Law Enforcement.

The extensive effort which is being made throughout this country to combat drug abuse has created many new responsibilities for the Department of Justice, which primarily are in the hands of the Special Assistant Attorney General.

In view of the importance of the drug abuse program and the dual responsibility of the Special Assistant Attorney General, I am satisfied that the recommendation of the Acting Attorney General is fully justified.

The other position which would be affected by this legislation is that of the U.S. Attorney for the Central District of California.

This position was created in March of 1966 and presently is in level V of the Executive schedule.

However, in terms of criminal and civil cases handled, man-hours in court, and number of personnel employed, the overall workload of the Central District of California is approximately the same as that of the southern district of New York.

Since the United States Attorney for the southern district of New York is in level IV of the Executive schedule, it is only fair and reasonable that the U.S. Attorney for the Central District of California be placed in the same level.

Mr. Speaker, the action proposed by H.R. 14934 is fully warranted and I, therefore, urge the passage of this legislation.

Mr. HOGAN. Mr. Speaker, H.R. 14934 would raise the position of Special Assistant Attorney General from Executive level I—$38,000—to Executive level III—$40,000—and the position of U.S. attorney for the Central District of California, from Executive level V—$36,000—to executive level IV—$38,000.

The position of Special Assistant Attorney General was established pursuant to Executive Order 11641 issued on January 28, 1972. The incumbent in this position is both the Director of the Office for Drug Abuse Law Enforcement, and special consultant to the President for drug abuse law enforcement.

The new Office for Drug Abuse Law Enforcement is a keystone in the Government's effort to stop the drug traffic. Nine regional offices have been established to gather information for use by Federal, State, and local law-enforcement agencies to be used before special grand juries in some 33 cities. The job of Special Assistant Attorney General is to lead these efforts and coordinate the drug abuse law-enforcement efforts of other parts of the Justice Department.

Normally, the position would have been created at Executive level III; however, the President only has authority to create a limited number of positions at that level without legislation.

Because of the program's high priority within the Department of Justice, its great importance to the country, and the dual responsibility of the position of Special Assistant Attorney General, the committee voted overwhelmingly to place it in Executive level III.

The second position affected by H.R. 14934 is that of the U.S. attorney, Central District of California. The position was created by Public Law 89–372, enacted on March 18, 1966, and placed in Executive level V. However, the workload of the position has developed to the point that it compares favor-

ably with the two U.S. attorney positions—Southern District of New York and the District of Columbia—in Executive level IV. Simple equity requires that we raise the position to a level commensurate with its duties and responsibilities.

The administration supports this legislation. I urge that the House pass H.R. 14934.

The SPEAKER. The question is on the motion offered by the gentleman from North Carolina (Mr. HENDERSON) that the House suspend the rules and pass the bill H.R. 14934, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on table.

GENERAL LEAVE

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

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

There was no objection.

FURTHER LEGISLATIVE PROGRAM

The SPEAKER. The Chair would desire to make a statement.

The Chair is going to call for special orders at this time.

The Chair desires also to notify the House that there will be business following the special orders. We are merely using this time now because we do not have any business ready for transaction before the House.

Does the gentleman from Missouri desire recognition at this time?

Mr. HALL. Well, Mr. Speaker, is it contemplated that the special orders will follow if we adopt this unusual procedure, and then we will go back into legislative business? Heretofore most of us have always presumed that once the special orders had started we were free.

The SPEAKER. That is why the Chair made that statement, because the Chair always heretofore adhered to the philosophy that there should be no business subsequent to the calling of special orders.

Mr. HALL. The business of the House has been conducted in keeping with that procedure, Mr. Speaker.

The SPEAKER. It is the procedure we have always used heretofore.

Mr. HALL. Well, can the Chair advise the House and the Members and their employees whether or not there will be a recess thereafter, or are we still dangling on the strings of the other body?

Mr. Speaker, why do we not just submit our resolution to adjourn sine die and send it over there and stir them up? They have been in recess, I understand, since 5 o'clock.

The SPEAKER. Will the gentleman address his question to the majority leader on the floor?

Mr. HALL. Mr. Speaker, I certainly would like to know from the majority leader why the other body is standing in recess all of these hours and we are still dawdling on the strings of indecision and indifference here. May I ask, what are the plans for the rest of the evening?

Mr. BOGGS. Will the gentleman yield to me?

Mr. HALL. I will be glad to yield to the majority leader.

Mr. BOGGS. First I will say to the gentleman that we have completed an enormous amount of business today.

Mr. HALL. The gentleman would agree both necessary and unnecessary as far as urgent adjournment is concerned, I am sure.

Mr. BOGGS. That is the gentleman's opinion, and he is entitled to it.

We have three principal matters that are standing in the way of adjournment: H.R. 1, the debt ceiling, and possibly the highway bill conference report. The chairman of the Committee on Ways and Means has informed me very recently that they were making very good progress and he felt they could conclude their work tonight.

Therefore, I am going to ask unanimous consent that the Chair have the power to declare a recess, if and when necessary, subject to the call of the Chair.

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

Mr. HALL. Mr. Speaker, reserving the right to object, would it be the intention of the Chair to give the usual 15 minutes notification by ringing the bells prior to the resumption of business, and is this recess, if granted by unanimous consent, a strong step in favor of adjournment yet tonight sine die?

The SPEAKER. Well, it is the expression of the Chair that it desires to adjourn. The Chair cannot speak for other Members. But it is a necessary function right now, or else there will be no hope of adjournment.

Mr. BOGGS. Will the gentleman yield further?

Mr. HALL. I yield.

Mr. BOGGS. If the leadership did not think there was hope for adjournment, the request would not be made.

Mr. HALL. Mr. Speaker, I hastily withdraw my reservation.

Mr. MILLER of Ohio. Mr. Speaker, reserving the right to object, I am very much interested that we set a time certain when we could return to the Chamber for you to notify the Members whether we might continue this evening.

The SPEAKER. Could the Chair state that we will follow the usual practice of ringing the bells 15 minutes before we reassemble the House whether it is for the purpose of taking up legislation or adjournment?

Mr. MILLER of Ohio. I understand, Mr. Speaker, but we have had times when we have waited many, many hours wondering what was going on. I think with a time certain, at 9 o'clock, we could then meet and you would be able to inform us as to what the activities are to be at that time.

The SPEAKER. Of course, it is possible we may not have to recess until 9 o'clock and, unless the committees are free to function without being given too much limitation on their time, it seems to me we may not adjourn.

Mr. MILLER of Ohio. Mr. Speaker, I would suggest we do have a maximum time set for our return, that is, by not later than 9 o'clock, and at that time we could be brought up to date.

The SPEAKER. Would the majority leader amend his request? He can make additional requests later on.

Mr. BOGGS. Mr. Speaker, my request is at the discretion of the Chair, which, as far as I know, has been the universal custom. I have been here 2 years as majority leader, and I have never known it to be otherwise.

The gentleman knows he is asking a question that is not within our power to answer. We just cannot answer. If the gentleman is asking are we going to sit here all night and then do nothing, I think I can assure the gentleman that that will not happen.

Mr. BROWN of Michigan. Will the gentleman yield?

Mr. MILLER of Ohio. Certainly I yield to the gentleman.

Mr. BROWN of Michigan. What the gentleman from Ohio is attempting to establish is that there will be a certain amount of time when we will be in recess, that is, that we will have more than 15 minutes, so we would have more than that amount of notice. It seems to me a logical request made by the gentleman from Ohio that we have more than 15 minutes so that we are not subject to being back here at a few minutes call all the time.

Mr. BOGGS. Mr. Speaker, if I may attempt to reply on that, it seems to me that if we reach such a stage at 7:30 or 8 o'clock where we could proceed, because there is still business here, then if we say that we will not come back until 9:30 we might be inconveniencing a great many more people by setting such a time. We might actually be able to come back before that, or we might not have to come back until later than that.

Mr. MILLER of Ohio. I believe we could come back at 9 o'clock, and I will find it necessary to object unless we set a time certain.

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

Mr. MILLER of OHIO. I yield to the gentleman from Texas.

Mr. MAHON. Mr. Speaker, it seems to me we undoubtedly are approaching the end of the session, certainly if not tonight, then Monday or Tuesday. It seems to me that the time has come to pass a continuing resolution and send it over to the other body. That will increase the disposition to come to a conclusion on the whole matter. So I would suggest that the Committee on Appropriations might be recognized very shortly in order to bring up the continuing resolution which is necessary in view of the foreign aid situation.

I thank the gentleman for yielding

Mr. HALL. Mr. Speaker, if the gentleman will yield further, I wonder if the distinguished gentleman from Texas, the chairman of the Committee on Appro-

priations, would consider doing what the Senate has just done to the House on the Delaware River Basin Authority, where they tacked a private bill on House passed erstwhile legislation, and tack a little bill onto your continuing resolution for an adjournment sine die at 11:59 p.m. tonight?

That would certainly stimulate activity, since they have been in adjournment over there since 4 o'clock.

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

Mr. MILLER of Ohio. I yield to the gentleman from Texas.

Mr. WHITE. Mr. Speaker, would the gentleman consider this, since there are radio phones in the Democratic and Republican cloakrooms where the Members can dial from any point and have the leadership advise on that radio, through the use of that radio telephone, the disposition as to the progress of the negotiations?

Mr. MILLER of Ohio. Mr. Speaker, I recall we had that same condition before, and it was impossible to find out when we would be returning. I recall at that time that I had a plane out, and if I had known at the time what was going to occur I could have taken the plane.

Mr. WHITE. This would be better than nothing, I would suggest.

Mr. BOGGS. Mr. Speaker, I withdraw my request.

ANNOUNCEMENT BY THE MAJORITY LEADER

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

Mr. BOGGS. Mr. Speaker, we have enough business to carry on for a while, and I am informed by the chairman of the Committee on Appropriations that the continuing resolution will be available in a few minutes. After we have concluded that business, which will take some time, and there will probably be a rollcall, then we will renew the request.

CONGRESSMAN DENT ON TRADE

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

Mr. DENT. Mr. Speaker, I want to announce to the House that I will have an article in the RECORD today on trade.

CUTTING THE HEART OUT OF THE AIRCRAFT NOISE AND STOL PROGRAMS

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

Mr. HECHLER of West Virginia. Mr. Speaker, by a stroke of the pen, the Office of Management and Budget has cut the heart out of a vital congressionally funded program to reduce aircraft noise and develop an effective short-haul transport aircraft. The Congress has appropriated $50.5 million for noise suppression, retrofitting existing aircraft to reduce noise, and for a quiet STOL experimental airplane, but the Office of Management and Budget has slashed $44.9 million of that amount to hold in reserve. This has the effect of destroying the congressional program.

This amazing and disturbing action leaves the National Aeronautics and Space Administration only a miniscule $56 million in these vital areas. The OMB has not only refused to proceed with programs which Congress has voted, but has also arbitrarily decided that every resident of noisy and congested airport areas simply has to live with the intolerable noise levels and bad service they now experience.

I have the honor to chair the Subcommittee on Aeronautics and Space Technology of the House Committee on Science and Astronautics. Eight of the members of that subcommittee from both sides of the aisle have fired off a telegram of protest to the Vice President of the United States in his capacity as Chairman of the National Aeronautics and Space Council, as follows:

OCTOBER 14, 1972.

Hon. SPIRO T. AGNEW,
The Vice President,
Washington, D.C.

DEAR MR. VICE PRESIDENT: We are sending this telegram to you in your capacity as Chairman of the National Aeronautics and Space Council.

NASA has submitted its Fiscal Year 1973 budget operating plan and we are amazed and highly disturbed about the following actions. The Office of Management and Budget has held in reserve the entire authorized and appropriated amounts for the Quiet Experimental STOL Transport Airplane ($27.5 million) and the STOL Experimental Engine Program ($2 million). Additionally, $15.4 million of a $21 million Engine Retrofit Program was reserved by OMB. This program is a vital element of NASA's Noise Abatement Program and is intended to lead a retrofit of the existing civil fleet to reduce noise substantially.

The Civil Aviation Research and Development Policy Study jointly conducted by the Department of Transportation and NASA and extensive hearings by our Subcommittee showed without doubt that the future of the air transportation industry was in jeopardy unless the following major problems were solved: (1) aircraft noise abatement; (2) aviation safety and congestion; and (3) the development of an effective short-haul transportation system. The withholding actions taken by the Office of Management and Budget strike at the very heart of efforts to solve these problems. A major element in past delays in solving aviation problems has been the tactic of study, re-study and then study some more. The evidence in the CARD Study and from our hearings show that action, not more study, is required if the critical problems of aviation are to be solved.

We urge you to use your influence to reverse the withholding actions taken by the Office of Management and Budget because they are clearly not in our best national interest. The following eight of nine members of the Subcommittee on Aeronautics and Space Technology agree fully with these views. It was not possible to contact the ninth member in time to dispatch this message.

LIST OF SIGNATURES

Rep. Ken Hechler, chairman.
Rep. John W. Wydler (R-N.Y.).
Rep. John W. Davis (D-Ga.)
Rep. William R. Cotter (D-Conn.).
Rep. Charles B. Rangel (D-N.Y.).
Rep. Mike McCormack (D-Wash.).
Rep. Thomas M. Pelly (R-Wash.).
Rep. John W. Wydler (R-N.Y.).
Rep. Barry M. Goldwater (R-Calif.).

WHAT SECRETARY BUTZ DID NOT TELL US IN JULY

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

Mr. MELCHER. Mr. Speaker, sometimes the right hand of government does not know what the left hand is doing but this is not the case with the Department of Agriculture's performance in the Russian wheat sales.

Department officials, from Secretary Butz on down, knew in July that huge quantities of wheat had been sold abroad. And it had to be Russia. But, while their reports on wheat subsidy bookings are available, the Department failed to emphasize the significance of these figures and, thus, kept it closely guarded from farmers and other citizens.

Their failure played into the hands of grain companies.

In addition, on August 1 the Department's public report, Demand and Price Situation, was completely untrue in its statement on wheat prices. The Department's Export Marketing Service on July 14 booked 20 million bushels of wheat for export subsidy for Cargill, Inc., and between July 12 and 20 it booked 55 million bushels of wheat for export subsidy for Continental Grain Co. Within a matter of days after their July 8 announcement of a pending sale of grain to Russia, $125 million of American wheat already had been booked for the export subsidy. This was in excess of anything anticipated by the July 8 announcement of pending sales of all U.S. grains to Russia—not just wheat.

Booking of 75 million bushels of wheat is, as a matter of fact, a clear indication that much more wheat already had been sold because it is not the practice of the grain companies to book all their contracted wheat sales at one time. Continental only had booked a little over one fourth of the grain they already had sold to Russia at this particular time and Cargill only was booking a portion of the wheat it had sold to Russia. Had the Department of Agriculture promptly drawn to the attention of the farmers and the small grain elevators across the wheat country the fact that sales already had far exceeded their July 8 announcement—which seemed to say that perhaps 40 to 50 million bushels of American wheat would be sold in the next 12 months to Russia—the clear indication of the upward movement of the wheat market would have been known to all.

Instead, the Department's August 1 Demand and Price Situation report had this to say:

Depending on the extent of wheat shipments to Russia under the newly authorized grain agreement, carryout next summer could be close to last July 1. With demand continuing firm, wheat prices received by farmers this season may average around the $1.31 per bushel of 1971/72.

I questioned Secretary Butz about this projected price when he appeared before our House Livestock and Grains Subcommittee on September 14 and asked him then:

Have you any other examples of such publications put out by the Department of Agriculture in August that project such a price?

The Secretary replied:

No, sir, I do not. At that time, of course, that thing was prepared a few days ahead of the August 1 dateline and the price of wheat started up a few days after that. As we have said already, nobody anticipated the magnitude of these purchases, including the Russians themselves. They sent their team back a second time.

At another point in his prepared statement to the subcommittee, the Secretary said:

In any case, it should be clear that the Department of Agriculture did all it could to make the situation clear to farmers promptly. This is something that the Department insisted upon in making the agreement with the Soviets.

But it is obvious that the Department already had the information in hand, knew that the sales were in huge quantities and misled farmers and the rest of the public by printing and distributing phony and highly inaccurate statements.

There can be no doubt that the Department is guilty of not only hushing up the obvious sales based on the bookings for export subsidy of just two companies, Cargill and Continental, but they also are guilty of drawing false conclusions and publishing for wide public distribution the August 1 Demand and Price Situation Report.

They set up the farmers and small elevators to be the patsies and it worked in those instances where farmers sold their grain on what appeared to be a slightly better market than they had anticipated in July and the first few days in August.

By the end of August wheat prices had advanced 45 cents from the July 5 price. Most of the advance came in August. Had the truth been publicized and the farmers and small grain elevators been made aware in July of the sales already made to Russia, they of course would have reacted by holding back on the sales of their wheat to take advantage of what then was a certainty—a much higher price. It was, of course, to the grain companies' advantage not to publicize the Russian wheat sales because they were entering into either the cash market to buy the grain or protecting their position by buying wheat futures contracts.

The Department's obligation was to inform the public of the true events, at least as much as they knew. In this they failed. Worse yet, their August 1 statements were entirely misleading. Secretary Butz's explanations so far have been neither adequate nor complete.

Some of the unanswered questions in the dealings of at least one of the grain companies involved can be clarified by the following transactions of Cargill, Inc., supplied to me by Mr. W. B. Saunders, vice president, Commodity Marketing Division of Cargill, Inc. Their bookings for export subsidy as well as their cash and futures purchases of July and August follow:

Bookings for Export Subsidy in:

July 14	20 mil	13 cents.
Aug. 14	50 mil	36 cents.
Aug. 20	1 mil	35 cents
Aug. 25	2 mil	38 cents.
Sept. 1	17.7 mil	47 cents.
Sept. 6	1.1 mil	30 cents.

Note: Weighted average subsidy is 33.1.

WHEAT PURCHASES BOTH CASH AND FUTURES

	Bushels	Price per bushel
July:		
3	564,000	$1.68½
5	339,000	1.69½
6	759,000	1.72⅛
7	579,000	1.73⅛
10	521,000	1.71⅞
11	1,468,000	1.75¼
12	816,000	1.75½
13	1,083,000	1.76
14	392,000	1.71¼
17	596,000	1.73¾
18	1,187,000	1.77⅛
19	539,000	1.79¼
20	315,000	1.78⅜
21	781,000	1.77¼
24	605,000	1.79¼
25	853,000	1.79⅜
26	1,174,000	1.78⅝
27	1,722,000	1.76⅜
28	693,000	1.79
31	3,487,000	1.79¾
Total	18,478,000	[1] 1.766

[1] Average.

	Bushels	Price per bushel
August:		
1	1,244,000	$1.80½
2	2,829,000	1.80½
3	6,789,000	1.87
4	4,799,000	1.95
7	9,570,000	2.05½
8	6,887,000	2.02½
9	7,874,000	1.99
10	9,249,000	2.03½
11	2,140,000	2.06¾
14	921,000	2.05
15	1,957,000	2.02½
16	1,446,000	2.05
17	529,000	2.07
18	468,000	2.08¾
21	286,000	2.08
22	292,000	2.14¾
23	366,000	2.14¾
24	610,000	2.13½
25	203,000	2.11¾
28	792,000	2.11¾
29	1,803,000	2.14¾
30	1,150,000	2.15¾
31	1,943,000	2.13½
Total	64,144,000	[1] $2.0075

[1] Average.

Note: Weighted average of wheat price less weighted average of the subsidy=$1.622.

ORDER OF BUSINESS

The SPEAKER. The Chair will call the special orders subject to the regular legislative business at any time.

MISSISSIPPI AND THE NATION LOSE SERVICES OF HON. WILLIAM M. COLMER, HON. THOMAS G. ABERNETHY AND HON. CHARLES H. GRIFFIN THROUGH VOLUNTARY RETIREMENT

The SPEAKER. Under previous order of the House, the gentleman from Mississippi (Mr. WHITTEN) is recognized for 60 minutes.

Mr. WHITTEN. Mr. Speaker, it is seldom, if ever that any State has suffered the loss that will come to my State of Mississippi with the end of this Congress, for we will lose through voluntary retirement the services of three of our fine Members of the House of Representatives, WILLIAM M. COLMER, THOMAS G. ABERNETHY and CHARLIE GRIFFIN.

Mr. Speaker, in the retirement of these three of my colleagues not only does the State of Mississippi lose but the entire Nation will also suffer a tremendous loss for their services has been great, far reaching and each has been a prime source of sound counsel.

BILL COLMER concludes more than 45-years service in public life, 38 of which has been as a Member of the House of Representatives. He ends his service, the beloved chairman of the Rules Committee, where he has rendered fine service, respected by all who have appeared before him whether in agreement or not.

TOM ABERNETHY completes more than 40 years' service in public office, coming to Congress 30 years ago after outstanding service as mayor of his town and as district attorney.

Throughout his service there and his service here TOM has justly earned a fine reputation for his energy, for his ability and for his fights for what he believes in.

Next to the top on the Committee on Agriculture he has been most effective in seeing that the consumer has food to consume by working for those laws which have made it possible for producers of food and fiber to stay in business. Truly TOM has realized and made others realize that the basis of our economy as well as our life are those who work the soil.

In CHARLIE GRIFFIN we lose a young man with 25 years service on Capitol Hill, 20 of which were as a Congressman's assistant where his work, his insight, his knowledge was of unlimited value to the entire delegation.

For 5 years CHARLIE has used that knowledge here in the House as an outstanding Member. He is a Member of the Banking and Currency Committee, a committee with a broad and complex jurisdiction, dealing with highly technical and frequently controversial questions. With all this I do not believe there is a Member who has been better informed, kept a better sense of values than has CHARLIE GRIFFIN. Truly we shall miss him.

Mr. Speaker, it is with genuine regret that my remaining colleague. G. L. "SONNY" MONTGOMERY and I come to this parting. As we do we must recognize the great part their lives have played in the success of our friends for truly Ruth Colmer, Alice Abernethy and Angie Griffin have been a great source of strength, and are entitled to recognition in their own right.

To each of our friends and their families we wish the best always and hope and trust that we will be able to continue our close association in the years ahead.

Mr. Speaker, I yield to my colleague, Hon. G. L. "SONNY" MONTGOMERY.

Mr. MONTGOMERY. Mr. Speaker, during the 6 years I have been in this body there has not been a time I have been any prouder to stand in this well to give praise to one of my colleagues than is the case today. I really feel inadequate to pay tribute to a man of WILLIAM MYERS COLMER'S stature. He is without equal in his dedication to duty and devotion to the people whom he has represented for the last 40 years.

During the spontaneous tribute to BILL COLMER this past Wednesday, I was sitting in the Chamber and thinking to myself that there was no person more deserving of the accolades which came his

way. The common theme of all the remarks that afternoon was the fairness of BILL COLMER, and certainly there is no one in this body who has been more fair and aboveboard in dealing with his colleagues. He is the very epitome of a true gentleman.

During the last 6 years, BILL COLMER has provided me with immeasurable help and advice. There have been times that his words of encouragement made it all seem worthwhile. Especially during those trying moments when one tends to become quite frustrated, he would remind me that a man could have no greater calling than public service in the U.S. House of Representatives. He exemplified this philosophy since BILL COLMER's service in the Congress is not just a job to him, it is his whole life.

For the last 6 years he has been my dean as head of the Mississippi delegation. I might add that BILL COLMER will always be my dean for I shall continue to look to him for advice and counsel even though he will be entering the less hectic life of retirement beginning next January.

Mr. Speaker, there is no greater measure of a man than the praise of him uttered by those with whom he works the closest. BILL COLMER has received nothing but the highest of praise by his fellow members of the Rules Committee and the committee staff. When he is referred to as Mr. Chairman it is said with great reverence and respect and not just out of courtesy.

Fortunately for the people of Mississippi, BILL COLMER will not be leaving public service entirely when he retires. He has already accepted appointment to the Mississippi State Park Commission. In this capacity he will be able to continue his efforts on behalf of improved parks and recreational facilities for the people of his home State. I feel sure once he becomes resettled on his beloved Mississippi gulf coast he will be accepting many other calls to duty.

Mr. Speaker, in closing I would like to quote the prayer which is a favorite or BILL COLMER and expresses so well the feeling we in the House have for him:

May the road rise to meet you,
May the wind be always at your back,
May the sun shine warm upon your face,
May the rains fall softly upon your fields,
And until we meet again
May God hold you in the palm of his hand.

Mr. Speaker, I rise for the second time this afternoon to pay tribute to another Member of the Mississippi delegation who will be retiring at the end of the 92d Congress. For the last 30 years THOMAS GERSTLE ABERNETHY has been a perfect example of a public servant as he has given his all to the people of Mississippi.

I feel very fortunate to have become a close personal friend of TOM ABERNETHY for the last 6 years, as well as serve as his colleague in the Congress. We served together on the Agriculture Committee for the first 4 of these 6 years. I guess it was on the Agriculture Committee that I really became aware of his outstanding abilities. I hope the farmers of America realize what a true friend they will be losing when TOM retires. He is largely responsible for the major farm legislation passed by the Congress, especially legislation dealing with cotton.

In Mississippi and the U.S. Congress TOM ABERNETHY is known as one of the best extemporaneous speakers there is. He is never at a loss for words, and even more importantly, what he says has meaning and validity. He is also one of the best campaigners in the history of Mississippi politics. It was indeed a rare feat when he defeated the late John Rankin.

Mr. Speaker, as we all know, TOM is never one to mince words. He always lets you know exactly where he stands and sometimes in no uncertain terms. I guess this is one of the reasons I admire him so much. I have a much greater appreciation for a man who will stand up and be counted.

Another hallmark of TOM ABERNETHY's career was the manner in which he serviced his constituents. I now represent some of the counties in Mississippi which used to be in TOM's district. There is no doubt that anyone who has ever been represented by TOM has a deep and abiding love for him. He is always ready and willing to listen to any problems anyone might have with the Federal Government. But he did more than just listen. He would immediately go to bat for his people and work until the problem has been solved.

Next January will find TOM and his lovely wife, Alice, splitting their time between Okolona and Jackson, Miss. TOM will be practicing a little law, spending some time with his children and grandchildren, whom he loves so dearly, and, oh yes, he will also be playing a little golf.

I will sorely miss having TOM ABERNETHY as a confidant and friend in the U.S. Congress. But I know he will only be a phone call away if I ever need him for advice and counsel.

Mr. Speaker, once again I rise to sing the praises of another retiring member of the Mississippi delegation. More than any other member of the Mississippi delegation, I guess I feel a closer affinity with CHARLES HUDSON GRIFFIN since we both came to Congress about the same time and both of us are graduates of Mississippi State University.

It has been said oftentime in Mississippi that CHARLIE GRIFFIN was better prepared to serve in the U.S. House of Representatives than anyone Mississippi has sent to Congress. He is one of the few members of this body who truly worked his way up through the ranks.

When CHARLIE first came to Washington in 1949, he worked in the Post Office under the patronage of former Congressman and Governor John Bell Williams for a brief period. Following that he joined Williams' congressional staff and soon became his administrative assistant. When his boss successfully sought the governorship of Mississippi, CHARLIE very successful sought the Third Congressional District of Mississippi. I think his constituents were very wise in electing a man of CHARLIE's wide experience and vast knowledge. Since he was no stranger to Capitol Hill, CHARLIE was able to plunge right into the job of being a Congressman and has done an outstanding job in this capacity for the last 5 years.

I think CHARLIE's abilities are attested to by the fact that the House leadership immediately chose him for membership on the important Banking and Currency Committee and soon followed this with appointment to the Merchant Marine and Fisheries Committee.

One of CHARLIE's many accomplishments as a Congressman and the one of which he is probably proudest is his bill to provide for the restoration and public display of the Federal gunboat *Cairo*. He was the driving force behind the efforts to preserve this important artifact of Americana.

When CHARLES GRIFFIN walks out of his Longworth office for the last time, he will return to his newly purchased home in Jackson from which he will commute to his family's farm in Utica—his birthplace. Somehow I cannot picture CHARLIE as a farmer, but I know he will do a good job because that is the kind of man he is.

We will all miss having CHARLIE in the future to give us direction in our deliberations. By an equal amount we will miss his lovely wife, Angie, who has been an inspiration to her husband and has really been an inspiration to all the Members of the Mississippi delegation.

I am proud to say that I have had the privilege of serving in the U.S. House of Representatives with CHARLIE GRIFFIN.

Mr. BEVILL. Mr. Speaker, it is a pleasure to take part in the tributes paid today here in the House of Representatives to my good friend and colleague, BILL COLMER.

BILL is the third-ranking Member in seniority of this body and as chairman of the Rules Committee is one of the two or three most influential Members of the House of Representatives. He started his career serving the people of this great country as a regimental sergeant major in World War I and shortly thereafter filled the responsible positions of county attorney and later district attorney until his election to the 72d Congress in 1933. He has held a seat in the Congress longer than any other person in the history of Mississippi.

BILL's years here in the Congress have spanned war, peace, depression, and prosperity. His wise leadership in determining the legislative proposals and the rules under which they will be considered here in the House of Representatives will long be a guide to those who succeed him. I wish BILL and his wife and family the best during his well-earned retirement.

Mr. SIKES. Mr. Speaker, I am very happy to join my colleagues in an expression of warm and sincere esteem to our great and good friend, BILL COLMER. His career in the U.S. Congress during these past 40 years warrants warm recognition and deep appreciation of all Americans. His service to his district, State, and Nation has indeed been outstanding and I congratulate him most highly on his great record.

BILL COLMER has been a devoted, patriotic, and able representative of the people of Mississippi. His record has been one of achievement and fidelity to duty. Those of us who have had the

privilege of sharing his friendship have learned to admire and respect his virtues. BILL has earned the respect of Members on both sides of the political aisle and his personal example has provided for all of us here, and those who will come after, an inspiring, patriotic service for which our Nation is indeed indebted to him. He has been an effective legislator, zealous in his service to committee and Congress alike. It has been my very good fortune to work closely with BILL, and I am indeed grateful for the friendship which we have shared.

Again, I heartily congratulate BILL on his great record of service and wish for him and his family good health, happiness, and peace for many years to come.

Mr. BURLESON of Texas. Mr. Speaker, the departure from the House of Representatives of WILLIAM M. COLMER is a loss to the Congress, to the Nation, and to his State of Mississippi and its fifth district. As much as I regret to see him leave, no one could be more deserving of the rest and freedom that shall surely come to him in retirement. BILL has as great a record of public service as any man could want. During his 40 years in the Congress, and in positions of heavy responsibility he has shown wisdom, leadership, and resolution such as few men possess. He has given younger generations an example of public service at its best. He has acquired friendships that will be lasting and memories that will be priceless.

Ruth and I wish for BILL and his wife Ruth years of good health and happiness as they embark upon this new adventure of retirement.

Mr. POAGE. Mr. Speaker, of all the Members of the House in this, the 92d Congress, only five were already here when I took oath of office of January 3, 1937. One of those five was the Honorable WILLIAM M. COLMER of Mississippi, who had taken his seat 4 years earlier.

Therefore, his retirement will create a real void so far as I am concerned when we returned here in January. Of course he will be missed greatly also by the newer as well as the older Members, for as chairman of the Rules Committee he has influenced the legislative career of every man and woman in this body. His positions have not always suited everyone, but I think there can be no question but that his sound and deliberate judgments have had a stabilizing and salutary effect on the actions of the House. We will miss him. We wish him happiness as he begins this new role in a long and successful life.

Mr. MONAGAN. Mr. Speaker, I am pleased to join all Members in paying tribute to my good friend and colleague, WILLIAM M. COLMER, dean of the Mississippi delegation. His retirement marks the departure of a valuable and dedicated Member who has served his constituents and the Nation for 40 years in the Congress.

Consistently reelected since the 72d Congress, BILL COLMER is presently the third ranking Member in the House and Senate in terms of seniority. He has served with distinction as a member of the House Rules Committee since 1939 and as its chairman for the past 5 years.

Since his first appointment in 1942, Congressman COLMER has consistently served as a member of the National Forest Reservation Commission. He was chairman of the Special Committee on Post-War Economic Policy and Planning during and after World War II and guided that committee in the planning of the conversion of the Nation from a war time to peace time economy.

BILL COLMER's accomplishment have been well documented and his record of awards is impressive. He is the recipient of the George Washington Good Government Society Award, the Americans for Constitutional Government Award, the Freedom Award from the Order of Lafayette, Watchdog of the Treasury Award from the National Association of Businessmen, and the Man of the Year Award from both the Mississippi Broadcasters Association and the American Legion.

I personally shall miss BILL COLMER and I hope that he will have a happy and fulfilling retirement.

Mr. BLATNIK. Mr. Speaker, it is a distinct personal privilege for me to express my heartfelt appreciation for the warm fellowship and effective leadership which BILL COLMER has provided to the House of Representatives and to the Rules Committee during his full two score years of distinguished service.

During his tenure as chairman of the Rules Committee I have had many occasions to go before him, and each time I was treated fairly and with the utmost courtesy.

The committee, the Congress and the Nation have immeasurably benefited from BILL's outstanding legislative accomplishments. There is surely no one more skilled in legislative strategy and rules of the House than he—and his example will remain with us.

BILL, I wish you the very best in all your future endeavors as you return to your home State of Mississippi.

Mr. GRIFFIN. Mr. Speaker, in acknowledging the service and contributions of WILLIAM COLMER to his State and Nation, I shall resist the temptation to indulge in the usual superlative cliches. They would simply be insufficient.

BILL COLMER came to Washington in 1933 with Franklin Roosevelt as the new President. He came from an already distinguished career as an attorney, county attorney, and district attorney, in Jackson County, Miss. From the first day he set foot in the House of Representatives as a freshman Member, his record has been marked with political and personal integrity.

He has served longer in the Congress than any other Representative in the history of Mississippi.

Following World War II, BILL COLMER was selected to head the Postwar Economic Policy and Planning Committee with the purpose of heading up the conversion of the Nation from a wartime to a peacetime economy. The committee was brilliantly successful in its goal and in its international role which involved personal contact with such great leaders as Winston Churchill and Joseph Stalin. Portentously, the committee's final report predicted with chilling accuracy the coming cold war.

The preservation of constitutional government has been the guiding principle in BILL COLMER's career and his eloquent advocacy of these ideals has distinguished many historic debates.

In 1967, BILL COLMER assumed the chairmanship of the House Rules Committee. Under his stewardship, the committee has handled all the major legislation of our time. Not all of the battles were won, Mr. Speaker, but he was as magnanimous in defeat as he was in victory. Through it all he remained a gentleman. His consideration and courtesy toward those espousing opposing points of view are recognized by all the House membership.

I have considered it a high personal privilege to serve with WILLIAM COLMER, and have benefited from his friendship and counsel. He has given generously of his time to me when I sought advice, and I shall miss our association in this body.

He and Mrs. Colmer deserve a rest from the travails of Washington. I wish them both a full measure of happiness and peace.

Mr. MORGAN. Mr. Speaker, I am pleased to join the host of friends of BILL COLMER in paying tribute to him for his outstanding service to his constituents, to his State, and to our country.

BILL'S 40 years of congressional service cover some of the most momentous years in our national history. Depressions and recoveries, wars and peace coincided with the period of his service. Each of these has called for congressional responses. When the legislative history of those years is written, the name of BILL COLMER will appear very frequently.

Younger Members may not know that BILL COLMER was chairman of the Special Committee on Post-War Economic Policy and Planning which did pioneer work in the years 1944 to 1946 on the anticipated changes in economic relationships, both at home and abroad, arising from the war. During the 80th Congress, BILL COLMER served with me on the Committee on Foreign Affairs. It was during that short period of service on my committee that I came to recognize his solid qualities. My friendship and respect for him has in no way diminished as he moved up in seniority on the Committee on Rules. Each year, I have appeared before his committee. Such differences as we may have had on the merits of the measures I was presenting to his committee were never reflected in his treatment of me as a witness. He was unfailingly courteous and penetrating in his questioning. Above all, he retained the gentle humor which has been one of his outstanding traits.

Mr. Speaker, I do not know what BILL COLMER's plans for the future are. But, he should know that I, as well as his many colleagues in this body, not only wish him well but hope that his common sense will continue to be available to his country.

Mr. WAGGONNER. Mr. Speaker, I wish to join with my colleagues in paying tribute today to my close and genuine friend from the State of Mississippi,

the esteemed and respected chairman of the Rules Committee, BILL COLMER.

As a fellow Southerner from a neighboring State, I have had the distinct pleasure of serving with and working with the chairman for 11 years. And during that time BILL COLMER has always shown me to be a truly dedicated American who has maintained an unabiding faith in his country and the American people. Never have I known him to waiver from his principles, yet he has been tireless in his efforts to preserve and support our constitutional form of government whatever the cost. He has been an outspoken leader in the Congress of all that is good about America and our way of life—things which he has felt should be preserved. BILL COLMER has always been deeply concerned about our national defense and the need to maintain a strong one. He is an outstanding patriot and has been an extremely able and devoted representative of his district, his State and the Nation. He has done so without ever sacrificing principle and always in the manner of a Southern gentleman which he is in the truest sense of the word.

I want to express my personal best wishes to BILL COLMER for the future; he deserves the rest for which he now yearns after 40 years of service to his country. We will miss BILL COLMER's abilities, his wisdom and his leadership, but more than this, we will miss BILL COLMER's example. I will personally miss our cherished friendship. The Nation owes BILL COLMER—a great American—a debt of gratitude which it could never adequately repay.

Mr. DERWINSKI. Mr. Speaker, I am pleased to join my colleagues in honoring BILL COLMER who will be retiring at the close of the current session of the Congress. He has served his constituents and Nation in an outstanding fashion.

BILL has been one of the giants of the House of Representatives during the period in which I have served. As chairman of the Rules Committee, he has earned the respect for his parliamentary skill, and for the political philosophy which he so courageously followed. He will long be remembered by us, and I wish him well.

Mr. DELANEY. Mr. Speaker, the voluntary retirement of the exceptionally able and distinguished gentleman from Mississippi, the Honorable WILLIAM M. COLMER, will leave a void in this House that will be difficult if not impossible to fill.

It has been my good fortune to have known and served with BILL COLMER in Congress for a great many years. He is a man of the highest integrity, deeply patriotic, and profoundly dedicated to the best interests of this Nation. While I and others have disagreed with him on a number of occasions, I believe the overwhelming majority have always yielded to his sincerity of purpose.

Having sat close to BILL over the years in the Committee on Rules, I greatly respected his broad knowledge of parliamentary procedure, and his unique ability to go directly to the heart of a complex problem. As Chairman of the Committee, he carried out his responsibilities conscientiously, and with scrupulous fairness to all.

BILL COLMER is a strong and rugged individualist, and often in debate he would use his dry wit and stories of the backwoods to humorously and effectively illustrate his points.

Men of his stature and dignity are vital to the strength of our form of government, and I have always valued his many useful suggestions and wise counsel.

It is my hope that he will have a thoroughly enjoyable retirement, and that through the coming years he will return often to share his wisdom with us.

Mr. HULL. Mr. Speaker, it is an honor to pay tribute to Congressman WILLIAM M. COLMER, one of the most dedicated men to have worked on Capitol Hill. Of all his distinguished qualities, I shall never forget his unfailing devotion to duty and his willingness to assist a colleague whenever called upon. The people of Mississippi and the entire Nation join to salute your many accomplishments and to say, "Thank you," for all the many services you performed.

Mr. FISHER. Mr. Speaker, I join with my colleagues in honoring our distinguished chairman of the Rules Committee, BILL COLMER, who is voluntarily retiring from the Congress at the end of this year. It would be most difficult to overstate the case in BILL's behalf. His great record of service and leadership has been widely recognized for many years. It is written into the records of the House of Representatives and will become a part of the history of this age in which we live.

There is no point in repeating what has been said. BILL COLMER is and has always been a statesman. His devotion to the cause of good government is well known. His courage and willingness to join the battle for worthy causes are well known. When duty has called BILL COLMER has never faltered. I admire him very much.

In addition, BILL has been to me a valued friend. Those of us who return to the next Congress will miss him very much. It will be a distinct loss to the country. To BILL and Mrs. Colmer I extend my very best wishes.

Mr. RARICK. Mr. Speaker, it is a privilege and an honor to participate in this special order honoring the retiring members of the Mississippi delegation.

The distinguished chairman of the House Rules Committee and dean of the Mississippi delegation, the Honorable WILLIAM COLMER, has an enviable record of long and dedicated service in the House. As chairman of the House Rules Committee, Mr. BILL is one of the most powerful members, yet he has never forgotten the American people and has never used his power in a way that was not in the best interests of his State and Nation.

BILL COLMER is an asset to the American people; he represents all that they hold true and dear. His has been a steadying and guiding hand which I personally have felt during my career in Congress. Words are not sufficient to express my gratitude to him; I can only say thanks for what he has done for me and for what he has done for the American people. It is fitting that this House pause to express the thanks of a grateful Nation for his dedicated service.

I must also extend my thanks to the Honorable TOM ABERNETHY for his friendship and his advice and counsel. It has been my pleasure to serve with TOM on the House Agriculture Committee, where I have seen first hand his outstanding ability as a legislator. The personal warmth and kindness, the human understanding, which TOM ABERNETHY uses in his work in the Congress is seldom found in men and sets him apart and distinguishes him. His life represents the best qualities of Mississippi and the South. He has been a true representative of his people and has dedicated his life and work—both in and outside of the Congress—to them and their best interests. It will be difficult, if not impossible, to replace him. He will be sorely missed.

The third retiring Member of the Mississippi delegation, the Honorable CHARLES GRIFFIN, is a neighbor as his district borders on mine. I have known and respected CHARLIE GRIFFIN for many years, first as administrative assistant to our colleague John Bell Williams, and later when he became a Member in his own right.

CHARLIE GRIFFIN is a capable man, a good legislator, one who truly represents his people. He has been a good friend of the people of Louisiana through his service on the Committee on Merchant Marine and Fisheries. He will be missed.

Mrs. Rarick and I join with the people of the Sixth District in wishing the best of health and happiness to each of these distinguished Members of the Mississippi delegation as they return home to the State and people they love.

Mr. LENNON. Mr. Speaker, our distinguished chairman of the Rules Committee, BILL COLMER, is worthy of our highest accolade as he retires from 40 years of service to his constituency and to his Nation.

No member of this House had had a more demanding and vital position in his legislative assignment. BILL COLMER has executed his duties conscientiously and ably. He has exercised his decisions after evaluating the issues in wisdom, integrity, and the overriding interest of our national welfare.

I have long admired BILL's leadership and significant contributions as a dedicated legislator. To have had the benefit of his counsel and friendship will ever be a fond memory of my years in the Congress.

BILL, I am proud to salute your outstanding record. I truly wish for you a retirement of deserved relaxation and every happiness.

Mr. RUTH. Mr. Speaker, with Mr. COLMER I have been on both sides of issues. Believe me, I like it better when we are on the same side. From this capable, conscientious statesman I have learned a great deal about the legislative process. Every association has led me to admire and respect more this chairman of the Rules Committee. Both Congress and the people of the United States will miss Congressman WILLIAM COLMER.

Mr. FLOWERS. Mr. Speaker, there never have been enough BILL COLMERS in the world and likewise in the U.S. Congress. To say that we will miss him here is perhaps the greatest of all understatements. The entire Nation and all

of our citizens will miss him in this House, although some undoubtedly will never realize it.

From the beginning of my time here, his friendship and wise counsel have meant more than I can ever say. His unique sense of humor has sparked many a long day and night on this floor. His richly deserved reputation for integrity and excellence in all of the legislative skills gives us all the highest of standards to work toward.

My wife, who comes from the Mississippi coast and who still considers BILL COLMER "her Congressman," joins me in extending our very good wish for the future to this great American and his family.

Mr. WHALLEY. Mr. Speaker, it has been observed, down through the ages, that the older we get, the more rapidly does not only our hairline, but time itself, seem to move and recede into the past. Now, I would be the last to suggest I have seen any visible changes in our own hairlines—but, I must admit, it is hard to realize just how many years it has been since my good friend and colleague, Congressman WILLIAM M. COLMER, first came to Capitol Hill.

Can it really be 40-some years ago that BILL arrived as a freshman Representative from Mississippi? Is it possible that three wars, six Presidents, and seemingly countless of our colleagues in the House have moved along the swiftly moving stream of time?

Yes, the years have indeed passed by—and with their passing, the world itself has changed. But the dedication and determination of BILL COLMER has remained unchanged in the face of a rapidly changing and sometimes confusing world.

BILL COLMER will be leaving Congress at the end of this session to return to his home in Mississippi to enjoy a much deserved rest. He will certainly be missed.

BILL COLMER's years of dedicated service in the House—a very important portion of it as chairman of the prestigious Rules Committee—has been a position in which his strength of character, coupled with his truly vast and impressive knowledge of parliamentary and legislative procedure, has proved to be a stabilizing source of wisdom through a trying period of change. BILL has demonstrated in his work the principles of prudent expenditures and sound government, and has been an inspiration to those of us who share these principles.

BILL COLMER's chair will be difficult to fill. But if any man in Congress has earned his retirement, BILL has. We wish for BILL all the best in the years ahead—health, happiness, and peace.

Mr. LENT. Mr. Speaker, it is with deep regret that I join with my colleagues in noting the impending retirement of our distinguished colleague from Mississippi's Fifth District and chairman of the Rules Committee, the Honorable WILLIAM M. COLMER.

Chairman COLMER has served in Congress under five Presidents and in 20 Congresses, and has done so with a measure of distinction which has been matched by few Members in the history of this body. The chairman of the Committee on Rules has always been subject to a great deal of criticism, because of the control he has over the legislation coming to the floor for consideration. However, in my short tenure in Congress, it has been my impression, and I am certain that it is shared by the vast majority of my colleagues, that BILL COLMER has acted with honesty and integrity on all matters coming before his committee.

I know that when he leaves this body his services will be sorely missed by the House of Representatives and by his many friends and constituents.

I would like to take this opportunity to offer Chairman COLMER my best wishes for a long, happy, and healthy retirement.

Mr. ICHORD. Mr. Speaker, I wish to join in this testimonial to a truly great American and outstanding Member of this House of Representatives who has so regrettably announced his plans for retirement—the distinguished and inimitable chairman of our Rules Committee, the Honorable WILLIAM M. COLMER.

Frankly, few men have made an equal contribution to the deliberations of the House of Representatives in the history of our Nation. All America owes him a debt of gratitude for the work he has performed. All the world knows that it was he who chaired the Special House Committee on Postwar Economic Policy and Planning after World War II had left most of Europe and much of Asia devastated and destitute. And I am certain that the citizens of Mississippi, especially, will feel the loss of his wisdom and statesmanship in the high councils of the Congress.

His has been a steady and masterful hand on the helmsman's wheel in the Committee on Rules, and he deserves our unreserved thanks for much of the good legislation which has been enacted over the past 40 years of his service and for much of the bad legislation which has—fortunately—been buried. We must remember that it is the responsibility of a Congress to defeat bad legislation as well as to pass good legislation. Through his long years of work in the House, BILL COLMER has established new, high standards for integrity and excellence. His place and role in the history of Congress have been permanently engraved.

Speaking rather personally, Mr. Speaker, I must say that the help this great gentleman from the South has given me since I was first elected to this House has been immeasurable. His understanding and gracious consideration together with his sage counsel have aided me over many a difficult hurdle.

I hope he will find it convenient in his retirement years to visit Washington often to lend us the benefit of his advice and the warmth of his friendship. May his retirement be a happy one. God bless and Godspeed, BILL COLMER. We hate to see you leave. Our country has most assuredly been made a better place in which to live by reason of your great and distinguished service in this body.

Mr. ANDERSON of Tennessee. Mr. Speaker, it is with deep regret and a sense of personal loss that I view the prospect of the retirement from the House of Representatives of Chairman WILLIAM M. COLMER of the House Rules Committee.

Having worked under his guidance in the Rules Committee for the last 6 years, I have learned a great deal about the workings of the greatest legislative body in the world. I wish that all Members of Congress could have the opportunity of serving on this important committee under the tutelage of such an experienced and dedicated public servant as the Representative from Mississippi.

I want to take this opportunity to publicly thank the chairman for the many courtesies and kindnesses he has extended to all the members of his committee, and to me personally, and to wish him only continued success in the years ahead.

I envy our esteemed colleague's return to the garden State of Mississippi on his retirement, but I know him well enough to believe that his retirement will be full of activity, and I hope that he will return often to Washington to share his wisdom and counsel with his former colleagues in the Capitol. The people of the United States will benefit from his advice.

My door will always be open to my former committee chairman, my friend and colleague, Mr. COLMER. I hope he uses it often.

Mr. McMILLAN. Mr. Speaker, the House of Representatives and the people of the United States have suffered a great loss in Congressman COLMER's decision to retire from the House and as chairman of the Rules Committee. I do not know of any man who has a more brilliant record while serving a brief time as chairman of the powerful Rules Committee.

The State of Mississippi and the entire country have suffered a tremendous loss by his decision to retire. However, his record of service in the Congress will distinguish him as one of the most dedicated and brilliant men in our country.

Mr. QUILLEN. Mr. Speaker, the retirement of the Honorable WILLIAM M. COLMER will leave a void in Congress which will be all but impossible to fill. Throughout his outstanding career in the House of Representatives, his voice has been loud and clear for the benefit of all Americans, with the love of our Constitution and our flag always in the forefront.

WILLIAM COLMER has achieved a great record in Congress. He has put America above every other consideration and has constantly fought to preserve the principles of our Founding Fathers. He is an able, hard-working man who has fulfilled, with great distinction, the duties of his office.

It has been my privilege to serve on the House Rules Committee with WILLIAM COLMER, and we will most surely miss the chairman's voice and his wise counsel.

His retirement from this Chamber leaves Congress enriched by his contributions, and I know he will continue his great work as a private citizen.

I am happy to join my colleagues in wishing him a long, healthy, and happy retirement.

Mr. BIAGGI. Mr. Speaker, it gives me great pleasure to pay tribute here today to a great colleague and fine gentleman from Mississippi, Mr. COLMER. I have a good feeling for him in many ways, but one in particular.

The chairman of the Rules Committee is oftentimes referred to as the Chief Cop in Congress. He regulates the flow of bills to the floor in the same way a policeman directs the flow of traffic on a crowded street. As a 23-year veteran on the New York Police Force, I felt a distant kinship to this different breed of cop.

His was the difficult job of managing the activity of Congress to assure that the time used for debate would be well-spent and fruitful. His sometimes-criticized decisions were nevertheless respected and followed.

His is the charm of the Old South. His personality and wit pleases friend and foe alike, but his parliamentary skill and oratorical acumen were matchless. He would overcome you in a debate and charm you at the same time.

He brought with him to Congress, a Populist's fervor to represent the peoples' wishes in Congress, to solve their problems. He leaves Congress as the champion of his people, a true representative of his district, and a skillful problem-solver.

His expertise will be keenly missed here in Congress. Our best wishes for health and happiness go out to him in his retirement.

Mr. MAHON. Mr. Speaker, I am delighted to join with my colleagues in commemorating the service in the House of Representatives of the disinguished gentleman from Mississippi, THOMAS G. ABERNETHY. Through the years, TOM ABERNETHY has performed a great service to the Congress and the Nation by his dedicated work on the great Committee on Agriculture. He has been a staunch friend of cotton and a powerful advocate in behalf of the farmer. A credit to his district and to this State, he has been a rugged defender of American ideals in every sense.

Others have made detailed reference to the distinguished service of TOM ABERNETHY, and I shall not repeat what has already been said. I think of TOM ABERNETHY as a stalwart, strong man who has been a credit to Mississippi and to the Nation throughout the years of his service here. He has been among the strong men of the House. He has reflected credit upon our legislature body.

I think of TOM ABERNETHY as my friend and as a friend of the people I represent. Many of the people I represent have, throughout the years, called upon TOM ABERNETHY for assistance and guidance; and he has always sought to be responsive and helpful.

TOM, I wish to salute you and wish you every success and happiness in your future undertakings. I know you will continue to be busy in the service of your fellow man.

Mr. GRIFFIN. Mr. Speaker, the people of Mississippi and the Congress are losing a most able and respected legislator with the retirement of Congressman TOM ABERNETHY.

TOM ABERNETHY came to Congress in 1943 and now departs leaving an outstanding record of achievement.

As a member of the Committee on Agriculture, TOM ABERNETHY has devoted much of his time and efforts to the cause of agriculture and the American farmer. He has rendered extraordinary service to the farmers, consumers, and rural citizens of our Nation. Certainly his devotion and dedication have not gone unnoticed by the people of America who he has so ably served.

The State of Mississippi has benefited greatly from his many years of service. His concern and hard work as chairman of the Cotton Subcommittee has meant much not only to the many cotton farmers of Mississippi but to the cotton industry as a whole.

As a ranking member of the House District Committee, TOM ABERNETHY has worked untiringly at the task of making the Nation's Capital a better place to live and work.

I have known TOM ABERNETHY as a member of the Mississippi delegation for many years and I know he is a man of fairness, concern, and understanding. He is the type of legislator that commands the respect of his fellow Members and the admiration of the people he serves. I have often sought his advice and guidance and have always found him willing and helpful. It has indeed been a privilege and a pleasure to have known and worked with such a gentleman as TOM ABERNETHY.

THOMAS G. ABERNETHY leaves Congress to return home to the people of Mississippi who have come to know and appreciate his representation and service for them these many years in the Congress. I know the people of his District, his State, and the Congress will miss his service. But I know they welcome a great Mississippian home.

Mr. WAGGONNER. Mr. Speaker, I am, of course, happy to be able to pay tribute to my good friend and fellow colleague from the State of Mississippi, TOM ABERNETHY, but at the same I cannot help but be sad that he is leaving us.

I have had the great pleasure of working with and serving with TOM ABERNETHY for 11 of the 30 years he has served in the House, and I know him to be a gentleman from the old school, a dedicated and patriotic American whom I will keenly miss personally. TOM ABERNETHY has been an able legislator and a devoted and conscientious citizen, who has always placed his country and his people above any possible reward or personal gain.

As the third ranking member of the Agriculture Committee, TOM ABERNETHY'S representation of his District and State is unsurpassed; and I know of no other Member of Congress who has worked longer or harder in performing every possible service and task for any constituent in his district, whenever called upon, than TOM ABERNETHY.

I can think of no greater tribute that a Member of Congress can receive than for his fellow colleagues to say that he was a good man. And TOM, you are a good man. My personal best wishes for the future.

Mr. ICHORD. Mr. Speaker, I rise to express my sincere regret that yet another of our distinguished colleagues who has chosen to retire after this 92d Congress is the fine gentleman from Mississippi, THOMAS G. ABERNETHY.

His has been a remarkable career as an attorney, prosecutor, president of the Lower Mississippi Valley Flood Control Association and lawmaker in this House of Representatives.

His chairmanship of the Agriculture Subcommittee on Cotton has won well-earned acclaim for the astuteness with which TOM ABERNETHY handles the complex questions that are continually arising with respect to that commodity. He is unquestionably one of the foremost agricultural experts in America today and the farm families of this Nation will sorely miss his presence on Capitol Hill. By the same token, his wise counsel and expertise will be missed on the floor of this House. We hold him in high esteem.

I hope, Mr. Speaker, that Congressman ABERNETHY will journey back to these old haunts frequently when his retirement becomes effective. We need the benefit of his sagacity, as well as his company. May the years that lie ahead for TOM ABERNETHY be both happy and rewarding.

Mr. LENT. Mr. Speaker, I would like to join with my colleagues in expressing the affection which all of us feel toward our distinguished colleague from the First District of Mississippi, the Honorable THOMAS ABERNETHY.

Although I have been a colleague of THOMAS ABERNETHY'S here in Congress for 2 short years, I am well acquainted with the high esteem in which he is held by his colleagues in the House and by his constituents at home.

It is indeed unfortunate that this body must lose someone who has given it 30 years of dedicated service, but I would like to take this opportunity to wish THOMAS ABERNETHY many years of health and happiness in his retirement.

Mr. WHALLEY. Mr. Speaker, nearly 30 years ago, the wise and good people of Mississippi sent to Washington a man who has exemplified prudence and dedication in Government, whose knowledge and good judgment has earned for him the respect and admiration of not only his colleagues, but the Nation as well. That man is Congressman THOMAS G. ABERNETHY.

TOM has decided not to seek reelection to the 93d Congress. We view this fact with mixed emotions.

TOM has certainly earned the chance to return to his native Mississippi and engage in those activities in which he finds pleasure and relaxation. It will be a much deserved rest.

But his State and our Nation will miss the services of this accomplished legislator. TOM'S grasp of issues and his insight into the affairs of, not only Mississippi, but the entire Nation, is an inspiration to all of us who admire and respect this dedicated servant of the people.

TOM'S unselfish contributions to the Committees on Agriculture and the District of Columbia will long be remembered. His guidance and encouragement have proved to be a source of strength to many.

Everything that TOM ABERNETHY does

he does with honor and valor in a manner reflecting credit on himself and his constituents.

For the years ahead, I wish TOM and his fine family all the best. May he find peace and happiness, for that which he has sought over the years, he truly deserves to find.

Mr. LENNON. Mr. Speaker, the State of Mississippi is losing three of her outstanding sons in retirement at the close of this session. Our esteemed colleague, TOM ABERNETHY, is among them.

TOM has distinguished himself as a member of the Committee on Agriculture. He knows the needs and importance of the farming communities, and he has exercised this wisdom in the total interest of our Nation's agricultural development and economy.

I am happy to join in extending to a dedicated and articulate legislator and personal friend the praise he so eminently deserves for his effective and impressive service.

As you return to Mississippi, TOM, I wish for you a retirement that will be pleasant in every way.

Mr. FLOWERS. Mr. Speaker, it is a pleasure for me to join my colleagues in tribute to TOM ABERNETHY on the occasion of his retirement from this House. Over a long period of years, he has served his State and his Nation well, and he will be sorely missed. TOM attended the University of Alabama in my hometown of Tuscaloosa and our districts adjoin each other, so I have always felt a special connection with him.

His reasonable and conservative voice has been of immense value in the Congress. Attempting to fill his shoes will be a large order for his successor in office.

I certainly want to wish for TOM ABERNETHY every happiness in the future.

Mr. RUTH. Mr. Speaker, a freshman soon learns the dependable Members of the House who are also willing to lend a helping hand. TOM ABERNETHY attained this stature long before I was elected and I appreciated his kindness to me. I am very pleased to join with the colleagues in paying tribute to his outstanding services in Congress. His is one of the most distinguished careers and his service has not only benefited the great State of Mississippi but the entire Nation.

Mr. BURLESON of Texas. Mr. Speaker, as my good friend THOMAS G. ABERNETHY makes his departure from the House of Representatives I join with his many colleagues and admirers in paying tribute to his great service in the Congress. For 30 years without interruption he has represented his District, and has done so in a manner that few if any could equal. He has acquired an unusual number of friendships because he is the kind of man that people want as friends, and not because of the influential positions he has attained in the House. His sound counseling and leadership will be missed.

As much as I regret to see TOM leave, no one could be more deserving of the relaxation and escape from the routine that his retirement will surely afford.

Ruth and I wish for TOM and Alice a future of pleasure and good health and hope our paths will be crossing frequently in the years ahead.

Mr. FISHER. Mr. Speaker, TOM ABERNETHY, as we all know, has throughout his tenure here been a most effective Member of this body. He has always put the welfare of the country ahead of petty partisan politics. This Nation would be much better off today had his policies and his views on legislative matters prevailed. His shoes will not be easy to fill.

TOM came to Congress when I did. He has been my personal friend ever since then. I respect him very much and I appreciate as much as anyone could his vast contribution to the preservation of the Constitution, our traditions, and our priceless institutions. His record here speaks for itself.

To TOM and his family I extend my best wishes.

Mr. HULL. Mr. Speaker, his decision not to seek reelection imparts a sense of loss to the good people of Mississippi, the Congress, and the Nation. The years of outstanding public service THOMAS G. ABERNETHY has faithfully given his country stands as a symbol for all to admire and respect. It has been my honor to serve in the Congress with him and to have considered him a friend.

Mr. DERWINSKI. Mr. Speaker, it is a privilege to join so many of my colleagues in saluting TOM ABERNETHY on his retirement from an outstanding career as a Member of Congress. TOM's loyalty to principles and dedication to the interests of his constituents have earned him the respect of all those Members who have known him well.

TOM has been a very effective Member both in committee and in general legislative work. He has been an outstanding leader in the great tradition of Southern legislators, and has set the highest standard of public service throughout his career.

Mr. MORGAN. Mr. Speaker, it is with genuine regret that I learned of the retirement of TOM ABERNETHY of Mississippi. For that reason I feel privileged to join with TOM's many friends in the House to pay a measure of tribute to him for his long and distinguished service.

TOM's service exceeds mine by only 2 years. When I came the country was in the midst of the greatest war in modern times. TOM and I, although we served on different committees and came from different parts of the country, joined with the other Members in this body to do everything we thought was right and proper to assure victory in this great struggle. It was in those early years that I came to recognize his qualities of mind and character that have marked him as one of the outstanding legislators in the House.

I only hope, TOM, that when you leave the Congress you will always remember that you have a host of friends still here. And that they, in turn, may call on you for counsel and advice on the difficult problems that come before us.

Mr. BLATNIK. Mr. Speaker, nothing could please me more than this opportunity to publicly and personally pay my respects to my honored colleague TOM ABERNETHY, a distinguished statesman and good friend.

Throughout his 30 years in Congress TOM has served his people, the Congress, and the Nation with courage and distinction. He leaves with us a record of legislative accomplishment and personal example which we all will treasure.

TOM, I certainly wish you well in the accomplishment of your dreams and hopes, and know that the coming years will be a rich reward for the services you have rendered your country.

Mr. POAGE. Mr. Speaker, I want to take this opportunity to pay tribute to one of the outstanding Members of the House, the Honorable TOM ABERNETHY, of Mississippi, who is retiring after 30 years in this body.

We on the Committee on Agriculture especially will miss him, for he has served faithfully and well on our committee for 28 years. He has served ably as chairman of the Cotton subcommittee for many years, and there is no one who is more knowledgeable regarding that commodity nor who has worked more diligently toward enactment of legislation designed to improve the welfare of cotton farmers.

TOM ABERNETHY has been my close personal friend for a long, long time, and I am grateful for this association, both in and out of the Halls of Congress. As he leaves the Washington scene we wish him and his good wife continued success and happiness as they return home to be nearer their children and grandchildren.

Mr. SIKES. Mr. Speaker, I am pleased, indeed, to join my colleagues in paying a deserved tribute to Representative TOM ABERNETHY who will be leaving the House of Representatives at the end of this session after 30 years of dedicated and capable service.

Congressman ABERNETHY has distinguished himself as a man of integrity and tremendous ability, and has been a true asset to the Congress, to his State, and to the Nation. He has been an outstanding leader and a most effective legislator, keenly aware of contemporary problems and ever zealous in pursuing viable solutions for them in the interest of the American people. The people of his district, the First District of Mississippi, have been fortunate to have such a fine, distinguished, gifted gentleman and such an effective, sound, wise, and humane representative serving them in the Hall of Congress.

He has made valuable contributions to the Agriculture and District of Columbia Committees where he demonstrated time and time again his able and forceful manner as a legislator and a leader.

It has been a privilege and an honor for me to serve with TOM ABERNETHY and I want to heartily congratulate him upon his many years of dedicated service. In particular do I appreciate the friendship we have shared. We shall miss him and his family, and wish for them all the good luck, success, and happiness as he enters a richly deserved retirement from public service.

Mr. LANDGREBE. Mr. Speaker, it has been my great privilege and pleasure to serve on the District of Columbia Committee for the past 3 years with TOM ABERNETHY.

Let me tell you, Mr. Speaker, and Members of the House, we are losing a fine gentleman, a dedicated statesman, a most able legislator.

TOM ABERNETHY will be sorely missed

on the District of Columbia Committee and in the House of Representatives.

As he relinquishes his congressional office with all its endless demands, I do extend to him my most sincere best wishes.

Mr. BEVILL. Mr. Speaker, my good friend and colleague, TOM ABERNETHY, will be missed here in the House of Representatives where for 30 years he has been a figure of importance. We have had a community of interest as the First District of Mississippi which he so ably represents is adjacent to my congressional district.

His work on the Committee on Agriculture where he has served continuously since his second term have made many contributions to improving the quality of rural life here in America. His contribution to the Rural Development Act of 1972 and his revival of the Tennessee Tombigbee Waterway legislation will be most helpful in the future years, to rural areas and the Southeastern part of the United States in particular. He has been highly respected by this body especially in the field of fiscal responsibility with regard to Federal expenditures where he has at all times voted against nonessential and giveaway programs. TOM will be missed by all of us and it is hoped that he enjoys his years of retirement.

Mr. ICHORD. Mr. Speaker, I am pleased and at the same time somewhat sad to join my colleagues today in paying tribute to the Honorable CHARLES H. GRIFFIN, of Mississippi's Third District. We are losing, Mr. Speaker, not only one of my closest friends in the Congress, but one of the fine young men of this body and a man for whom all of us, regardless of which side of the aisle we occupy, have nothing but respect and warm feelings. CHARLIE is known to all Members as a man who has worked very hard and long to represent the people of his district and to be their man here in Washington. Sometimes this is not easy and sometimes personal things come along and a man must make a choice. CHARLIE has decided that in all fairness to his family he must give up his seat in the House of Representatives; not an easy choice, Mr. Speaker, but one which we all must face on occasion. CHARLIE did not come here easy. It was the war, the GI bill, the want to make things move that brought him here. And to that end he has done so. But now he has decided to leave the House and this is his decision and his alone. I, for one, Mr. Speaker, must say that the House of Representatives and his friends here will miss him very much, as will the people of Mississippi. I am sure that all my colleagues join me in wishing him Godspeed and success in the years to come.

Mr. LENT. Mr. Speaker, I would like to join with my colleagues here in the House in paying tribute to my friend and colleague from Mississippi, the Honorable CHARLES GRIFFIN.

It has been my pleasure to serve with CHARLES GRIFFIN on the Banking and Currency Committee during my 2 years here in Congress, and I have known him to be a dedicated and energetic public servant who is held in the highest esteem by his colleagues.

I know that CHARLES GRIFFIN will be sorely missed by the House of Representatives and by his constituents in the Third District of Mississippi.

Mr. LENNON. Mr. Speaker, it is a privilege to participate in the tribute today honoring our colleague, CHARLES GRIFFIN.

CHARLIE has served his constituency in Mississippi first as an assistant to Representative John Bell Williams and subsequently as the appointed and elected successor.

I have been pleased to serve with CHARLIE on the Merchant Marine and Fisheries Committee and to have him a member of the Subcommittee on Oceanography I have chaired. I have valued his conscientious contributions to our legislative efforts, and I have appreciated his knowledge, efficiency, and dedication. To count him among my close friends in the Congress is a deep personal satisfaction.

My best wishes for a pleasant and successful future are extended to you, CHARLIE.

Mr. FLOWERS. Mr. Speaker, I count CHARLIE GRIFFIN one of my closest friends in this House and feel a deep sense of personal loss in seeing him leave us. Although his service as a Member has been only slightly longer than my own, he was an "old pro" long before that as chief assistant in the office of former Congressman John Bell Williams. Of course, CHARLIE succeeded to the office of Congressman upon John Bell's election as Governor of Mississippi. CHARLIE has had a long, dedicated, and effective career of public service even though he is still a young man. Along with many others, I hope that this "elder statesman of Utica" will come back and honor us with his presence and counsel from time to time, because we will miss him greatly.

My wife joins me in sending our best wishes for future health, happiness, and prosperity to CHARLIE and his lovely wife Angie.

Mr. RUTH. Mr. Speaker, one of the warmest and closest contacts made in my first term in the House was with CHARLIE GRIFFIN. He was especially helpful since, prior to his service, he was one of the few Members of Congress who had served as an administrative assistant.

I appreciate the splendid association I have had with CHARLIE and wish him the very best in his future years. He has made a great contribution and it has been a great pleasure to work with him.

Mr. FISHER. Mr. Speaker, I am sorry indeed that CHARLIE GRIFFIN did not choose to seek reelection this year. I am aware of problems which prompted his decision. The high quality of his service here was well known and appreciated by his constituents. Had he chosen to seek reelection he undoubtedly would have been returned handily. But he is retiring from the House, and that is bad news for his district, his State, and for the entire Nation.

CHARLIE is a relatively young man. He was a valuable aide on the staff of his predecessor, the Honorable John Bell Williams, and very nearly mastered the art of government and the operation of the legislative branch. Had he chosen to remain here CHARLIE would in my judgment have eventually, with seniority, become one of the leaders of this body.

To my friend and his family I express my sincere regret that he is leaving us, and I also extend my very best wishes.

Mr. HULL. Mr. Speaker, with great pleasure, I express my admiration and appreciation for CHARLES H. GRIFFIN, an exceptional Congressman and friend. Over his years in Congress, he has time and again demonstrated his devotion to duty and his desire to solve the problems facing our Nation. There can be no doubt he has contributed an enduring record of excellence, one which will challenge all those who attempt to follow in his footsteps.

Mr. DERWINSKI. Mr. Speaker, I would like at this time to pay tribute to a colleague and friend, CHARLIE GRIFFIN. Throughout his career, he has established a record that will long be remembered by all of us who were privileged to serve with him.

CHARLIE is a man whose strong sense of dedication to his constituents and Nation was demonstrated by his hard work in the Congress. I will miss his friendship and sound advice, but take this opportunity to wish him well in his retirement.

Mr. MORGAN. Mr. Speaker, I am glad to join with his many friends in expressing my good wishes to CHARLIE GRIFFIN for the years ahead and my appreciation for his distinguished service as a Member of the House.

CHARLIE GRIFFIN had many years of experience on Capitol Hill before he was elected to the House 4 years ago, and his long experience has qualified him to serve his constituents and bear his legislative responsibilities well.

While I am sorry that CHARLIE is leaving us, he is still young, by my standards at least, and can look forward to many productive and pleasant years in the future.

I have enjoyed my association with CHARLIE over the years, and I wish him all the best.

Mr. BLATNIK. Mr. Speaker, CHARLIE GRIFFIN has not been among us for nearly as long as the other distinguished Mississippi Congressman we honor today; but he matches in quality where quantity of years' service lack.

CHARLIE has been a good Congressman—for the people of his district, for the committees and Congress he has served so well, and for the Nation.

He has left his mark; and while we wish him well for the future, we add our regrets that he leaves us so soon.

CHARLIE, we wish you well.

Mr. GARMATZ. Mr. Speaker, I want to join my colleagues in the House today in paying tribute to Congressman CHARLIE H. GRIFFIN.

CHARLIE GRIFFIN was only with our House Committee on Merchant Marine and Fisheries a short time, but the fact that he will be so sorely missed is indicative of the outstanding talents and energy of this dedicated public servant.

As chairman of the committee, I am acutely aware of the contributions CHARLIE has made in the implementation of important legislation—both to the country and to his native State of Mississippi. Because he is such an avid sportsman, CHARLIE GRIFFIN brought with him a love and a respect for the fish and wildlife and for all natural resources

when he came to the Congress of the United States. Perhaps this explains why he was such a valuable member of our committee and why he gave important impetus to some of our most significant environmental and conservational legislation.

Although Congressman GRIFFIN was active with much legislation, I would especially like to emphasize his efforts in relation to the coastal zone management bill and the ocean dumping bill. I consider these two of the most important pieces of conservation legislation to come out of this or any Congress; if enacted, they will become legislative landmarks, and it should be noted that Congressman GRIFFIN was a cosponsor of both these important bills.

As a member of the Oceanography Subcommittee, he participated in the lengthy hearings and executive sessions on both of these bills, and they reflect his thoughts and feelings as much as any other member of our committee or of the House of Representatives. I think it is especially appropriate that the conference reports on these bills passed the House during this week—the same week that we are saying farewell to CHARLIE GRIFFIN.

I am sorry to see such a talented and dedicated American leave the U.S. Congress, but I am certain that CHARLIE GRIFFIN will continue to make worthwhile contributions to his State and to his country, and I wish him health, happiness and good luck in all his future endeavors.

Mr. BURLESON of Texas. Mr. Speaker, I welcome the opportunity to pay tribute to my good friend CHARLES H. GRIFFIN, a distinguished Member of the House as he makes his departure from the Congress to return to his beloved Mississippi. CHARLIE is not in the category of old timers to whom special achievements have come with years of experience. His achievement of high respect among his colleagues has been the result of hard and conscientious work and his devotion to the office he holds.

I have a special feeling toward CHARLIE, having known him through his years of growth from an office employee to a seat in the House. No one could be more deserving of the achievements he has made. Unanimity is not the most common thing here in this Congress but there is no doubt of the unanimous feeling that CHARLIE GRIFFIN is one of the most likeable individuals any of us have ever known.

Ruth and I wish him and his charming wife Angie every happiness in his retirement and look forward to our paths crossings many times in the years ahead.

Mr. SIKES. Mr. Speaker, I would like to add my voice to that of many others who have expressed best wishes for the gentleman from Mississippi, CHARLIE GRIFFIN, on his retirement from the Congress.

CHARLIE GRIFFIN has distinguished himself as a man of integrity and ability and has been a true asset to the Congress, to his State and to the Nation. His work on both the Committees on Banking and Currency and on Merchant Marine and Fisheries has gained for him universal admiration and respect. It has been my privilege to know him both as administrative assistant to our distinguished former colleague, John Bell Williams, and as a Member of Congress. In all of this time, I found him to be energetic, conscientious, hard-working, and highly capable. He is a devoted public servant and enjoys an excellent reputation.

CHARLIE GRIFFIN is the type of man we need here. He has steadily grown in stature and in recognition. I am very sorry to see him leave Congress. I join with his many friends in wishing him and his family success and happiness in all his future endeavors.

Mr. BEVILL. Mr. Speaker, my good friend and colleague CHARLES GRIFFIN has had a long and distinguished career serving his country. After naval service in World War II, CHARLIE came to the Congress as a staff member and upon the retirement of Congressman John Bell Williams, who assumed the office of Governor, was elected to his seat here in the Congress.

It was my pleasure to serve with CHARLIE on the House Committee on Banking and Currency. His work on the committee for a sound monetary policy has helped to protect the integrity of the dollar. He has also been one of the leaders in the move to preserve freedom of choice for schoolchildren with regard to the schools they attend.

CHARLIE will be missed here in the Halls of the Congress and the best wishes of his colleagues go with him in his well-earned retirement. I wish CHARLIE and his lovely wife Angie the best of luck.

Mr. RHODES. Mr. Speaker, the House of Representatives will lose three of its great Members at the end of this session when BILL COLMER, TOM ABERNETHY, and CHARLIE GRIFFIN return to their native State of Mississippi. Together they have served in the House for a total of 75 years, every hour of which has been dedicated to furthering our American way of life.

BILL COLMER is my neighbor in the Rayburn Building, and, I am proud to say, my good friend. He represents qualities which I respect—integrity, wisdom, and warmth of understanding. In the 40 years that he has been in Congress, he has been a leader among the men and of the committees with which he has been associated. He is a fine Congressman and a fine man—and his country, State, and district are the better for his service to them.

TOM ABERNETHY came to Congress in 1943 and has fulfilled every duty and responsibility of his position since that time with ability and honor. America has benefited from his dedicated efforts to meet her needs and interests—and the First District which he represents has been served with distinction and loyalty second to none. I value our friendship and association over the years.

CHARLIE GRIFFIN receives and deserves the respect and admiration of all who know and work with him. His service in the House began in 1968, and in this too short period of time he has made a record as one of the outstanding Members of Congress. He has given generously of his wealth of knowledge and ability to the service of his constituents and colleagues. His commonsense and good judgment have helped to solve many a problem, and he has been tireless in working for the good of all America. It is a privilege to have been associated with him.

These three fine gentlemen and Congressmen leave a record of service which will be hard to match. They will be greatly missed by all their friends in the House. They have my every good wish for happiness in their retirement, and a future which brings only the best.

Mr. EVINS of Tennessee. Mr. Speaker, I appreciate the gentleman yielding, as I wish to join with the distinguished gentlemen from Mississippi (Mr. WHITTEN and Mr. MONTGOMERY) in paying a brief but sincere tribute to three distinguished Mississippi colleagues—Chairman WILLIAM COLMER, Chairman TOM ABERNETHY and CHARLES H. GRIFFIN.

As has been pointed out, we all know and recognize that Chairman COLMER is chairman of the powerful and influential Committee on Rules.

BILL COLMER is retiring after 40 years of dedicated and devoted public service, during which he has served his district, State, and Nation faithfully, diligently, and well.

BILL COLMER was first elected to the Congress in 1932 during the administration of President Franklin D. Roosevelt, and he has served under five Presidents—Presidents Roosevelt, Truman, Eisenhower, Kennedy, and Nixon.

His career in Congress has spanned two decades of crucial crisis and change in the United States, and as a member of the Committee on Rules he has played an important part in approving legislation to meet this challenge of change.

BILL COLMER, in addition to his outstanding legislative ability, is a grand southern gentleman in the truest sense—he is personable, courtly, genial, and considerate, and he will be greatly missed.

Certainly we wish for BILL all the good luck, health, and happiness as he enters his richly deserved retirement.

My good friend TOM ABERNETHY has served well and faithfully and with great distinction. He has probably served longer on the Committee on Agriculture than any man not to become Chairman. However, he has been chairman of important subcommittees of the committee, and has demonstrated an astute, perceptive and reasoned approach to rural development.

TOM ABERNETHY has a conservative philosophy and is known for his prudent and sound approach to legislation.

TOM is my personal friend—we both attended the old Cumberland Law School at Lebanon, Tenn., in the Fourth Congressional District of Tennessee, which I am honored to represent in the Congress.

TOM ABERNETHY has served his district, State, and Nation faithfully and well, and certainly we wish for him the very best of good luck and success as he enters his richly deserved retirement.

Colleague CHARLES GRIFFIN has had extensive service on Capitol Hill, both as an administrative assistant to former Congressman John Bell Williams, who became Governor of Mississippi, and later as a Congressman in his own right.

CHARLES GRIFFIN has had a long and distinguished career in the House—he is a most genial gentleman, and certainly I also wish him well and much happiness as he returns to his beloved Mississippi.

Mr. REUSS. Mr. Speaker, retirements this year are taking an unprecedented toll of the membership and leadership of the House.

Nowhere is the effect more evident than in the Mississippi delegation, where three of the five Members are completing what they have decided will be their final terms in Congress.

Indeed, these three distinguished colleagues of ours—Congressman WILLIAM M. COLMER, Congressman THOMAS G. ABERNETHY, and Congressman CHARLES H. GRIFFIN—are writing a finish to a total 75 years of service in this House.

BILL COLMER himself accounts for 40 years of that total, having arrived in Washington with Franklin Roosevelt and the New Deal. He rose to one of the most powerful positions in Congress—chairman of the Rules Committee, a post which he has filled with dignity and with wit.

The salty TOM ABERNETHY came on the scene 10 years later and soon became another stalwart of the Mississippi delegation.

While CHUCK GRIFFIN may not match his two fellows in length of service, I have come to know him as an able and hard-working colleague on the Banking and Currency Committee.

I want to join in saluting these men for their service to their State and Nation and to wish them continued success and happiness as they return to their homes.

Mr. KUYKENDALL. Mr. Speaker, it is with sincere regret that I note the retirement of the three distinguished Members from Mississippi. Since Chairman COLMER, Congressman ABERNETHY, and Congressman GRIFFIN come from a neighboring State, we have similar interests and share similar views on many matters. During the 6 years that it has been my privilege to serve in the House of Representatives I have had the occasion to work with all three of these gentlemen and I can honestly say that they have served their constituents with great honor, vigor, and dignity. Their expertise shall be sorely missed in succeeding Congresses.

My wife, Jackie and I wish these three distinguished Members and their families every happiness and much success in their future endeavors.

Mr. HENDERSON. Mr. Speaker, it is a privilege to be able to express my thoughts on the occasion of the retirement from Congress of three men who have been my close friends and colleagues for a number of years.

I know of no Member of this body for whom I have a greater respect or a more abiding affection than I do for BILL COLMER. When I have had responsibility for getting particular legislation to the floor for consideration, I have always been able to confer with BILL COLMER about it and to know exactly what to expect. He has not always been with me, but he has always been fair with me.

When I was initially elected, Sam Rayburn was still Speaker of the House. Judge Smith was chairman of the Rules Committee, Clarence Cannon was chairman of Appropriations, MANNY CELLER was chairman of Judiciary. These men were the giants of the first half of the 20th century in the House; and BILL COLMER, who was ranking Democrat on Rules at the time, was among that number. At the beginning of the 93d Congress, all of these men will be gone. To me, BILL COLMER is one of the last links with the House I first came to know as a committee staffer in 1951. I shall miss him a great deal.

TOM ABERNETHY will be missed for some of his hard-hitting and often amusing comments on the floor during debate. He has been a stalwart on the House Agriculture Committee and the District of Columbia Committee. If every Member of the House were as frank as TOM ABERNETHY and as ready and willing to "tell it like it is," I suspect our floor debate would be far different.

CHARLIE GRIFFIN has been my friend both as a staff member and as a colleague. I frequently had contact with CHARLIE when he was administrative assistant to my good friend John Bell Williams. Like me, he was a staffer before he was a Congressman, and I have particularly admired in CHARLIE the fact that while he conducted himself in a completely proper and appropriate manner as a Member of the House, he never forgot the many, many staffers on the Hill who had been his friends over the years and I am sure that if all of them had the privilege of the floor today, they would say about CHARLIE the same things I am saying now.

Mississippi, the House, and the Nation will be the poorer for the passing of these three from the legislative scene, and I wish them all Godspeed and a well-deserved and pleasant retirement.

Mr. TAYLOR. Mr. Speaker, I desire to join my colleagues in saluting BILL COLMER, TOM ABERNETHY, and CHARLES GRIFFIN—three outstanding Congressmen from Mississippi who did not seek reelection and will not be returning to Congress next year.

All three have demonstrated unshakable integrity and have made a lasting contribution to solid constitutional government. The State of Mississippi and the Nation will lose the service of three extremely able and conscientious legislators.

Those of us in the House will miss the day-to-day associations with these three highly respected colleagues. I wish for each of them good health, happiness, and much success during the years ahead.

Mr. ALBERT. Mr. Speaker, it is with deep regret that we note the departure from the House at the close of this session of our distinguished colleague from Mississippi, TOM ABERNETHY. Our close friendship dates back to my first days in Congress when I served on the Fertilizer and Farm Machinery Subcommittee which he chaired. Our districts had numerous common problems and we developed a long, close friendship while sitting side by side for 13 years on the Agriculture Committee.

The honorable gentleman's contributions in the field of agriculture have made him a legend to the farmers of this Nation, especially to the cottongrowers throughout the South and Southwest. As chairman and a longtime member of the Cotton Subcommittee, TOM ABERNETHY has been a guiding force behind virtually all of the legislation affecting cotton farmers and was chief architect of the important cotton provisions of the Agricultural Act of 1970. I have always been impressed with the depth of his knowledge and the skill with which he operates his subcommittee. His effective position will be hard to fill.

After having served in this body faithfully for 30 years, this good gentleman will be keenly missed as both a friend and a legislator. I want to wish him the very best of good luck and success as he enters a richly deserved retirement after a distinguished career of outstanding public service.

Mr. SCHNEEBELI. Mr. Speaker, TOM ABERNETHY will have served 30 years when he leaves us at the end of this Congress. We will all miss him. Why? Because, first, he is a well-liked and popular figure on both sides of the aisle here in the House. We all know that we can look to TOM ABERNETHY for leadership and good judgment.

Second, his high position on the Agriculture Committee has earned him respect, not only in the Congress, but across this Nation.

Finally, he has given the people of the First District of Mississippi the finest representation possible. All those who value honesty and good government will regret TOM ABERNETHY's retirement.

Those of us who remain wish him only the best for many happy years of retirement. He will be missed but not forgotten. He is a great person.

WASHINGTON REPORT FROM CONGRESSMAN HARLEY O. STAGGERS

The SPEAKER. Under a previous order of the House, the gentleman from West Virginia (Mr. STAGGERS) is recognized for 15 minutes.

Mr. STAGGERS. Mr. Speaker, at the end of each session of Congress, I prepare a report of the activities of that session and send it to the constituents in my congressional district. The following is the text of my 92d Congress report and the results of a questionnaire I sent out in September 1972.

THE 92D CONGRESS

DEAR FRIENDS: I believe the 92nd Congress which adjourned this month will long be remembered as the Congress which acted to enrich the lives of the nation's older citizens. Including the 20 percent increase in Social Security checks this month, Social Security payments were raised by 32 percent in just two years, the largest increases ever voted by a single Congress.

Since many railroaders are not covered by social security, I introduced a bill to give them a similar 20 percent increase. We were able to win House approval for this increase in near record time.

Another measure to benefit older Americans was also passed by the House. The legislation created a National Institute of Aging. This will bring the special problems of growing old the special attention they deserve.

The fight for a better life for this nation's senior citizens has only begun. This Congress has "started the ball rolling" on a number of proposals, such as increasing the amount a person can earn without losing social security benefits, providing low-cost health insurance, reducing the high cost of medicine, providing relief from high property

taxes and offering low-cost transportation to the elderly.

The 92nd Congress made a commitment to the principle that our older citizens should be able to live their lives in comfort and dignity.

The extra money the elderly will be spending will help the economy, not hurt it, by putting idle machines and unemployed men and women back to work.

Everybody will benefit, the businessman, the farmer, the worker and the elderly.

The Congress also acted on a wide variety of issues of importance to you and your family.

HEALTH

I'm particularly proud to report that Congress has approved landmark legislation aimed at improving the nation's health. Foremost among these was my bill to wage an all-out attack against heart disease, the nation's number one killer. The bill has also made lung diseases and strokes the targets of a massive national research effort.

Of particular interest to West Virginians is the recent House action on a bill to provide federal aid to improve local medical emergency service. This legislation, which originated in my committee, is designed to provide vital help to those who are working in many West Virginia counties to provide emergency service for victims of accidents, heart attacks and other emergencies.

Other key health bills passed by the Congress include an expanded research effort against Multiple Sclerosis; additional aid to local communities to combat communicable diseases; and more aid to our medical schools and students which will benefit our fine Medical School at West Virginia University in Morgantown. In addition, the House passed a bill aimed at providing more medical personnel to rural areas.

BLACK LUNG

The Social Security Administration has begun processing claims filed under the Black Lung Benefits Act of 1972. Passed earlier this year by the Congress, the bill is expected to make an additional 136,000 of the nation's coal miners and their survivors eligible for an additional $1 billion in benefits. Claims refused under the old law are being automatically reviewed, but social security officials say it will take a while to clear up the backlog.

CONSUMERS

The House voted to protect consumers by passing legislation which I sponsored creating a Commission on Product Safety. This commission will have the power to make sure that products you buy for your home are safe. The Commission will be able to set safety standards for a wide range of products we use every day and will be able to ban products that are not safe.

CRIME

The House has acted favorably on my bill which seeks to curb air piracy by cutting off air service to nations that welcome hijackers. One of the major efforts of the Congress over the past two years has been anti-crime legislation. I am encouraged with the results of these new laws. However, there is still room for improvement, but at least we are making some progress toward a return to law and order.

EDUCATION

Another major piece of legislation recently enacted by the Congress will soon be aiding students from the 2nd Congressional District and throughout the county. The Higher Education Act of 1972 declares it to be a national policy that a college education should be available to qualified students and sets up programs to provide financial assistance. Another important section of the bill makes direct aid available to colleges and universities whose costs have overtaken tuitions and endowments.

Vocational education was given a boost also. There is great concern in the Congress about the present system of financing our schools. This very complex question will certainly be given a long look in the next session of Congress.

BROADCASTING

A bill which I introduced to keep the nation's educational TV stations on the air is now law. The bill provides funds that are essential for the programing efforts of stations, such as WWVU-TV in Morgantown and WSWP-TV in Beckley.

I have also ordered an investigation of TV "blackouts" of professional sports events. Many sports fans have written asking me why athletic contests cannot be shown on television even when the stadium is sold out. The investigation is underway.

REVENUE SHARING

The Congress passed the revenue sharing bill aimed at helping state and local governments. West Virginia's state government received $8,914,183, while county and town governments in the 2nd District received $4,696,120.

ENVIRONMENT

Great concern for our environment was shown during this session of Congress, and the House acted on many bills aimed at curbing pollution. I hope you will continue to give me your views and suggestions on the environment, whether it is a local problem or your opinion on national legisation.

VETERANS

During my tenure in Congress, I have fought for, supported and voted for several hundred veterans' benefits that have been enacted into law. These include a broad range of programs, including job training, pensions, education, housing, medical care, life insurance, aid to widows and children, and many others. This session of Congress increased the rates of disability compensation for veterans and also increased the subsistence allowance for those studying under the GI bill. Extra money was added to veterans appropriations to prevent cuts in veterans' medical care or closing of any veterans hospitals.

This report is just a brief review of some of the activity of the 92nd Congress. As always, your letters and cards advising me of your thinking on the issues are greatly appreciated and assist me in representing you more effectively.

Sincerely yours,

HARLEY O. STAGGERS,
Member of Congress.

HERE ARE THE "RESULTS" OF CONGRESSMAN STAGGERS' 1972 OPINION POLL

1. What do you think our Nation's priorities should be? (Please check the three items you believe are the most urgent.)

11%—Provide jobs and job training programs.
14%—End the Viet Nam war.
6%—Increase Social Security.
14%—Combat crime.
13%—Lower the cost of health care.
9%—Reform Federal income tax.
4%—Eliminate poverty and slums.
9%—Control drug abuse.
7%—Reduce Government spending.
8%—Control pollution.
4%—Improve consumer protection.
1%—Improve mass transportation.

2. Which policy do you favor on the Viet Nam war? (Please check one.)

43%—Announce that all U.S. troops will be withdrawn from Viet Nam by December 1972, provided that all U.S. prisoners of war are released.

27%—Continue to use American air power but gradually withdraw American troops without setting a deadline.

25%—Keep American troops in South Viet Nam as long as necessary to prevent a Communist takeover.

5%—Undecided.

3. Should the Federal Government undertake a large-scale public works program in an effort to reduce our present high rate of unemployment?

54%—Yes.
34%—No.
12%—Undecided.

4. How well do you think Phase II of wage and price control is working?

4%—Very well—prices haven't increased much and more jobs are becoming available.
30%—Fairly well—but there are still some serious problems.
63%—Not very well—prices are still rising and jobs are still scare.
3%—Undecided—too early to tell.

5. What is your opinion on the present level of military spending?

45%—Too much.
11%—Too little.
32%—About right.
12%—Undecided.

6. Would you oppose amnesty to draft resisters upon the end of our involvement in Viet Nam conditional upon the men involved completing two years of military or alternate service?

57%—Yes.
33%—No.
10%—Undecided.

7. What do you believe are the most important local problems in the Second Congressional District?

Unemployment—need industries.
Transportation—need better highways—no public transportation.
Welfare—Need for reform.
Medical care—Too high—lack of doctors.
Crime—Caused by drugs.

8. If you farm, what agriculture problem do you consider most needs Federal action?

Prices too high on—seed, fertilizer and machinery.
Too many 5th Avenue farmers using farms for tax loopholes.
Middleman makes more profit than farmer.
Government should spray Gypsy Moth.

A WELL-DESERVED TRIBUTE: TO L. B. J. WITH LOVE

The SPEAKER. Under a previous order of the House, the gentleman from New York (Mr. HALPERN) is recognized for 20 minutes.

Mr. HALPERN. Mr. Speaker, I would feel remiss, upon my retirement from Congress, if I did not take out a little time to reflect some impressions from my 14-year tenure in this House.

In this instance, I wish to take this time today to express my admiration for a great President under whom I served for the full 5 years of his incumbency—a man I got to know, not as an intimate, not as a member of his party, but as a member of the opposition party. But, in Lyndon Johnson, despite frequent disagreements, I found no barrier of rigid partisanship. I found a warmth, a sincerity, a dedication, and a determination to shape a better America and to inspire a stable, peaceful world. I found a man of the highest ideals—possessed with the unique combination of pragmatism and realism, of wisdom and foresight—who applied these rare leadership ingredients so successfully toward the attainment of his goals.

The passing of time, the emergence of new faces and new issues on the scene, sometimes have a tendency to push past achievements into the background and, in so doing, due recognition is often neglected. This is just what happened, I feel, in the case of Lyndon

B. Johnson and his administration as illustrated at his party's convention this last summer.

The senseless lack of appropriate recognition as an outstanding leader of his party was a distressing blot on that conclave. I feel it did not, by any stretch of the imagination, represent the true feelings of the rank-and-file Democrats, and the American people as a whole. I am sure countless Americans share this feeling of disheartenment by this disregard of an outstanding President and of a great American. Such a temporary expediency, as reflected by the convention policymakers, is secondary and, in time, will prove meaningless and outright stupid. Lyndon Johnson's achievements have made a lasting imprint and history will reveal this exceptional man to be among the greatest of our Presidents.

The Johnson administrations were concerned, primarily, with the plight of the persecuted, the sick, afflicted, and the handicapped in the United States. The Johnson administrations were concerned with the achievement of world peace, freedom, economic stability, and the dignity of the individual. And the President dedicated himself unrelentlessly toward those aims.

Programs designed to do away with poverty or alleviate the suffering of the underprivileged were the principal product in Washington throughout the Johnson years, and countless thousands of Americans were to benefit from his exertions in their behalf.

It is not surprising, really, that Lyndon B. Johnson should have devoted his attention to problems of this kind, because he has a long and clear memory, and he has not forgotten the economic adversity he witnessed in his youth. As a child, he witnessed economic adversity on every side. As a young schoolteacher, his pupils were the victims of poverty-stricken conditions. And when the depression years arrived, in the 1930's his home State of Texas was seriously affected. In this last instance, he sought and obtained the position of director of the National Youth Administration program in Texas. From this vantage point he of course again encountered the bitter realities of widespread poverty. His mission then was to get young men off the street corners and into productive and renumerative activity, and at this endeavor he proved exceedingly competent. Working long hours at a grueling pace, he moved swiftly and effectively in putting young people to work or getting them in school. The pattern of life then established by this superb young administrator was the same pattern he took with him to Congress in 1937, and to the White House in 1963.

Lyndon B. Johnson brought with him to Washington a burning ambition to right a thousand wrongs in American life. His declaration of a war on poverty in January of 1964, and the subsequent congressional approval of that declaration, can be regarded as a direct outgrowth of one man's contact with human suffering and his humane response to that experience.

Many kinds of people enter the field of public service for many reasons, not all of which are admirable. Public service itself, however, is the noblest and the highest form of endeavor, and those who apply themselves in the proper spirit to that service deserve the applause of all thinking citizens everywhere. Lyndon B. Johnson so applied himself throughout his long and distinguished public career.

In the process, the man became a master of the art and science of politics—that is to say, the master of all the intricacies and diplomatic moves and countermoves of political activity. Traditionally, the master politician is not supposed to be a man of conscientious vigor and moral stamina. But Lyndon B. Johnson could not be confined within the bounds of such tradition. He brought to politics a conscience as big as the State of Texas and a moral stamina to match. There were those who complained of a credibility gap in the presidential performance of this remarkable man. Yet no such gap could be detected in the devotion of Lyndon Johnson to the struggle for the absolute extinction of human suffering and human destitution, to which struggle he devoted himself as President with a diligence to be remembered by the ages.

Under his authority, the Congress was persuaded to enact beneficial social legislation of unprecedented nature, to the great advantage of our country. His purposes, in this regard, were of the finest kind; his accomplishments, extraordinary.

In terms of justice alone, the Civil Rights Act of 1964 was probably the greatest single legislative enactment of the current century. The Economic Opportunity Act and the Omnibus Housing Act were gigantic strides in the direction of the "more perfect union" envisioned by the Federal Constitution. The Elementary and Secondary Education Act of 1965 and the Higher Education Act were two of the greatest blows directed against the curse of ignorance since creation of the American public school system.

Outstanding among his administration's achievements was the enactment of medicare—a program attacked at the time by its critics as socialism in disguise. This landmark legislation has helped lift from the shoulders of elderly Americans the crushing weight of heavy medical costs, and the fear of dependence on their offspring and society.

I could go on and on and on—the Immigration Act of 1965 which abolished the discriminatory immigration provisions of the antiquated McCarren-Walter Act. There was the historic Voting Rights Act of 1965 which granted heretofore disenfranchised millions of Americans the opportunity to vote. There was landmark legislation in the fields of air and water pollution. These Johnson programs pioneered Federal leadership in preserving the environment long before public awareness of this threat to humanity became the popular thing for political and governmental action.

These are only some of the measures resulting from Lyndon Johnson's leadership. But, I believe, they significantly illustrate Lyndon B. Johnson's dream of a better America, and his determination that every single one of us—the poor and dispossessed, as well as the privileged—shall share in the bounty of this land.

Few Presidents' compassion for the people he served have exceeded that of Lyndon B. Johnson's. Having been thrust into authority by tragic circumstances, and confronted by a national divisiveness unequaled since the Civil War, he united the Nation, healed its wounds, and turned to the solving of its problems, with a zealousness of the most admirable kind.

During his incumbency, Lyndon Johnson strengthened the stature of American business and industry in the eyes of the world. He implemented full meaning to America's commitments throughout the world and re-established faith in America's stated obligations. He bolstered our National security, provided for better housing on a National scale, improved the political position of nonwhite Americans of every kind, initiated innovative programs to clean the environment, inaugurated a mighty and responsible war on poverty, came to the defense of the consumers, and fostered new and vital conservation legislation to protect our natural resources. Under his leadership the greatest educational programs in the history of our country were brought to reality.

His purpose was supreme—to make the Nation work for all its people. His signature is written large on the promise of a new day of hope and fulfillment—and for this he deserves the thanks of all America.

It was truly a privilege, as a member of the opposition party, but as an advocate of the good causes that President Johnson championed, to have served during his administration. Although we may have differed at times the goals he achieved far transcended party lines. They are lasting achievements that could have only been attained under bold, innovative, realistic, and, yet, idealistic leadership.

I salute Lyndon B. Johnson. I trust that the years ahead will be happy, healthy, and rewarding ones for this great American, his gracious, lovely lady, and his fine family.

KARL M. LECOMPTE, RESPECTED CORYDON CITIZEN, IS TAKEN

The SPEAKER. Under a previous order of the House, the gentleman from Iowa (Mr. KYL) is recognized for 60 minutes.

Mr. KYL. Mr. Speaker, the Honorable Karl M. LeCompte, who served with distinction in the House of Representatives for 20 years, is gone. Those incumbent Members who served with Congressman Karl have presented a consistent story to me—a story which gives great honor to him, and to his faithful wife, Dorothy.

For, as one, those who knew Karl proclaim,

> There was a great American, a man with uncommon commonsense, a gentleman whose quietness was born of strength and kindness.

In his 85 years, Karl LeCompte touched the lives of unlimited numbers. Even for those who did not know him well, he was an example in honor and integrity, and in concern for anyone who needed help.

We are all better because Karl LeCompte touched our lives. His influence

will live as his contribution passes from generation to generation.

Mr. Speaker, I include, as part of my own remarks, an article authored by Robert K. Beck which appeared in the Corydon, Iowa, Times-Republican, a newspaper which was edited by Karl LeCompte for many years.

[From the Corydon (Iowa) Times-Republican, Oct. 5, 1972]

KARL LECOMPTE, RESPECTED CORYDON CITIZEN, IS TAKEN

(By Robert K. Beck)

The Honorable Karl M. LeCompte, 85, Corydon's most illustrious citizen, newspaperman, Republican, politician, State Senator and U.S. Congressman, a true gentleman in every sense of the word, Wayne County civic leader, died very suddenly Saturday afternoon while in Centerville attending the annual Pancake Day festivities.

Death was attributed to a heart attack.

A member of the United States Congress for twenty years, he was well known throughout southern Iowa, indeed the state and the nation. He was first elected to the United States House of Representatives in 1938 and continuously served in that capacity until his voluntary retirement in 1958.

WIDELY KNOWN

Thus, while his roots and his first love rested in the Corydon community and the Wayne county area where he was born, reared and subsequently followed his newspaper profession, he was likewise on a first-name basis with thousands of people in many communities and counties throughout Iowa.

He knew Presidents of the United States, high governmental officials at all levels and was a widely respected congressman who became a household name throughout his congressional district which spread from Creston to Newton to Bloomfield.

He was in Centerville Saturday to partake in the annual Pancake Day celebration. Just shortly before he died he reminisced with friends that he had attended each of the 24 Pancake Days except one in 1959 when he was hospitalized. "It's always a great day," he said with enthusiasm.

IN GOOD SPIRITS

He was in good spirits and apparently good health as he greeted numerous friends. He had arrived about 11 a.m., stayed through the parade and watched the marching bands perform, and then prepared to return to Corydon. As his car reached the intersection at Haynes and State near the Elks Club he stopped the car, slumped over in his seat. An ambulance was summoned and he was taken to the hospital, but he was pronounced dead upon arrival by Dr. M. G. Parks.

While he rose to great heights in the political arena, first serving as a State Senator, later in the United States Congress, his basic love was rural Iowa, his home community, and his newspaper, the Corydon Times-Republican.

LOVED NEWSPAPERING

He was content to enter his newspaper office, roll up his sleeves, pound out a news story, or set type on the linotype machine, and become a practicing country newspaper publisher-editor. He often said that printers ink was part of his blood. Publishing a newspaper was more than a responsibility, hard work and effort, it was an obligation, a great love affair, a way of life for Karl LeCompte.

He was born into the newspaper profession. His father, C. F. LeCompte founded the Times-Republican just 100 years ago. For 95 of those years the Times-Republican remained within the LeCompte family, first his father, then Karl's brother, W. R. (Rollie) LeCompte, and in 1910 when Rollie passed away Karl, just graduated from the University of Iowa, returned home and joined his ailing father in publishing the T.R.

Mr. LeCompte retained the T.R. until 1967 when he sold it to News Consolidated Inc., simply because he had reached the age when he felt like he must pass along the burden of publishing a weekly newspaper.

COUNTRY NEWSPAPERMAN

Karl was recognized in the publishing profession as a true adherent of country newspapering. He liked names in print. He wanted his newspaper to stand for those things best for Wayne county. He was not ashamed to get printers ink on his hands, nor hesitant to compose an ad, and sit down and peck-out a column or news story. He was meticulous about writing style and copy preparation.

He was recognized for his outstanding contribution to the profession by the Iowa Press Association in 1962 when he was awarded the highest honor in his profession, the Master-Editor Publisher Award which states that "He has worked hard, lived honorably, thought soundly, influenced unselfishly and is entitled to the highest honor in his profession." He was at one time a member of the Iowa Press Association Board of Directors

He was in the newspaper profession during the days when he would ride a bicycle to the railroad station each day to get the names of people leaving and arriving to record personal items.

In 1912 the Times-Republican was consolidated with the Wayne County Democrat. In 1924 C. F. LeCompte died and Karl became the sole owner.

ELECTED TO OFFICE

While the T.R. was a large part of Karl LeCompte's life, his still greater achievements were in the field of politics. He started his elective office career in 1916 when he was elected to the Iowa State Senate serving until 1920.

One thing that displayed so well his character was the fact that LeCompte voluntarily entered the army as a private during World War I. The country had declared war against Germany in 1917 and even though LeCompte had an exempt status because of his Senate position, he wanted to serve in uniform.

In 1919 he returned to his Senate duties. His father, now enjoying better health, operated the T.R. along with his son Karl.

RAN FOR CONGRESS

Karl continued his active work with the Republican party but did not stand for office again until 1938. Congressman Lloyd Thurston of Osceola decided to contest for the U.S. Senate leaving his congressional post vacant. LeCompte tossed his hat in the ring, won a three-way primary contest, and then the general election in November.

As a member of the House of Representatives in the U.S. Congress he represented the fourth congressional district. He was noted for his prompt attention to constituency requests, his prolific letter-writing. People having birthdays and gaining unusual recognition always received a cordial note from their congressman.

RATHBUN DAM CONNECTION

He was sent back to congress again and, again, standing for ten elections and winning ten times. He was in congress when the Rathbun Dam project was authorized in 1954 and when the initial planning appropriation was made in 1956. Even though it was a highly controversial project in that day, LeCompte gave his approval to this action which started the project on its way to eventual completion.

He served under President Roosevelt, Truman and Eisenhower, knowing each. He likewise served with Richard Nixon while he was a congressman, later a U.S. Senator and Vice President of the United States.

KNEW NIXON

When President Nixon was at the Rathbun dedication in 1971, the President spotted Mr. LeCompte in the massive crowd, made a special effort to reach for LeCompte's hand and extend greetings.

Each year the LeComptes received a Christmas card from President and Mrs. Nixon.

He served on important congressional committees, the Foreign Affairs Committee, as the powerful chairman of the House Administration Committee. He served with such Iowa congressmen as Jim Dolliver of Fort Dodge, Charles Hoven of Alton and H. R. Gross of Waterloo and many others. He knew congressional leaders like the late Joe Martin, House minority leader, and Senator Everett Dirkson and many others.

JAPANESE TRIP

At the time of the Korean War he made a trip to Japan with General George Marshall to visit with General Douglas MacArthur, Supreme Commander in the Asia theater area, and at the time became a great friend of General Romulo who later became President of the Philippine Islands, and still later Ambassador to the United Nations. He and Mrs. LeCompte have remained in contact with him through the years.

Mr. LeCompte wanted to return home during his senior years and spend more time in Corydon so he relinquished his congressional duties in 1958. However, he continued his active interest with the TR along with Lyle Bryan until he sold.

In retirement he kept in contact with his wide circle of acquaintances. He visited his down-town Corydon office each day where he carried on his business, kept up his correspondence and greeted friends.

CIVIC RESPONSIBILITIES

During his younger years he was very much in civic affairs in Corydon and Wayne county. He was an active American Legion member, helping to organize the first American Legion post in Iowa. He was in Corydon Chamber of Commerce work, a one time member of the Rotary club, in recent years took great interest in the Wayne County Historical Building. During one period of his life he was very much in the mainstream of community affairs. He was a member of the Methodist Church, Centerville Elks Club, a Mason.

LeCompte had many valuable attributes. He was particularly interested in young people and was delighted when he could give a young man a special assist, perhaps get them a job, or help them in some way.

A GREAT GENTLEMAN

He was a true gentleman. He spoke courteously to people, always rising when a lady entered the room, tipping his hat and addressed them with decor.

He genuinely liked people, loved to associate with them, be around folks. This was one thing that made him such a political success.

He had a tenacious quality, a determination to undertake an assignment and see it through. He wouldn't give up on something if he thought it was right. He would see the project through to the end.

GREAT LOYALTY

He also had loyalty. He wouldn't desert a friend. His word was his bond. A handshake of agreement meant something to Karl LeCompte This also was a great political asset.

He was born in Corydon May 25, 1887. His parents were Charles Francis and Hannah David Miles. He attended the Corydon schools graduating in 1905. In 1909 he graduated from the University of Iowa, returning to Corydon and his newspaper work. Incidentally, the University recently acquired his memoirs to make them a part of their historical archives.

He married Dorothy A. Tye August 12, 1927 at Indianola, Iowa. Mrs. LeCompte had come to Corydon as a school teacher and was one of Karl's great assets in life. She shared many of his hopes, aspirations and at times disappointments. Dorothy became almost as widely known as her illustrious husband. Dorothy survives.

SISTER SURVIVES

One sister, Miriam LeCompte, Corydon, survives. Two sisters, A. L. Hill, Burlington, North Carolina and J. V. Reaves, Mobile, Alabama preceded as well as parents and brother Rollie.

Funeral services will be held at 2 p.m. at the Methodist church with the Rev. Lawrence Jones officiating and Robert K. Beck making some remarks.

The body is at the Wolf Funral Home in Corydon but will be taken to the church Tuesday morning. The casket will be open. Burial will be at the Corydon cemetery.

Mr. SCHERLE. Mr. Speaker, Iowa lost one of its finest citizens when the Honorable Karl LeCompte died last week. For 20 years, he served the State and the Nation in this Chamber. During that time he earned a well-deserved reputation for unfailing diligence, forbearance and perseverance to his principles.

Even after he retired, returning to his first vocation as a newspaperman, he maintained the tireless concern for his country's welfare that distinguished his career in Congress. We are all the poorer for his passing, but his life will continue to serve as an example to his successors in the Iowa delegation and to all who aspire to unselfish public service.

Jane joins me in expressing our condolences to the very gracious Dorothy LeCompte.

Mr. ASPINALL. Mr. Speaker, it was my pleasure when I first came to Congress to become acquainted with the late former Congressman Karl M. LeCompte of Iowa's Fourth Congressional District. I enjoyed my association with him very much. He was always most friendly and most helpful, especially to a new Congressman from the West.

He was an industrious and effective legislator and had the respect and admiration of all of his colleagues when he left Congress. He lived a long and fruitful life, and not only is his home community and the State of Iowa his debtors, but also is the Nation.

I am most happy to join with my colleagues in paying tribute to his personality and to his service.

Mr. BELCHER. Mr. Speaker, several weeks ago a very great man and former Member of Congress departed this earth. I am referring to Karl M. LeCompte who served as a Member of Congress from the Fourth District of Iowa from January 3, 1939, to January 3, 1959, and chose not to seek reelection in 1958.

I am sure that quite a few of us gathered here today are possessed with many fond memories of our former colleague and friend. Karl was one of my oldest and dearest friends. He was probably one of the most modest men that I have ever known. He always worked and dedicated himself in the manner that epitomizes great statesmen. His efforts were always directed for what was best for the country and for his district, rather than his self-satisfaction or public acclaim. To sum it up, he was a great man and a great Congressman.

Mr. BURLESON of Texas. Mr. Speaker, I have most pleasant memories of Karl LeCompte because of our rather close association for a number of years. He was chairman of the House Administration Committee in 1953–54, at the time I was the ranking Democrat. Subsequently, our positions changed but our understanding of one another made little difference, if any, in the policy and conduct of that committee.

Karl LeCompte was a gentleman in the truest sense of the word. I never knew a more considerate man nor one more dedicated to serving his Nation, his State, and his district. He will long be remembered as a man of the highest integrity and nobleness of purpose.

I extend to his wife, Dorothy, my deepest sympathy and good wishes for her well-being.

Mr. CELLER. Mr. Speaker, I am saddened by the passing of Karl M. LeCompte of Iowa, who served two decades in the House of Representatives.

I recall the innate dignity of Karl and his gentleness of manner. There was no mistaking this gentleman of distinction. He brought with him the openness of the countryside and the wholeness of one with nature. He served his constituency and his country well. His memory will be enshrined in his good deeds in and out of Congress.

I extend my sincere sympathy to his family.

Mr. FISHER. Mr. Speaker, it was my happy privilege to have served with the late Karl M. LeCompte of Iowa. As a Member of the House, Karl was highly respected and wielded a stable and effective influence on many major issues. In many respects he was a model Congressman—always affable, friendly, but at the same time firm and positive in regard to principles.

Our late friend seemed to always put the welfare of the country ahead of party politics. He was a statesman and was deeply devoted to the cause of good government.

Mr. FLYNT. Mr. Speaker, I would like to associate myself with the remarks and tributes which have been paid to the late Hon. Karl M. LeCompte of Iowa.

Karl LeCompte will be especially missed by the people of the Fourth District of Iowa, but he will also be missed by the people of the State of Iowa and of the United States. He was a valuable Member of the House of Representatives from 1939 until 1959. He was a devoted Representative of his district and State. He was a good friend who will be missed by all of us who were fortunate enough to have been included among his associates.

Representative LeCompte's patriotism and outstanding public service to our Nation are credits to his memory. I join with my colleagues in paying tribute to a highly dedicated American. Mrs. Flynt joins me in extending our condolences and heartfelt sympathy to Representative LeCompte's family.

Mr. MILLER of California. Mr. Speaker, it is with deep sadness that I take this occasion to say a few words to honor the late Honorable Karl M. LeCompte, former Member of the House of Represenatives from Iowa, with whom I had the privilege of serving for 13 of my 28 years in the House. Karl was not only my esteemed colleague and good friend, he was my neighbor as well, and I am proud to say that our relationship was a close one.

Karl's dedication to the House of Representatives, his patriotism and his zealous quest for truth gained for him the high respect of his colleagues. His splendid contributions to the work of the Foreign Affairs Committee and the House Administration Committee were invaluable to the Congress. His decision not to stand for reelection in 1958 was regarded with a keen sense of disappointment, and now it is with a further sense of loss that we learn of his recent passing.

With our deep sympathy to his family goes the message that Karl LeCompte leaves behind him many friends who will not forget the inspiration of his conscientious service to our country.

Mr. MORGAN. Mr. Speaker, I was very sorry to hear of the passing of our former colleague, the Honorable Karl M. LeCompte.

He was a respected and influential Member of the House when I came here in 1946, and he served on the Committee on Foreign Affairs during the 83d, 84th, and 85th Congresses.

He took an active interest in matters of foreign policy and was a member of the official U.S. delegation on a number of occasions to meet with the officials of foreign governments.

He was well known to his colleagues in the House because of his service on the Committee on House Administration. He was chairman of that committee in the 80th and 83d Cogresses.

All of us who knew him remember particularly his genial and kindly manner.

He served his constituents and his country well.

His family can derive comfort from the fact that all of his colleagues in the House loved and respected him, and are saddened by his passing.

Mr. RHODES. Mr. Speaker, I was deeply saddened to learn of the passing of our former colleague, the Honorable Karl M. LeCompte. Karl was a dedicated Member of the House for 20 years, and I was privileged to have had the opportunity to serve with him and come to know him well during the last 5 years of his tenure before he returned to private life in January of 1959.

My acquaintanceship with Karl LeCompte began, at first meeting, with a feeling of great respect for his wisdom and statesmanship. This feeling, during our close association during the ensuing 5 years, ripened into a deeprooted and mutual friendship. He was a fine gentleman, a loyal friend, and one whom his colleagues held in highest respect.

The Nation mourns the loss of one of its most dedicated citizens, and I personally miss Karl LeCompte as a close and personal friend.

My heartfelt sympathy is with his family in their bereavement.

Mr. SIKES. Mr. Speaker, I was saddened to learn of the death of former Congressman Karl LeCompte of Iowa. Those of us who knew him respected and admired this wise and good man.

He was in the Congress when I came to Washington and I learned quickly that he was a man whose guidance was sound and a source of inspiration.

When he left the Congress in 1959, he returned to his native city—the city where he was born—and he took up his

profession of newspaper publisher anew at Corydon, Iowa.

Now, word has come that Karl LeCompte is no longer with us, that his wise voice is stilled. But what he leaves behind is so much more than that left by most men. He leaves a host of friends and admirers, he leaves his deeds, both as a Member of Congress and as a private citizen. He leaves a legacy of wisdom, an example of honesty, and a life of dedication.

But most of all, he leaves a void which will not soon be filled, and he will be missed by us all.

My sincere sympathies are extended to his family and friends in Iowa and across the world, for truly here was a man who did much for the cause of freedom everywhere.

Mr. SPRINGER. Mr. Speaker, I was saddened to learn of the recent death of our former colleague, Karl Miles LeCompte, who served as a Representative from Iowa for 20 years between 1939 and 1959. Those were critical years in the history of this Republic covering the period of World War II, including the years just preceding that conflict and the "cold war" period that followed. Karl LeCompte, who served as a private during the First World War, furnished us many valuable insights gained from that experience as well as from his journalistic career as publisher and owner of the Corydon Times-Republican. Karl LeCompte did not hesitate to speak out when the best interests of his country were at stake. His was a strong voice and he was always listened to if not always heeded when he expressed the conservative philosophy that guided his judgment on the legislative issues of his time.

Mr. POAGE. Mr. Speaker, Karl LeCompte for many years was a stalwart Member of this House. He came to this body just 2 years after I had taken oath of office. I served with him during all of his service here, and I came to honor and respect him for his ability and his integrity. Word of his passing brings sorrow to those of us who knew and served with him, and I would like to join others in extending my sympathy to members of his family.

Mr. WHITTEN. Mr. Speaker, I learned recently of the passing of my good friend, Karl M. LeCompte.

Karl and I served together many years and were very close friends. He rose to the chairmanship of his committee where he did an outstanding job and enjoyed the confidence of Members of both parties.

In his passing we lost not only a friend, but one who made his many contributions during his years.

To his loved ones we express our deep sorrow.

Mr. GROSS. Mr. Speaker, the sudden death of the Honorable Karl M. LeCompte was a shock to his many friends, both in and out of Congress.

Since his retirement from the House of Representatives in 1958, Karl had been active in the publication of his newspaper and in public affairs in southern Iowa.

Karl had been a Member of the House for several years when I first came to this body in 1949. He was a dedicated Member and he was most helpful to me through the years that we served together.

Mrs. Gross joins me in extending our heartfelt sympathy to his wife, Dorothy, and to the other members of his family.

GENERAL LEAVE

Mr. KYL. Mr. Speaker, I ask unanimous consent that all Members may extend their remarks on the life, character and accomplishments of our former colleague, Karl M. LeCompte.

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

There was no objection.

IPU CONFERENCE IN ROME: INTERIM REPORT OF U.S. GROUPS

The SPEAKER. Under a previous order of the House, the gentleman from Illinois (Mr. DERWINSKI) is recognized for 10 minutes.

Mr. DERWINSKI. Mr. Speaker, as President of the U.S. delegation to the Interparliamentary Union, I am pleased to present to the House an interim report of the U.S. Group covering the 60th Conference of the Interparliamentary Union meeting held in Rome from September 21 to 29. A full report, with resolutions, speeches made by U.S. delegates, and other Conference decisions, will be made in our annual report to the Congress at the start of the next session.

Delegates from 64 countries and nine international organizations took part in the Conference. The U.S. delegation included Senators BIRCH BAYH, VANCE HARTKE, B. EVERETT JORDAN, WILLIAM SAXBE, ROBERT T. STAFFORD, and ROBERT TAFT, JR., and Representative JACKSON E. BETTS, JOHN W. BYRNES, ROBERT MCCLORY, JOHN MONAGAN, EDWARD J. PATTEN, and ALEXANDER PIRNIE.

The Conference passed resolutions on terrorism, the Middle East, disarmament, environmental problems, the fight against drug abuse, education in developing countries, and vocational training. The resolution on terrorism was particularly significant. Based on a draft submitted by the U.S. Group, it asked parliaments to exert influence on their governments to support the U.S. proposal in the General Assembly for the adoption of a Convention on the Prevention and Punishment of International Terrorist Acts. It also asked governments to take all appropriate measures to prevent such acts and to refrain from acquiescing in organized activities directed toward their commission.

Representative BOB MCCLORY, in a speech on the agenda item entitled "New Forms of Political Pressure in International Affairs," and I, in my speeceh during the general debate, had urged the organization to take action on this problem. Senator TAFT served on the committee which drafted the final resolution.

As Chairman of the U.S. Group, I also stressed that recent terrorist acts had set back prospects for peace in the Middle East and urged that the worldwide trend toward dialog also find its expression in the Middle East. The final resolution of the Conference reaffirmed the IPU's support for Security Council Resolution 242 and urged all parties to cooperate in efforts to achieve peace. The delegation abstained on the resolution when the submission of amendments by various delegations upset a compromise resolution which had been carefully worked out in the drafting committee.

The Educational, Scientific, and Cultural Committee, chaired by Representative BOB MCCLORY, submitted the final resolution on environment adopted by the Conference, Senator ROBERT STAFFORD serving on the drafting group which worked out the document. The resolution stressed the importance of the recommendations made at the June 1972 Stockholm Environment Conference and reiterated many of the recommendations made at that Conference. Because their governments had not attended that Conference, parliamentarians from the Communist countries abstained on the final resolution which otherwise was approved overwhelmingly by the Conference.

The Conference also overwhelmingly adopted a resolution on the fight against drug abuse based on a draft submitted by Representative JOHN MONAGAN to the spring meeting in Yaounde. Representative JOHN MONAGAN, in his address to the Conference, reviewed efforts in the United States and elsewhere to deal with all aspects of this problem and urged adoption of the Rome resolution as proof that "official indifference is no longer the alley of the drug dealer."

The resolutions on disarmament, education, and vocational training were all adopted essentially as submitted to the conference by the Study Committees which had met in Yaounde during the spring. Senator ROBERT STAFFORD presented U.S. views on disarmament to the conference, Representative PATTEN on education in developing countries, while Representative BETTS also spoke to the conference on the responsibilities of parliaments to their electorates.

In addition to the conference, the IPU Council met in Rome on September 21 and 29, with Representative ALEXANDER PIRNIE and me. One major order of business was the selection of three new members of the nine-member Executive Committee, for which six countries submitted candidates.

It was my honor to be nominated by the U.S. Group as a candidate for the roughly equivalent to the Security Council of the U.N. As an elected member of the Executive Committee, I also participated in a meeting of that group on September 30. Agenda for future meetings and conferences, resolutions, and personnel and financial matters were under consideration at the meeting. The Council approved the admission of the German Democratic Republic and the Republic of Bangladesh to the Union. It also decided to postpone until January 1973 the holding of a Conference on European Cooperation and Security previously scheduled to be held in Helsinki this November. The postponement was necessitated by the West German decision on the eve of the Rome

conference to hold new elections in November which would have made attendance by this key delegation impossible on the date originally scheduled.

The rest of the delegation made an official stop in Madrid, Spain, where they were briefed by Embassy officials. The delegation met with members of the Spanish Foreign Ministry, and made an official call on leaders of the Cortes (parliament) for an informal discussion of legislative responsibilities and procedures.

SOCIAL SECURITY BENEFITS INCREASE INSUFFICIENT

The SPEAKER. Under a previous order of the House, the gentleman from Michigan (Mr. RUPPE) is recognized for 10 minutes.

Mr. RUPPE. Mr. Speaker, the social security benefits increase of 20 percent was designed to make the monthly income of our disabled and retired citizens and their families, more appropriate and comparable with the cost of living in 1972 America. The high costs are particularly apparent in medical care, housing, food costs, and basic necessities and services.

But, in our hurry to provide our deserving senior citizens with an appropriate increase in their social security income, we neglected to give our fullest attention to several related programs of major importance, which may be effected by that increase.

The major issue here is the reduction or cancellation of public assistance, medicaid, and food stamps services to people presently receiving any of these services and social security. Since, the income of the individual, including his social security benefits, is used as the criterion for eligibility and benefit level for these supplemental services, people receiving both will experience a dollar-for-dollar reduction in their supplemental benefits because of the social security increase.

The philosophy behind the social security increase is to provide recipients with a more adequate financial base to live on. I believe the intent of Congress is clear, and that social security benefits should be raised the full 20 percent for each recipient, and that this increase should be realized, in full.

The social security increase is intended to provide those of our society, who have contributed to its greatness, a more comfortable existence. It was not intended to allow States to hoard their excess State public assistance funds.

As the situation stands now, for those receiving both social security and any and all other public assistance and State social services programs, the 20-percent increase will cause them to experience a dollar for dollar reduction or ultimate cancellation in those supplemental programs. In fact, it appears that people on public assistance programs and who receive social security benefits will not get any more real income than they had before, because they will be forced to meet the costs of much medical and emergency care and basic needs costs that had formerly been covered by their supplemental assistance payments.

Roughly 26 percent of the blind people of this Nation now receiving public assistance are also presently receiving social security; 60 percent of the disabled people receiving public assistance, are also receiving social security benefits. In many States special programs for the medically needy have been set up, to help those people not on welfare, meet the high cost of medical care, including drugs, medicines, and nursing homes. These people who receive social security also, will lose their eligibility for the medically needy programs, due to the increase in their income resulting from the 20-percent increase.

In some cases, especially the disabled, the cost of the medical necessities, they will now be forced to bear themselves, will greatly exceed the social security increase.

If medicaid is not exempted from the allowance to decrease public assistance payments due to the increase in social security, approximately 190,000 people will lose money benefits and some 100,000 people will lose medicaid entirely.

According to the Commission on Aging in Lansing, Mich., the people who will be hurt the most are those receiving $140 to $150 per month in social security benefits—a bare existence level. The raise in benefits may be enough to push them over the level and make them ineligible for medicaid on an ongoing basis.

Medicaid provides for doctor's care and treatments for chronic illnesses and provides money for medication. Once these people lose medicaid, the elderly ones must go onto medicare, which stipulates such conditions as $50 deductible—the individual must pay the first $50 of the doctor's fee—in addition to the fact that medicare does not cover drugs or medication. This situation is extremely dangerous and problematic for the additional burden it creates, surpasses the increase in Social Security benefits.

In Michigan 41,000 people receive old age assistance; of that number 20,500 also receive social security. In most States, public assistance, or money grants are given as supplemental income to social security benefits and/or any other income, on the basis of individual situations of need. In general the money grants do not effect eligibility for medicaid assistance. Now with the social security increase, the income level may rise over the mark for a money grant, which in turn cancels the special standing allowing increased income with no effect on medicaid services. Thus, such individuals will be forced to bear all emergency and medical costs without the help of public assistance or medicaid.

In Michigan, in the category of aged, blind and disabled, 36,914 people receive social security and money grants. If Congress does not act, 6,800 people will lose their public assistance, entirely, the remaining 30,000 will experience a dollar for dollar reduction in the public assistance. Of these 6,800 some 1,000 will, ironically, have their total incomes reduced, as a result of the increase.

We must act to mandate the States to disregard the entire increase of social security benefits as it is reflected in the eligibility and benefit levels for public assistance and medicaid.

On April 26, 1972, I introduced a bill H.R. 14636, which would do just that. The bill we are now considering, H.R. 16811, does not go the full step, while it exempts medicaid, it provides only a $4 disregard on a previous social security increase, as it applies to other public assistance programs. This certainly stops short of the necessity of the situation.

The Senate has provided a total disregard on the social security increase, as part of H.R. 1. This bill is presently in conference, and because the outcome of H.R. 1 is uncertain, I feel it would be far wiser to adopt the wording of the Senate bill now, rather than risk a cruel oversight on the part of the Congress. To do otherwise would, in my judgment, be a violation of the intent of Congress, as it passed the social security increase 4 months ago.

Let us not stop half-way in improving the living conditions of so many Americans who are in need, especially the old and disabled who have given the best of their years to making this country a better place, and who have contributed more than their fair share for our national well-being.

FREEDOM OF THE PRESS

The SPEAKER. Under a previous order of the House, the gentleman from Illinois (Mr. FINDLEY) is recognized for 5 minutes.

Mr. FINDLEY. Mr. Speaker, almost all of my adult life before coming to Congress was spent in the newspaper business. As a reporter, editor, and publisher for several weekly papers in Illinois, I grew to know and understand the importance of the constitutional guarantee of a free press. In a very real sense a free press protects other freedoms guaranteed by the Constitution. Without a free press, violations of other rights might go unreported, and an unaware public might conclude that its democratic government was more secure than in fact it was.

I still retain an interest, as publisher, in the Pike Press, country weekly in Pikefield, Ill. And my interest in preserving the freedom of the press is unabated.

Thus, I was shocked and disappointed by the decision of the Supreme Court in three cases late in June of this year. In U.S. against Caldwell, Branzburg against Hayes, and In re Pappas, the Court rejected the claim of newsmen that the first amendment to the Constitution entitled those newsmen to refuse to testify before a grand jury concerning confidential sources of information or confidential information obtained from news sources. Writing for the Court, Justice White stated:

> We cannot accept the argument that the public interest in possible future news about crime from undisclosed, unverified sources must take precedence over the public interest in pursuing and prosecuting those crimes reported to the press.

Such a decision in my view, gravely compromises the right of a free press to

gather news, uncover governmental corruption or stupidity or malfeasance, report crime, drug abuse, or other objectionable activity. Worse, such a decision carries within it the ever-present possibility that unscrupulous public officials could use the mere threat of grand jury exposure to compromise a free press.

Congress should act speedily to repair the damage done to the Constitution and plug up this hole through which our other freedoms might also disappear.

Today I am introducing a bill to accomplish that purpose. Similar to other proposals before the House, the bill exempts newsmen from revealing any information or sources which they have procured for publication or broadcast, unless a U.S. district court explicitly divests the newsman of such protection. The court could order such divestment only if three specific conditions are met.

First, there must be probable cause to believe that the person from whom the information is sought has information which is clearly relevant to a specific probable violation of law. Second, it must be demonstrated that the information sought cannot be obtained by alternative means. Third, there must be a compelling and overriding public interest in the information sought from the newsman.

In my view, this type of legislation protects the public's interests in securing that information which is absolutely vital and which only newsmen may have. At the same time, it also protects the public's most important constitutional guarantee, that of a free press.

The text of the bill follows:

H.R. 17174

A bill to assure the free flow of information to the public

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That a person connected with or employed by the news media or press, or who is independently engaged in gathering information for publication or broadcast, shall not be required by a court, a grand jury, the legislature or any administrative body, to disclose before the Congress or any Federal Court, grand jury, agency, department or commission any information or the source of any information procured for publication or broadcast.

SEC. 2. The protection set forth above shall not apply to the source of any allegedly defamatory information in any case where the defendant in a civil action for defamation asserts a defense based on the source of such information.

SEC. 3. In any case where a person seeks information or the source thereof protected by this act, such person may apply to the United States District Court for an order divesting such protection. Such application shall be made to the District Court in the district wherein the hearings, action, or other proceeding in which the information is sought is pending. The application shall be granted only if the court, after hearing the parties, determines that the person seeking the information has shown by clear and convincing evidence that (1) there is probable cause to believe that the person from whom the information is sought has information which is clearly relevant to a specfic probably violation of law; (2) has demonstrated that the information sought cannot be obtained by alternative means; and (3) has demonstrated a compelling and overriding public interest in the information.

SECOND SESSION OF 92D CONGRESS PRODUCED MANY IMPORTANT PIECES OF LEGISLATION

The SPEAKER. Under a previous order of the House, the gentleman from Pennsylvania (Mr. WILLIAMS) is recognized for 10 minutes.

Mr. WILLIAMS. Mr. Speaker, in October 1972, the 92d Congress completed its business. This session produced many important pieces of legislation, such as the General Revenue Sharing Act, major increases in social security and railroad retirement benefits, the Federal Election Campaign Reform Act, major increases in veterans' benefits, antipollution laws, the spending ceiling, and for those of us who live in the Philadelphia area, the act which created the Tinicum National Environmental Center.

As usual, I was one of the most active Members of Congress. I responded to 435 of 453 quorum calls and recorded votes, as well as hundreds of unrecorded votes. My attendance record for this session has been 96 percent, far above the average for all Members of Congress. This record keeps my attendance above 95 percent for each year since I was first elected to represent the people of the Seventh District in Congress. Both I and my staffs in Washington and Delaware County are constantly working to help solve constituent problems, or to provide answers to the hundreds of letters received each week requesting information or assistance.

My pledge to you has always been to represent the people of the Seventh District to the best of my ability. In order to keep myself informed of the views and wishes of the people of Delaware County I come home almost every weekend to meet constituents and hear their problems and suggestions. This weekly contact with hundreds of you throughout the county has repeatedly proven to me that my votes accurately reflect the views of the overwhelming majority of Seventh District residents.

The year behind—the year ahead. We will remember 1972 as the first year a President of the United States visited Moscow and Peking. We can all recall the thrill of seeing President Nixon being greeted as the National Anthem was played. These two visits, and the President's obvious determination to bring an end to the tragic war in Vietnam, may well be the first steps toward a real "Generation of Peace." I promise each of you in the year ahead to work for peace throughout the world.

THE IMPACT OF REVENUE SHARING

The historic revenue sharing measure has passed the Congress. The Treasury Department in Washington is already preparing checks for distribution early next month for this year's funds. State, county, and local governments throughout the Nation will be able to put these funds to immediate good use.

Delaware County will receive over $6 million this year alone. The money is allocated by a complex formula based mainly on population, and distribution will be to both the county government and to each individual borough and township as well as the city of Chester.

As an example, the city of Chester will receive approximately $891,000. Since the Treasury Department is still computing the amounts each municipality will receive, a complete list is not available. However, the following approximate amounts have already been computed: Aldan, $15,490; Brookhaven, $22,820; Clifton Heights, $27,340; Collingdale, $33,520; Colwyn, $13,570; Darby, $80,550; East Lansdowne, $13,910; Eddystone, $9,930; Folcroft, $35,990; Glenolden, $29,920; Lansdowne, $43,640; Marcus Hook, $45,870; Media, $19,960; Morton, $8,690; Norwood, $42,420; Prospect Park, $43,710; Ridley Park, $27,950; Sharon Hill, $27,950; Swarthmore, $19,060; Upland, $32,840; Yeadon, $37,590.

In addition, the Delaware County government will receive $2.3 million. Approximately another $2.2 million will be distributed to the other municipalities in the county which are not listed above. This bill marks an important change in the relationship of local governments with the Federal Government. For the first time, we are giving Federal funds to local governments with no strings attached so that they can be put to the best possible use.

VIETNAM—THE FINAL ACT

News reports indicate that agreement may be near in the Paris peace talks. After years of effort at the negotiating table, the end appears to be in sight. President Nixon sent Henry Kissinger to Paris for extended secret talks in mid-October. There has been repeated speculation that a spectacular breakthrough was made and that a peaceful solution is expected any day.

President Nixon has kept his pledge to get us out of Vietnam. In less than 4 years in office, he has reduced American troop levels in Vietnam from a high of 549,000 to less than 30,000. This is a reduction of more than one-half million men. All American ground combat troops have long since left that troubled land. We have retained our naval and air power in the Southeast Asian area only because the final peace negotiations have not been completed, and we are still awaiting the return of American prisoners of war and an accounting for those still missing.

Vietnam has been a tempering experience on American national character. We have learned that General MacArthur was right in warning against American involvement in an Asian land war. We have lost thousands of our best young men and spent millions which could have been used at home. Vietnam has taught us much about ourselves and our position in international affairs. Let us all be thankful that President's Nixon's efforts for peace appear to be bearing fruit and we can look forward to a quick and honorable end to our involvement in Indochina.

THE ECONOMY REBOUNDS

The Labor Department price index only rose a modest 0.2 percent in August, only half as much as in the previous month. The raise was the same both before and after adjustment for seasonal movement. The wage and price controls have now proved their effectiveness in slowing inflation, the thief which fu-

tively steals from each of us. Bureau of Labor Statistics figures show that the percentage change in the Consumer Price Index was increasing at an outrageous 6.3 percent when the Nixon Administration took office in 1969. The projected annual change increase rate for 1973 is substantially under 2.5 percent. Thus, inflation has been more than cut in half.

Weekly take-home earnings are up sharply after years of stagnation. Controlling the inflation rate has made each dollar available more valuable. Take-home pay throughout the latter half of the 1960's remained level at $91 per week. This was, of course, based on the constant buying power of the 1967 dollar. The economic controls requested by President Nixon, and provided by the Congress, have brought more than a 5 percent increase in the purchasing power of the average American's take-home pay. President Nixon has won my support for his efforts to make the seventies a decade of economic security for all Americans. My pledge is to continue my support for policies and programs which are economically sound.

OLDER AMERICANS

Congress has amended, with my help, the Older Americans Act with new aid to the elderly. The 92d Congress will be long remembered as the Congress which acted to enrich the lives of this Nation's senior citizens. Only the 74th Congress which passed social security, and the 89th which passed Medicare and the Older Americans Act have done more for the elderly.

Important measures this Congress has passed include social security increases. Benefits under social security have been increased by 32 percent in just 2 years—the largest increases ever voted by a single Congress. Nutrition for the Elderly authorizes money to provide at least one hot, nutritious meal daily, five days a week, to people aged 60 and over. Meals will also be delivered to elderly persons who are homebound.

A new National Institute of Aging as part of the National Institute of Health will conduct research on the aging process and on the special health problems of older people. The emergency services to unemployed and underemployed persons, specifically includes: "older persons who desire to remain in, enter, or reenter the labor workforce."

RELEASE OF POW'S AND MIA'S AND LASTING PEACE ARE KEYS TO A VIETNAM AGREEMENT

The SPEAKER. Under a previous order of the House, the gentleman from New York (Mr. KEMP) is recognized for 15 minutes.

Mr. KEMP. Mr. Speaker, all Americans long for peace. There is no division over the desire for peace in Southeast Asia or elsewhere.

But if our country is to achieve a lasting and durable peace, then consideration must be given to how this war is ended. I believe it must be ended in such a way as not to increase the chances of more war in the future, because of what the result will be if aggression is allowed to be rewarded in Indochina.

It seems to me, Mr. Speaker, that a ceasefire must be one of the prerequisites of any plan of those who seek lasting peace in Southeast Asia. It also is obvious that faith in begging for the release of our prisoners of war and the identification of our men who are missing in action is hardly consistent with the realities of dealing with the North Vietnamese.

Senator MCGOVERN has proposed that the United States purchase peace by accepting the terms dictated by the Communists with no firm guarantee that would even result in the return of American POW's and those missing in action.

In his half-hour address Monday, Mr. MCGOVERN complained profusely over the accidental victims of American military action. But there was not one word of sympathy for the victims of deliberate Communist atrocity. Nowhere was there sympathy expressed for the civilians murdered in a bus last week, the countless victims of deliberate Communist rocket attacks, and the thousands who were wantonly slaughtered at Hue in 1968. The children of the civilians massacred by Communist terror fill South Vietnamese orphanages. Not a word was heard on their behalf. Why the double standard?

Senator MCGOVERN also flatly distorted his own record on Vietnam. He has not always been an opponent of the war, but was part and parcel of the decisions which got America into Vietnam.

Senator MCGOVERN voted for the Gulf of Tonkin resolution. He voted for virtually every war appropriation, even as late as 1969. He voted to kill Senator Wayne Morse's amendment to repeal the Gulf of Tonkin resolution. In 1966, he voted eight times to fund the Vietnam war.

In 1966 and 1967, he voted against Senator Gruening's amendment to prohibit the sending of draftees to Vietnam. In 1968, he voted for approximately $32 billion in appropriations to pay for continued U.S. involvement in Vietnam. He not only voted for the war, he spoke out in favor of it. Mr. Speaker, consider the following quotes:

"We cannot surrender or withdraw from Vietnam, nor have I recommended that." McGovern Newsletter, May 1967.

"I would hope we would be prepared to wage such a conflict rather than to surrender the area to communism." *Congressional Record*, January 15, 1965.

". . . we cannot now abruptly withdraw and leave our South Vietnamese ally at the mercy of the guerrilla forces." *Aberdeen (S. Dak.) American News*, March 13, 1965.

"We can't pull out; we can't go back on our commitment. . . ." *Watertown (S. Dak.) Public Opinion*, April 29, 1967.

"My position on the Vietnam war has not altered one iota." *Detroit Free Press*, July 17, 1972.

Besides misrepresenting his own position, the Senator did a gross injustice to the President's record. Why did it go unmentioned that President Nixon has withdrawn 95 percent of the troops MCGOVERN voted to send there and reduced casualties by nearly 100 percent and removed all ground combat troops?

MCGOVERN acted as though two and a half million Americans went to Vietnam to save one man—President Thieu. That is a falsehood—they are there so 17 million people would not have a Communist regime imposed on them with all the terror that would follow. Senator MCGOVERN reflects a type of historical blindness to the consequences of a Communist takeover of the south.

Senator MCGOVERN's pullout of all American equipment from the south—while Communist guns and planes and artillery continue to pour in from the north—would be an act of betrayal. It would invite and guarantee a bloodbath that would mean death for hundreds of thousands, if not millions, of South Vietnamese whose only crime was to place their confidence in the word of the United States.

Finally, Senator MCGOVERN totally covered up his position of general amnesty. Unconditional amnesty has never been granted by any American President. Senator MCGOVERN's comment that he himself would want to serve in penance for breaking the law still leaves it open for thousands of evaders to be released from prison and free to return from Canada without any penalty whatsoever—a sad commentary on the lives of those who chose to answer the call.

Mr. Speaker, the very able and respected syndicated columnist, Mr. William S. White, has, I believe, captured the real meaning of Senator MCGOVERN's so-called peace proposal. I include his column at this point:

MCGOVERN'S MORALISMS

(By William S. White)

In his present pursuit of the presidency George McGovern is one by one slamming, locking and nailing up the doors for the future of that office should it in fact fall into his care.

In his offer of a literally unconditional American surrender in Vietnam—a capitulation actually more sweeping than the enemy himself has ever seriously "demanding"—candidate McGovern has foreclosed any remote possibility that a President McGovern could negotiate at all with the Communists. You can't negotiate in the absence of anything on which to negotiate; and McGovern's total submission in advance has left nothing on the table to talk about.

He would simply walk out of Vietnam, not merely abandoning the South Vietnamese allies but also withdrawing from them after our departure even the military hardware with which to try to conduct their own defense. He would invite the destruction of the South Vietnamese government. He would "expect" in consequence of this betrayal of the commitments of three successive American Presidents that the Communists would be so deeply moved as forthwith to release the American prisoners of war even though the United States had nothing remaining with which to bargain for them.

Already, McGovern had put his foreign policy leadership in pawn by an earlier and more general elaboration of his views.

This speech pledged to the world Communists—whose sensitivity to "moral" considerations is, of course, widely known—that "idealism" and not national power would hereafter be the guarantor of American security.

So in two successive addresses George McGovern has dropped the third act curtain on what is surely the most bizarre American presidential campaign in history. Here is a candidate who increasingly quotes the Bible to his ends and invokes the name of "the Lord God" while promising to the United States that he will defend it with his own superior spirituality.

Having said 48 hours beforehand that President Nixon's conduct in Vietnam was "murderous and barbaric," McGovern then says that he does not wish to put blame on anybody and that this "is not the time for recriminations." If the two statements seem a trifle contradictory it would be fair to amend one of them to say that this is a time for recriminations—but only toward the South Vietnam there is no censure; there are only "peasant guerrillas."

Now, there is an old tradition that a challenger for the Presidency is entitled to speak and to act with a degree of irresponsibility that is denied to the incumbent. The reason, of course, is that the one is only seeking power and the other has already got it—along with the obligations that go with it.

In the case of George McGovern, he has so far crossed the line of tolerance as to leave it out of sight. To go on nationwide television to surrender one's own nation's cause—call it a poor cause if you will—is not exactly the act of statesmanship, even among some erstwhile McGovernites who really cannot sit still for this one. For fun is fun and politics is politics. But after all the harm that is being done here is to something that is neither Republican nor Democratic but rather two little things called the United States of America and the American presidency.

When these institutions are so attacked in any way it is deplorable. When it is done with Bible-pounding, with incessant self-righteousness and even with attempts to put God Himself into a partisan suit, it all becomes intolerable.

No other Presidential contender has ever done this. And it may even be that McGovern's technique of fantasizing a vast and dangerous world of reality into a kind of global Sunday School where there are never any duties but only perpetual peace and plenty will strike a chord. If so we are in terrifying trouble. If so, there will be proof at last that what many of the tube people really think about those good dear folks out in television land is really true.

SUMMARY OF BILLS DURING 92D CONGRESS

The SPEAKER. Under a previous order of the House, the gentleman from Iowa (Mr. SMITH) is recognized for 10 minutes.

Mr. SMITH of Iowa. Mr. Speaker, I have compiled a summary of some of the bills passed during this 92d Congress and would like to make a list of them, as follows:

COMMODITY RESERVE

In December, 1971, the House of Representatives passed my bill (H.R. 1163) to establish a strategic commodity reserve (or "food bank") for wheat and such feed grains as corn. The bill would provide for better management of our reserves of grain. Some grain would be purchased and insulated from the market when there is a surplus so it would be available during times of short supply. The bill is designed to aid the farm economy by keeping grain prices from dropping when there is a surplus and to protect consumers by making sure that an adequate supply of wheat and feed grains is on hand in case of an emergency. It also contains other features to promote U.S. exports of grain.

In my testimony in September, 1972, on the Russian grain agreement, I pointed out that a drought in the Soviet Union caused them to buy massive amounts of wheat from the U.S. market. These huge and sudden purchases came as a surprise to U.S. Department of Agriculture officials, at least according to their testimony, and showed again that a commodity reserve is needed for such emergencies.

The Administration was strongly against my bill and managed to get it killed in the Senate, but I feel this legislation is badly needed and plan to keep working for its enactment.

RURAL REDEVELOPMENT

Public Law 92–419, the Rural Development Act, contains a number of important provisions (including improved farm credit, an increase in the maximum size of farm operating loans, improved terms for real estate loans) designed to provide a better life in rural America and cut down on the migration to congested cities. The new law also expands the funding authority for the rural water and sewer program for communities of 5,500 population or less.

In 1970, I secured an amendment appropriating $100 million for this program (the maximum amount available then under the basic authorization law), but the Administration has only allocated about half the amount available. As a result, many applications from communities needing basic water and sewer systems have been turned down.

WATER POLLUTION CONTROL

Congress passed the most comprehensive water pollution control bill in history. The bill includes strict anti-pollution standards for industries and municipal waste treatment plants, plus a program of Federal financial assistance for construction of waste treatment facilities. The over-all purpose of the bill is to make the nation's waterways pollution free by 1985.

At present, it is uncertain whether the bill will become law because of reports that the President may "pocket veto" the bill. On October 5, it passed the House of Representatives by 366 to 11 and the Senate by 74 to 0. These votes indicate that Congress would override a veto, but the President could keep the bill on his desk without signing it until after Congress adjourns, in which case the bill would not become law and there would be no chance to override a veto.

REVENUE SHARING

Public Law 92—— establishes a 5-year program under which Federal funds will be allocated on a "revenue sharing" basis to state and local governments. The main purpose of this legislation is to assist state and local governments in providing needed services and to lessen the burden of local taxpayers.

Under this legislation, Iowa will receive a total of $77 million for the year beginning January 1, 1972, with $25.6 million allocated to the state government and $51.4 million to local and county governments. The City of Des Moines will be allocated about $2.2 million and it is expected that these funds will allow the City's property tax levy to be cut by more than 5 mills.

FOREIGN AID

Twice, once in 1971 and again in 1972, the Senate voted down foreign aid authorization bills. However, the foreign aid program has been kept alive, at the request of the Administration, under bills continuing it on a short-term, scaled-down basis.

LAW ENFORCEMENT

Public Law 92—— establishes a commission to recommend improvements in the Federal court system.

Public Law 92–381 amends and extends for 2 years the program for Federal grants to public and non-profit agencies to control and prevent juvenile delinquency.

ANTIPOVERTY

Public Law 92–424 extends the anti-poverty program for another 2 years generally as it currently exists.

Congress in 1971 passed, but the President vetoed, legislation extending the anti-poverty program, establishing a new child day care center program and setting up a National Legal Services Corporation designed to insulate the administration of the current Legal Services Program from outside pressures. The President vetoed the 1971 bill because he objected to the day care program.

GENERAL GOVERNMENT

Public Law 92– establishes an Office of Technology Assessment to aid Congress in evaluating scientific and technical proposals for legislation.

Public Law 92–463 is aimed at abolishing unnecessary advisory committees which have accumulated in the various Federal agencies. According to one estimate, there may be as many as 3,200 of these committees and their cost may be about $100 million annually.

Public Law 92– establishes a Marine Mammal Commission and contains other provisions to protect seals and other marine mammals.

MISCELLANEOUS

Public Law 92– expands the Youth Conservation Corps program, which provides summer jobs in some Federal agencies.

Public Law 92— extends and improves the Older Americans Act to assist the elderly.

Public Law 92–411 authorizes $45 million for public television broadcasting for the fiscal year starting July, 1973. Earlier, the President had vetoed a bill to provide longer ranged funding for public broadcasting.

Public Law 92— authorizes control over pesticides which pose a risk to humans and the environment and provides that they be classified into a "general" category and a "restricted" category for use by qualified applicators.

Public Law 92— establishes a new independent Federal agency to protect consumers against injury or death from hazardous products. This law resulted from a study showing that some 20 million persons are injured each year in the home because of accidents involving consumer products.

Public Law 92–460 provides for a 20-percent increase in railroad retirement benefits from September, 1972, through June, 1973, and was passed into law over the President's veto. The increase was not extended for a longer period at this time because of a need to assure that the system is actuarially sound in the future.

Public Law 92—amends the Airport and Airway Development Act to increase the Federal share of financial support for construction and improvement of airport facilities. The law also prohibits the imposition of a "head tax" on airline passengers, with certain limited exceptions that do not apply to Des Moines.

Public Law 92–32 amends the Child Nutrition Act to continue and expand the program under which the Federal Government provides financial assistance to states and local school districts for breakfasts for needy children.

Public Law 92–65 provides Federal assistance for projects designed to help rebuild the economy in "distressed" areas.

Public Law 92–41 extends the Renegotiation Act for 2 years and includes a provision authorizing the Treasury Department to determine the interest rate on excessive profits by defense contractors.

Public Law 92–394 authorizes funds for the fiscal year starting July, 1972, for Radio Free Europe and Radio Liberty.

GOVERNMENT REORGANIZATION

Public Law 92–305 establishes a National Institute of Arthritis, Metabolism, and Di-

gestive Diseases to enhance the Federal Government's role in medical research.

Reorganization Plan No. 1, approved by Congress, combines the Peace Corps, VISTA (the agency for domestic antipoverty workers) and some smaller programs into Action, a single agency administering Government volunteer service programs.

FOREIGN FINANCIAL POLICY

Public Law 92-126 extends until June, 1974, the operation of the Export-Import Bank, which guarantees and makes loans to promote foreign purchases of American products.

Public Law 92-9 extends for two years the interest equalization tax on the sale of foreign securities in this country. This law is designed to help deal with the balance-of-payments problems.

CONGRESSWOMAN MARTHA W. GRIFFITHS REPORTS TO THE PEOPLE OF THE 17TH DISTRICT OF MICHIGAN

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Michigan (Mrs. GRIFFITHS) is recognized for 15 minutes.

Mrs. GRIFFITHS. Mr. Speaker, at the end of each Congress, it has been a practice of mine to submit to the people of the 17th Congressional District a report on the legislative activities of the preceding 2 years. This report along with regular correspondence, newsletters, and questionnaires, which I send into the district, is helpful in maintaining two-way communication with my constituency.

Communication between a Representative and his constituents is vital. To reflect the views and interests of a district, a Congressman must constantly be aware of what the people are thinking and the problems they face. The many letters I receive daily as well as telephone contacts and meetings at home with individuals and groups are some of the means by which I maintain a day-to-day contact. The truth is that many inequities I have corrected or am attempting to correct now in social security, our tax laws, and in the area of sex discrimination are the results of individuals having complained to me about how the laws affect them unfairly. Much too often inadequacies in programs and injustices in the law are borne in silence, needlessly to go unrecognized for years and years.

This year the boundaries of the 17th Congressional District were changed with redrawing of Michigan's 19 congressional districts. The new 17th Congressional District includes that part of Oakland County including Farmington, Farmington Township, Lathrup Village, and the city of Southfield. It includes Redford Township, which I represented prior to the 1964 redistricting. It also includes that part of the city of Detroit beginning at Eight Mile and Greenfield and running south on Greenfield to Six Mile; east on Six Mile to Freeland; south on Freeland to Grove; east on Grove to Ardmore; south on Ardmore to the Pennsylvania Railroad tracks; south on the Pennsylvania Railroad tracks to Tireman; west on Tireman to Greenfield; south on Greenfield to West Warren; west on West Warren to the city limits; and west, north, and east along the boundary limits of Detroit.

Again, while I sadly say farewell to the many people cut from the boundaries of the 17th, I welcome those persons coming within the new district for the first time. Already, I have heard from many persons in the new area, and I take this opportunity to thank the entire district for responding so well to the recent 17th Congressional District questionnaire.

In this Congress, my committee assignments have afforded opportunity to shape major legislation. On Ways and Means, I worked on the 1971 tax bill, the social security amendments, the new revenue-sharing bill, and the controversial welfare proposals. This year I also was appointed a conferee, giving added voice to the people of my district and the State of Michigan on issues coming before the committee.

As a member of the Joint Economic Committee, I participated in intensive hearings on problems in the economy and joined in critical examination to identify the impact and cost of the gigantic Federal subsidy system. Joint Economic Committee investigations continued into purchasing practices of the Defense Department, which previously uncovered the cost overrun of the C-5A, and Congress finally acted on the committee's recommendation calling for a halt in funds for the SST.

As chairman of the Fiscal Policy Subcommittee, I undertook at the authorization of Congress, the first complete study of our welfare programs to provide facts needed for meaningful welfare reform. Inability of Congress to reach agreement on a welfare reform package is evidence that more sufficient data is required as to who these programs are helping, who they are neglecting, how they work in combination with each other, and how many people are collecting on how many different programs.

Issues in the 92d Congress centered on Vietnam, the economy, and meeting national priorities while controlling government expenditures.

Debate on Vietnam and amendments to curb expansion of the war as well as to make rules governing the commitment of troops by the President in absence of a declaration of war were attempts by Congress to reassert control over the war powers. Approved was an amendment urging the President to terminate activities in Indochina at the earliest practicable date subject to the release of American prisoners of war.

With unemployment at a 10-year high of 6 percent in 1971 and inflation undermining the purchasing power of all wages, salaries, and pensions, Congress extended authority given to the President in 1970 to control wages and prices. Congress further approved emergency employment legislation and accelerated public works authorizations to push the Federal Government into an attack on joblessness. President Nixon, however, did not initiate a wage-price control program until August 1971, and initially subjected to veto the proposed emergency employment programs opening a million new jobs in the public sector.

To provide stimulation for a lagging economy, Congress approved during the first session $15.8 billion in personal and business tax relief. Included was a 7 percent investment tax credit for industry and a speed-up of personal tax exemption and deduction increases scheduled for subsequent years. The tax package also repealed the 7-percent auto excise tax.

Yet, with national unemployment persisting at 5.5 percent and the cost of living increasing, question is raised as to the effectiveness of Administration policies and the human costs imposed in the effort to control inflation by limit-productive growth. With 12-percent unemployment rate for the Detroit pared to 5.1 percent in 1969, a 9-percent unemployment rate for the Detroit metropolitan area, manufacturing employment in Detroit down 14 percent since 1969, and total unemployment approaching 10.7 percent for the State of Michigan, the suffering of jobless Americans and their families is obvious. Furthermore, unemployed do not pay taxes, and, with the economy operating at only 75 percent of capacity, we are losing $70 billion in Federal revenues every year.

While Congress acted to curb Government expenditures, it engaged in confrontation with the administration in efforts to reorder the Nation's priorities. Cutting a total of $14.5 billion in 3 years from administration appropriations requests, and slashing defense and foreign aid spending, Congress emphasized need for continued public investment in education, health, and the environment. Yet, in light of a rising budget deficit, in part due to continued loss of revenues, the House acted on the President's request authorizing a temporary debt ceiling of $465 billion, placing a $250 billion spending limit on expenditures to assure that further budget outlays do not increase inflationary pressures and demand the necessity of tax increases.

The following is a summary of the major domestic work of this Congress. The record represents a responsible and productive effort by Congress to meet the needs of America.

SOCIAL SECURITY, MEDICARE, WELFARE

For over 27 million Americans, Congress increased social security benefits by 32 percent in 2 years, the largest increase voted by a single Congress. The 20 percent increase effective September 1, boosted the average monthly benefit for a single person from $134 to $162 and for married couples from $224 to $271. Payments for a single person receiving the maximum were increased from $216 to $259 a month and for married couples from $324 to $389. Also authorized was provision for future automatic increases whenever the cost-of-living rises more than 3 percent in 1 year.

The new social security-medicare amendments will provide greater protection and benefits to every worker and pensioner. Social security provisions incorporated into H.R. 1 would raise the amount an individual could earn and still draw full social security from $1,680 to $2,100; entitle widows and widowers to draw 100 percent instead of 82½ percent of the deceased wage earner's annuity if first applied for at 65; permit persons continuing to work after 65 to earn an extra credit of 1 percent for

each year between 65 and 72 toward ultimate retirement benefits; provide a special minimum benefit for those in covered employment for 30 years in low-paying jobs of $170 a month—$255 for a couple; and reduce the waiting period for disability benefits from 6 to 5 months. My amendments to allow widowers to collect a reduced annuity at age 60, just as widows, as well as to provide an age 62 computation point for determining men's benefits the same as now applies to women, were adopted in the bill. Also included was my proposal to eliminate for divorced women whose marriages lasted 20 years, the requirement of support from their former husbands for entitlement to benefits. My amendment to allow married working couples to combine their social security credits to draw larger annuities based on their combined earnings was rejected.

Major medicare provisions would extend medicare coverage to persons under 65 receiving social security and railroad retirement disability. Persons 65 not eligible for medicare would be able to enroll on a paid voluntary basis—$33 a month, and the medicare part B deductible currently $50 a year would be increased to $60, reflecting rising medical costs. Other amendments would provide coverage of chiropractic services involving treatment by means of manual manipulation of the spine and improvements in the operating effectiveness of the medicare program, tightening controls on hospital and physicians' charges.

The new bill would set uniform national standards for welfare payments to the aged, blind and disabled, guaranteeing each person without other income a Federal benefit of $130 a month—$195 to a couple. In addition, for those persons receiving social security supplemented by welfare, the bill would disregard the first $20 a month of social security plus $65 of any earned income for purposes of determining welfare eligibility.

The bill would raise the tax rate paid by both employers and employees from 5.2 percent on a taxable wage base of $9,000 to 5.85 percent on a wage base of $10,800 beginning 1973, and a wage base of $12,000 beginning 1974, as scheduled under present law. The tax would increase to 6 percent in 1978 and by further stages to 7.3 percent in the year 2011.

HEALTH

Special attention focused in Congress on the Nation's health problems. Responding to a shortage of 50,000 physicians, 57,000 dentists, and 150,000 nurses, Congress extended programs of financial assistance to help students in the medical professions and expanded grants for the construction and expansion of medical training facilities. Passed were bills authorizing research into the treatment and prevention of the fatal Cooley's anemia, sickle cell anemia, multiple sclerosis, and diseases of the heart, blood, and lungs. Each year, cardiovascular disease kills 1 million Americans and afflicts more than 27 million. Chronic pulmonary diseases, such as asthma, bronchitis, and emphysema directly cause more than 30,000 deaths each year. The toll of disease in life, human misery, as well as economic loss to the Nation, should not be tolerated.

A national attack against cancer was launched with authorization of $1.6 billion over the next 3 years for research into its causes and drugs to improve treatment. Awaiting final action is legislation which would extend help to States and localities in the fight against increasing venereal disease, rubella—German measles—and other communicable diseases. But, despite efforts by Congress to direct more resources for health, cutbacks resulted from Presidential vetoes of health appropriations. The compromise 1973 HEW appropriation bill cut more than $531 million from the budget of the National Institutes of Health and more than $60 million from the National Cancer Institute.

The Ways and Means Committee began hearings on national health insurance proposals, including my bill, H.R. 22, the most comprehensive before Congress. With skyrocketing health-care costs, the average wage and salary earner not only is being priced out of the health-care market, but is threatened with possibility of financial ruin should extended or serious illness strike. My proposal will bring the goal of adequate health care within the reach of all Americans. The committee will pursue this legislation in the new Congress.

DRUGS

With drugs affecting every segment of the population and estimates showing between 200,000 and 250,000 heroin addicts in America, Congress expanded Federal assistance to help States and localities develop treatment and rehabilitative services and created a Special Action Office for Drug Abuse Prevention to coordinate a national program for drug control. Both the House and Senate acted further on legislation to assure drug treatment and rehabilitative services to servicemen.

ENVIRONMENT

With water pollution one of the most imminent dangers not only to the health of our people but to the Nation's survival, a $24 billion water control bill cleared the House and Senate. The goal is to eliminate the discharge of all pollutants into the Nation's waters by 1985. Its tough provisions would require industrial and municipal compliance with clean waters standards and would require all industries discharging waste into waterways to apply the best practicable control technology within several years. The legislation authorizes $18 billion in 75-percent matching grants to help municipalities pay for sewage treatment plants. Less than one-third of the Nation's population is served by an adequate system of sewers and plants. The President had proposed a $6 billion, 3-year program.

To preserve the ecological balance in nature, Congress acted on measures placing controls on the manufacture, distribution, and use of insecticide; prohibiting the shooting of eagles and other species, including fish, from airplanes; and providing protection to the remaining 17,000 wild free-roaming horses scattered in our Western States. Both chambers also approved legislation to curb sharply the killing of ocean mammals, including whales, polar bears, and seals, many of which are dangerously close to becoming extinct.

EDUCATION

Congress held steadfast to the goal of improving the quality of learning and assuring educational opportunity for all children. Despite two Presidential vetoes, Congress acted to restore much-needed money to the national education budget. Administration cutbacks in education have resulted in greater strain on already overburdened local property taxes, which are the principal source of school revenues, and less efforts directed at upgrading the education of disadvantaged children, without having to resort to massive busing as proposed by the courts.

Congress further engaged in continuing battle with the courts over the busing issue. The amendment I cosponsored to prohibit any court-ordered busing from taking effect pending appeals to the Supreme Court became law this past June. However, recent decisions of the Supreme Court have restricted its application. Although the House passed legislation, which I supported, to prohibit cross-town busing of schoolchildren and to preserve the sanctity of the neighborhood school, the bill has been killed in the Senate. The proposed amendment to the Constitution placing an absolute ban on school busing was not scheduled for debate. Earlier this year, I signed the discharge petition, to bring this measure to the House floor for a vote.

CONSUMER

To protect the citizen in the marketplace, action was taken on consumer legislation. Both Chambers reached agreement on a Consumer Product Safety bill establishing an independent agency to protect American homes from hazardous consumer products. The agency would set and enforce safety standards, cracking down on the makers of dangerous products, which kill 30,000 and permanently disable 110,000 persons annually. Establishment of a Consumer Product Agency in the Federal Government, empowered to intervene on behalf of the public interest in a wide variety of consumer cases, was approved by the House but killed in the Senate. Bills increasing enforcement for the Flammable Fabrics Act and requiring automobile companies to make car bumpers more damage resistant were passed, along with legislation to finance a national fire prevention research program.

Testifying before the National Commission on Consumer Finance, I directed public attention to the discrimination that exists against women in consumer credit practices. Single women and widows have difficulty in obtaining mortgage credit and insurance coverage, and some lenders refuse to count a wife's earnings when a couple applies for credit.

PORNOGRAPHY

To stop peddlers and merchants of pornography, the House passed a bill prohibiting the mailing of offensive sexual materials to minors under 17. It is similar to legislation of mine in the 91st Congress, which also failed to secure Senate action.

REVENUE SHARING

Congress approved a revenue sharing bill, authorizing $30 billion in Federal revenues to hard-pressed States and localities during the next 5 years. Funds will be allocated on the basis of population, per capita income and general tax effort of the States and localities. One-third of the money will go to State governments and two-thirds to local governments for high priority expenditures in such areas as public safety, environmental protection, and public transportation. Provision also authorizes a system of Federal piggyback collection of State income taxes. Under the bill, local governments in the 17th Congressional District would received the following amounts: Detroit—$36,530,000; Farmington—$44,460; Southfield—$230,969; and Oakland County government—$1,939,307. Figures for Farmington Township, Lathrup Village, Redford Township and Wayne County government are not yet available.

POVERTY

For the first time in a decade, the number of persons living in poverty rose in 1970 by 1.2 million due to the economic decline and massive unemployment. Yet, Congress scaled down a 2-year extension of the poverty program to avoid threat of Presidential veto. Emergency food, medical services, education, work and job training programs reflect the help these programs offer to 11 million of America's poor including thousands of children, the aged poor, the migrant worker and the American Indian. Dropped from this year's bill was the controversial child care program. The program of school lunches was extended in awareness of the social and economic consequences of illness and retarded mental and physical growth among children resulting from hunger and malnutrition. Congress also rebuffed attempts by the U.S. Department of Agriculture to cut back on the free school lunch program, which threatened to eliminate from participation about 1 million poor schoolchildren.

LAW-ENFORCEMENT OFFICERS

The House is expected to act on a Senate bill to provide a $50,000 Federal death gratuity to the survivors of Federal, State or local public safety officers, firemen, jail guards, and national guardsmen killed in the line of duty.

AIR PIRACY

To curb the menace of air piracy and criminal violence which threatens air travelers throughout the world, both Chambers approved legislation to put teeth into the Hague Convention dealing with criminal acts aboard aircraft. An amendment in the legislation also would permit airlines to institute reduced fares on a standby basis for senior citizens similar to existing youth fares.

DRAFT

A 2-year extension of the draft was approved in the first session, along with a substantial military pay increase as a step toward ascertaining whether the Nation's defense needs can be met with an all-volunteer force.

PRISONERS OF WAR

Increasing concern over the fate of our prisoners of war prompted House approval of a resolution calling for the humane treatment and release of U.S. prisoners of war held by North Vietnam and its allies in Southeast Asia.

CONSTITUTIONAL AMENDMENTS

Two constitutional amendments were submitted to the States for ratification. Congress paved the way for the 26th amendment to the Constitution, which lowered the voting age to 18 in Federal, State, and local elections, opening the polls to 25 million young Americans. The Equal Rights Amendment, which I authored and guided through Congress, now has been approved by 21 of the 38 States required for ratification, including Michigan. The amendment would assure equal seniority rights, equal medical benefits, equal pension rights, and equal pay in governments, and would prohibit governments from denying women equal access to universities, to occupations, to juries, to property control, and to credit.

LABOR

Congress extended emergency unemployment compensation benefits in 1971 to provide an additional 13 weeks of benefits in States where unemployment exceeds 6.5 percent. Legislation now pending would extend these benefits to workers in 20 to 25 States where unemployment currently exceeds 4 percent.

Final action on the minimum wage bill has been stalled. The House version would raise the minimum for most workers from $1.60 to $2. The Senate version would extend the floor to $2.20 an hour and expand coverage to more workers.

PENSIONS

For the veteran who has served his country, Congress provided a $6.5 billion cost-of-living increase in non-service-connected pension rates and boosted VA disability benefits 10 percent for more than 2 million disabled veterans. Housing assistance grants also were raised for "wheelchair" veterans to help them meet rising cost of specially-adapted housing. Final action is expected on a bill to improve medical care for veterans and a measure to expand educational and job training allowances has been cleared for the White House. The goal of the latter is to bring Vietnam veterans up to the level of the GI bill enacted for World War II vets. With unemployment for Vietnam veterans around 8.1 percent, educational benefits can offer immediate help and opportunity for thousands of returning veterans.

My bill to eliminate social security as an income determinant for a veterans' pension was not adopted and once again pensioners are threatened with loss or reduction of their VA pensions with the recent raise in social security benefits. The Senate, however, has just passed a bill to raise the VA income limitations, which would allow 2.3 million VA pensioners to benefit from the full 20-percent social security raise. Hearings in the House also were held on a proposal I cosponsored to create a pension for World War I veterans, subject to an annual income limitation of $3,000 for a single veteran and $4,200 for a veteran with dependents. In Michigan, there are over 7,000 World War I veterans. This bill would help many of them, who are in dire financial need, if not on welfare. A similar bill has passed the Senate.

REFORMS

Operating under the new Legislative Reorganization Act, greater opportunity was afforded the public in observing the deliberations of Congress. Congress also approved the first significant election reform legislation since 1925, setting limits on campaign advertising for Federal office and requiring stringent reporting and disclosure of campaign contributions.

The legislative issues coming before this Congress have been difficult, striking at some of our deepest social and economic problems. In the final hours before adjournment, decisions still are being reached on many bills, and this record is not complete. In closing, I again would like to express my thanks to the many people of my district who have written and contacted me expressing their views on legislation. I have tried to the best of my ability to serve you and to raise your concerns in Congress. If ever I can be of assistance, please write or contact my Detroit office at 14615 Grand River, telephone 273–6991.

STRIP MINING CONTROL ACT, H.R. 6482

The SPEAKER. Under a previous order of the House, the gentleman from Pennsylvania (Mr. EILBERG) is recognized for 5 minutes.

Mr. EILBERG. Mr. Speaker, I was unavoidably absent from the floor at the time rollcall 428 was taken on Wednesday, October 11. Had I been present I certainly would have voted in favor of H.R. 6482, the Strip Mining Reclamation Act of 1972.

As a cosponsor of this measure I commend the very responsible action of my colleagues in approving this long needed legislation and call upon the Senate to concur in the wise decision of the House of Representatives prior to the conclusion of the present Congress.

Thus, responsible regulation of strip mining practices could begin without further tragic damage to America's environmental heritage.

CALL OF THE HOUSE

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

The SPEAKER. Evidently a quorum is not present.

Mr. BOGGS. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

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

[Roll No. 450]

Abbitt	Findley	Moss
Abernethy	Fish	Murphy, Ill.
Abourezk	Fisher	Murphy, N.Y.
Abzug	Flowers	Nelsen
Alexander	Flynt	Nichols
Anderson,	Ford, Gerald R.	Patman
Calif.	Ford,	Pelly
Anderson, Ill.	William D.	Pepper
Anderson,	Fountain	Peyser
Tenn.	Frenzel	Pike
Andrews,	Frey	Pirnie
N. Dak.	Fulton	Podell
Annunzio	Fuqua	Price, Tex.
Archer	Galifianakis	Pryor, Ark.
Ashbrook	Gallagher	Pucinski
Aspin	Garmatz	Purcell
Baker	Giaimo	Quillen
Baring	Gibbons	Randall
Begich	Goldwater	Riegle
Bell	Gray	Roberts
Biaggi	Green, Oreg.	Rogers
Blackburn	Gross	Roncalio
Blanton	Grover	Rooney, N.Y.
Blatnik	Haley	Rostenkowski
Boland	Hamilton	Roush
Bolling	Hanley	Rousselot
Brasco	Hanna	Roy
Bray	Hansen, Wash.	Runnels
Broomfield	Harvey	Ruppe
Brotzman	Hastings	Sandman
Burke, Fla.	Hawkins	Scherle
Burlison, Mo.	Hays	Schmitz
Burton	Hébert	Scott
Byrne, Pa.	Hicks, Wash.	Sebelius
Byron	Hillis	Seiberling
Cabell	Horton	Shipley
Caffery	Howard	Shoup
Carey, N.Y.	Hull	Sikes
Cederberg	Hungate	Sisk
Celler	Hunt	Skubitz
Chamberlain	Ichord	Smith, Iowa
Chappell	Johnson, Pa.	Smith, N.Y.
Clancy	Jones, Tenn.	Snyder
Clark	Keating	Springer
Clay	Kee	Staggers
Collins, Ill.	Keith	Steele
Collins, Tex.	King	Steiger, Ariz.
Conte	Kluczynski	Steiger, Wis.
Corman	Kuykendall	Stratton
Cotter	Lennon	Stuckey
Crane	Link	Symington
Curlin	Lloyd	Talcott
Daniels, N.J.	Long, La.	Terry
Davis, S.C.	McClure	Thompson, Ga.
Davis, Wis.	McCormack	Thompson, N.J.
Delaney	McCulloch	Thomson, Wis.
Dellums	McDade	Thone
Denholm	McDonald,	Udall
Dent	Mich.	Van Deerlin
Derwinski	McKevitt	Veysey
Devine	McMillan	Vigorito
Dickinson	Macdonald,	Waggonner
Diggs	Mass.	Waldie
Dingell	Mailliard	Whitehurst
Dow	Martin	Widnall
Dowdy	Matsunaga	Winn
Downing	Mayne	Wolff
Dwyer	Michel	Wright
Eckhardt	Mikva	Wydler
Edmondson	Miller, Calif.	Wylie
Edwards, Calif.	Minshall	Yatron
Esch	Mollohan	Zwach
Evans, Colo.	Monagan	
Fascell	Morgan	

The SPEAKER. On this rollcall 218 Members have answered to their names, a quorum.

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

MAKING FURTHER CONTINUING APPROPRIATIONS, 1973

Mr. MAHON. Mr. Speaker, I ask unanimous consent for the immediate consideration of the Joint Resolution (H.J. Res. 1331) making further continuing appropriations for the fiscal year 1973, and for other purposes.

The Clerk read the title of the joint resolution.

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

There was no objection.

Mr. MAHON. Mr. Speaker, I ask unanimous consent that the joint resolution be considered in the House as in the Committee of the Whole.

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

There was no objection.

The Clerk read the joint resolution, as follows:

H.J. RES. 1331

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That clause (c) of section 102 of the joint resolution of July 1, 1972 (Public Law 92-334), as amended, is hereby further amended (a) by striking out "October 14, 1972" and inserting in lieu thereof "February 28, 1973" and (b) by adding the following new section:

"SEC. 108. Notwithstanding any other provision of this joint resolution, and section 10 of Public Law 91-672 and section 655(c) of the Foreign Assistance Act of 1961, as amended, obligations may be incurred hereunder for activities provided for in the Foreign Assistance and Related Programs Appropriation Act, 1973 (H.R. 16705), as passed during the second session, Ninety-second Congress, at not to exceed the rate for operations provided for in such Act, but whenever the rate for operations for such activities in such Act as passed by the Senate is different from that contained under such Act as passed by the House, the rate for operations shall not exceed the lower rate: *Provided*, That no restrictive provision which is included in such Act but which was not included in the applicable appropriation Act for the fiscal year 1972 shall be applicable to any appropriation fund or authority provided for in this section unless such provision shall have been included in identical form in such Act as passed by both the House and the Senate: *Provided further*, That any provision which is included in such Act as passed by one House and was included in the applicable appropriation Act for the fiscal year 1972 shall be applicable to the appropriations, funds or authorities provided in this section: *Provided further*, Notwithstanding the rates discussed above, the rate for obligations for refugee relief assistance (Bangladesh), security supporting assistance, military assistance, regional naval training, and foreign military credit sales may equal but shall not exceed the rate provided in the authorization bill for such assistance, training and sales for fiscal year 1973 as passed by the Senate during the second session, Ninety-second Congress."

SEC. 2. This joint resolution shall take effect October 15, 1972.

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

Mr. Speaker, we have passed all the appropriation bills with the exception of one. There is no likelihood that the foreign aid appropriation bill will clear the Congress and be sent to the President. Therefore we have to have a continuing resolution.

We passed an appropriation bill for foreign aid on September 21. It was passed by a vote of 169 to 141. On August 10 we passed a foreign aid authorization bill. The Senate has also passed a foreign aid authorization bill, but the Senate has not passed a foreign aid appropriation bill that is all-inclusive. The bill passed by the Senate excluded security assistance and Bangladesh relief. It omitted the items which were in the authorization bill in the House and in the Senate.

The continuing resolution before us now for all purposes other than foreign aid is simply an extension of the continuing resolution which expires today. It just moves the date forward to February 28, 1973.

In other words, we will continue until February 28 as we are now, for measures covered in this resolution, except for foreign aid.

Of course, foreign aid is the principal reason that we bring forward this measure at this time. This continuing resolution will permit the foreign aid programs to operate at a level of $185 million below the House-passed appropriation bill.

In other words, if the House-passed appropriation bill for foreign aid should be enacted into law it would provide $185 million more than we provide in this continuing resolution.

I would point out that while the program levels provided for in this bill are very considerable, this continuing resolution will represent a reduction in the budget estimate of approximately $1.1 billion. It is still a very large bill of about $4 billion.

Mr. Speaker, under leave to extend, I include a tabular analysis of the budget estimates and the amounts provided by this continuing resolution for the foreign aid programs.

FOREIGN ASSISTANCE AND RELATED PROGRAMS APPROPRIATION BILL, FISCAL YEAR 1973

[Note. All amounts are in the form of "appropriations" unless otherwise indicated]

Item	Budget estimates of new (obligational) authority, fiscal year 1973	Continuing resolution rate
TITLE I—FOREIGN ASSISTANCE ACT ACTIVITIES		
Funds Appropriated to the President		
Economic assistance:		
Worldwide, technical assistance	$166,408,000	$155,000,000
Alliance for Progress, technical assistance	88,500,000	77,500,000
International organizations and programs	124,835,000	105,000,000
Programs relating to population growth	125,000,000	100,000,000
American schools and hospitals abroad	15,575,000	25,500,000
American schools and hospitals abroad (special foreign currency program)	(5,350,000)	(5,350,000)
Indus Basin Development Fund, grants	$25,000,000	$10,000,000
Indus Basin Development Fund, loans	18,000,000	12,000,000
Contingency fund	30,000,000	25,000,000
International narcotics control	42,500,000	42,500,000
Refugee relief assistance (Bangladesh)	100,000,000	100,000,000
Alliance for Progress, development loans	206,500,000	165,000,000
Development loans	415,500,000	350,000,000
Administrative expenses:		
AID	50,000,000	50,000,000
State	4,775,000	4,775,000
Subtotal, economic assistance	1,412,593,000	1,222,275,000

Item	Budget estimates of new (obligational) authority, fiscal year 1973	Continuing resolution rate
Military assistance:		
Military assistance	$780,000,000	$600,000,000
Regional naval training		2,500,000
Security supporting assistance: Security supporting assistance	844,000,000	685,000,000
Subtotal	3,036,593,000	2,509,775,000
Overseas private investment corporation: Overseas Private Investment Corporation, reserves	85,000,000	42,500,000
Inter-American Foundation: Inter-American Foundation (limitation on obligations)	(11,000,000)	(5,000,000)
Total, title I, new budget (obligational) authority, Foreign Assistance Act activities	3,121,593,000	2,552,275,000
TITLE II—FOREIGN MILITARY CREDIT SALES		
Foreign military credit sales	527,000,000	435,000,000
Total, titles I and II new budget (obligational) authority	3,648,593,000	2,987,275,000
TITLE III—FOREIGN ASSISTANCE (OTHER)		
Independent Agency		
Action:		
Peace Corps, operating expenses	88,027,000	81,000,000
Limitation on administrative expenses		
Department of Health, Education, and Welfare		
Assistance to refugees in the United States (Cuban program)	161,000,000	145,000,000
Department of State		
Migration and refugee assistance	$8,644,000	$8,500,000
Assistance to refugees from the Soviet Union		50,000,000
Funds Appropriated to the President		
International financial institutions:		
Asian Development Bank (special funds)	100,000,000	
Inter-American Development Bank:		
Paid-in capital	50,000,000	25,000,000
Callable capital	336,760,000	168,380,000
Fund for special operations	450,000,000	225,000,000
Subtotal, IDB	836,760,000	418,380,000
International Development Association	320,000,000	320,000,000
Total, title III, new budget (obligational) authority, foreign assistance (other)	1,514,431,000	1,022,880,000
TITLE IV—EXPORT-IMPORT BANK OF THE UNITED STATES		
Limitation on program activity	(7,323,675,000)	(7,323,675,000)
Limitation on administrative expenses	(8,438,000)	(8,438,000)
Total, title IV, Export-Import Bank of the United States, limitations on use of corporate funds	(7,332,113,000)	(7,332,113,000)
Grand total, new budget (obligational) authority, titles I, II, and III	5,163,024,000	4,010,155,000

Mr. MAHON. Now, what does the bill encompass insofar as foreign aid is concerned and why is it above the total for the fiscal year 1972?

The problem is that under the Nixon doctrine the President had asked the Congress for additional funds to help wind down the war in Vietnam by providing additional assistance to Southeast Asia.

Last year we provided $500 million for military assistance. But under this resolution the President will have available $600 million for military assistance, which is considerably below the $780 million he requested for fiscal 1973.

The major countries involved in this item are Cambodia, Korea, Thailand, and Turkey.

For supporting assistance, which is principally for South Vietnam, in fiscal year 1972 we had $550 million.

The SPEAKER. The time of the gentleman has expired.

(Mr. MAHON asked and was given permission to proceed for 5 additional minutes.)

Mr. MAHON. This continuing resolution would provide $685 million for fiscal year 1973 for supporting assistance which is below the President's budget request of $844 million.

For Bangladesh refugee assistance, the House bill provided $75 million. In this action today, we would approve the Senate authorization figure of $100 million in continued aid for Bangladesh. The sum of $200 million was provided last year and this would allow $100 million less for fiscal year 1973.

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

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

Mr. FRELINGHUYSEN. Mr. Speaker, I thank the gentleman.

Mr. FRELINGHUYSEN, Mr. Speaker, as a conferee on the foreign aid bill I have listened with particular interest to the remarks of the gentleman from Texas with respect to the money that would be made available under this continuing resolution. I agree with him that this resolution is necessary. However, I would like to express my deep regret that it was literally impossible for the House conferees to reach an agreement with the Senate conferees on the foreign aid authorization bill. What disturbs me particularly is that the deadlock did not develop over the amount of aid to be authorized or over restrictions on the availability of that aid. The problem leading to the deadlock was over an extraneous issue. The Senators insisted on approval by Congress of all executive agreements involving U.S. military installations overseas, and even any revision or extension of any existing agreements.

It seems to me a reflection, quite obviously, on our committee that we were not able to find a basis for compromise. The House conferees, however, did seek earnestly to reach an agreement. Our failure not only nullified all of the efforts of our committee, but also the efforts of the Appropriations Committee, which must develop an appropriation on the basis of an authorization.

Our inability to agree on a compromise meant that no authorization was provided. A continuing resolution under those circumstances is the only way to provide the necessary funds. I regret the necessity of having to accept this alternative, but a continuing resolution is essential if Congress is to provide funds for programs that both the House and the Senate have decided are needed.

Mr. MAHON. I thank the gentleman. I want to say that the gentleman's Committee on Foreign Affairs did everything in its power to get some sort of authorization, and we waited until this final hour of the session to try to do something about it. It is regrettable, but I do not believe any blame can be placed upon the committee.

Mr. FRELINGHUYSEN. If the gentleman would yield further, I, myself, feel that this is unconscionable that the Senate conferees were unable to find a basis for agreement. In fact, they were not really seeking agreement, in my opinion. I regret this very much.

Mr. MAHON. I thank the gentleman. Other than foreign aid there are no other matters here of which I am aware that would be of special interest to the Members. This is just a straight bona fide continuing resolution, generally speaking, except for the special provisions relating to foreign aid.

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

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

Mr. HALL. Mr. Speaker, I think the gentleman from Texas, our friend, the chairman of the Committee on Appropriations, has done an unusually clear and intelligible job in laying out this continuing resolution. I would only ask if it is fair to presume, even though the other body at one time in this session killed foreign aid, that the exemption from the usual and continuing resolution comes now because it is the least we can get by with and expect them to pass, as we dawdle on the strings of the other body? In other words, as I understand it, all other departments which may or may not have appropriations properly authorized by the time we adjourn, will continue as of the same rate that they did in the last year in the 1972 budget on past appropriations by Congress and enacted into law, except for making this exception for foreign aid—which I think the gentleman has explained very forthrightly and intelligibly as due to the Nixon program and winding down the war in Indochina. Is my presumption

true: That this is the only way we can do this is by a resolution that will be acceptable by the other body?

Mr. MAHON. This seems to be the only way. The chairman of the appropriations subcommittee on foreign aid, worked diligently over a period of weeks, indeed months, in connection with this measure, and it appears that this is a solution that may be acceptable. It should be acceptable principally, because the Senate did authorize—it did not appropriate—these special assistance programs under the Nixon doctrine, but the authorization was not enacted into law. The continuing resolution only runs until February 28, when we will have to confront this matter again. I should say the gentleman from Louisiana has worked very hard on the bill and we are recommending this action at this time.

Mr. HALL. The answer to my question is "Yes"?

Mr. MAHON. I believe so.

Mr. HALL. I congratulate the gentleman from Texas and the gentleman from Louisiana.

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

Mr. MAHON. I yield to the gentleman from Louisiana (Mr. PASSMAN).

Mr. PASSMAN. Mr. Speaker. I rise in support of the resolution.

Mr. Speaker, the current continuing resolution expires today, October 14, 1972.

Because of the failure to pass the authorized bill for the foreign assistance program for fiscal year 1973, it has not been feasible to take final action on the pending Foreign Assistance and Related Programs Appropriation Act which has passed both Houses.

It is therefore necessary to extend the existing continuing resolution to provide further continuing appropriations for the activities covered by the Foreign Assistance and Related Programs Appropriation Act.

This resolution extends the date of the current resolution until February 28, 1973, to permit an adequate opportunity for the 93d Congress, when it convenes next January, to finalize action on both the authorization and the appropriation bills.

The existing resolution has provided a rate for operations for the foreign assistance activities not in excess of the current rate or the rate provided for in the budget estimate, whichever is lower, and under the more restrictive authority.

However, to be more responsive to the more current actions to date by the Congress a new section 108 has been added to the existing continuing resolution providing that obligations may not exceed the rate for operations provided for in the pending foreign assistance and related programs appropriation bill for 1973. Whenever the rate for operations as passed by the Senate is different from that contained in the House bill, the rate shall not exceed the lower rate.

Special provision, however, has had to be made for certain programs which were not included, pending authorization, in the Senate version of the appropriation bill. These include refugee relief assistance—Bangladesh, security supporting assistance, military assistance, regional naval training, and foreign military credit sales. The new section 108 provides that the interim rate for operation for these programs shall not exceed the rates which would be permitted under the pending authorization bill as passed by the Senate.

This basis has been used because the amounts in the Senate version of the authorization bill are lower than the budget estimate or the amount in the House passed appropriation bill except for refugee relief assistance—Bangladesh. In this instance the budget estimate and the amount provided by the continuing resolution is $100 million, as compared with $75 million in the House passed appropriation bill.

Section 108 also provides that restrictive provisions which are included in the pending appropriation bill but which were not included in the 1972 appropriation act shall not be applicable unless included in identical form in the bill as passed by both Houses.

Section 108 also provides that any provision which is included in the pending appropriation bill as passed by one House shall be applicable if it was included in the 1972 appropriation act.

In total, the proposed continuing resolution would provide an annual rate of operation for new budget authority of $4,010,155,000 as compared with the budget estimate of $5,163,024,000.

In most instances the rates provided in the proposed continuing resolution are exactly the same rates provided in the foreign aid appropriation bill (H.R. 16705) for fiscal year 1973 that passed the House on September 21 of this year, last month. The only exceptions to this statement are as follows:

Refugee relief assistance (Bangladesh)	+$25,000,000
Military assistance	−130,000,000
Security reporting assistance	−65,000,000
Military credit sales	−15,000,000
Total under House-passed bill	−185,000,000

These rates are tied to the foreign aid authorization bill as passed the Senate which were below the comparable House figures.

In total the continuing resolution rate would be below the House passed foreign aid appropriation bill by $185,000,000 and under the budget estimate by $1.1 billion.

Attention should be directed to the formula as to the distribution of funds between accounts concerning the Inter-American Development Bank as was set forth in the House report on the foreign assistance appropriation bill for fiscal 1973 (H.R. 16705). This breakdown was as follows:

Paid-in capital	$25,000,000
Callable capital	168,380,000
Fund for special operations	225,000,000
Total	418,380,000

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

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

Mr. SHRIVER. Mr. Speaker, as a ranking minority member of this subcommittee I merely want to pay respect to the chairman of this committee, the gentleman from Louisiana (Mr. PASSMAN), for the fine work he has done.

I want to express agreement with what has been accomplished in connection with this continuing resolution. The important thing in this bill as it relates to world events is in connection with the refugee program for Bangladesh, the security supporting assistance, the military assistance, the foreign military credit sales. These are provided for in this bill. The continuation of the Vietnamization program if necessary in South Vietnam is provided for here.

So I want to commend the gentleman from Louisiana (Mr. PASSMAN), and the chairman of the committee, the gentleman from Texas (Mr. MAHON), and the ranking minority member of the committee, the gentleman from Ohio (Mr. BOW), for the work which has been done in connection with this continuing resolution.

I want to say this. It is a disappointment to all of us on this subcommittee to see our work go down the drain because another committee did not fulfill its obligation, its responsibility, and come up with some solution to the problem of foreign assistance and related agencies. But we are reluctantly going along with this continuing resolution, hopefully to come up again next March with a bill.

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

Mr. Speaker, I would like to ask the chairman a question or two if I may. This continuing resolution, as I understand it, deals with military assistance and so-called economic assistance only. Is that correct?

Mr. MAHON. And also economic assistance.

Mr. FRASER. I wanted to inquire of the chairman on that score. As I recall it last year we passed a foreign authorization bill in the economic area which had a 2-year program in it. That is, we passed an authorization in the economic bill for 2 years. It is only in the military area that we really had to pass authorizing legislation this year.

Mr. MAHON. The gentleman is correct that we only had to pass authorizing legislation in the military area this year.

Mr. FRASER. So my question is directed to that difference. Why is it that the continuing resolution, if it is so, deals also with economic aid when there is on the books authorization for economic assistance?

Mr. MAHON. But that is authorization and this is an equivalent of an appropriation bill and economic authorization does not make aid available. Last year it was $1,061 million. Under this resolution there is $1,222 million for economic assistance, but this covers all of the foreign aid items, military or otherwise, and it covers the international institutions. It covers everything that the foreign aid bill generally treats of, the Export-Import Bank and others.

Mr. FRASER. My question is, Why is there not a regular appropriation with respect to those economic assistance authorizations which were enacted into law

and are still in force and are in force throughout all of fiscal year 1973?

Mr. MAHON. Why did we not have a separate appropriation bill for economic aid, omitting the other items in the bill? Well, it was not thought this was the way to approach this situation. In the view of the fact that the authorizing committees were not able to come to an agreement on the bill, while they passed an authorization bill in the Senate which was not too satisfactory and we passed an authorization bill in the House, it was not possible for the House and the Senate authorizing committees to get together, and so this was the best thing that could be done under the circumstances.

Mr. FRASER. My next question is, Is the amount provided for in the economic assistance here, in the continuing resolution, in excess of that which was authorized for fiscal year 1973 last year?

Mr. MAHON. It is in excess of what was provided in fiscal year 1972 but it is not in excess of the authorization for fiscal year 1973.

It is below the figure. I do not have the exact figure in my head.

Mr. FRASER. I thank the chairman.

Mr. MAHON. Mr. Speaker, I move the previous question on the joint resolution to final passage.

The previous question was ordered.

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

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

The SPEAKER. The question is on the passage of the joint resolution.

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

Mr. RARICK. 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 163, nays 73, not voting 195, as follows:

[Roll No. 451]

YEAS—163

Adams	Carlson	Flood
Addabbo	Carney	Foley
Arends	Casey, Tex.	Ford,
Ashley	Cederberg	William D.
Aspinall	Chamberlain	Forsythe
Badillo	Chisholm	Fraser
Barrett	Clausen,	Frelinghuysen
Belcher	Don H.	Gettys
Bergland	Conable	Gonzalez
Betts	Coughlin	Grasso
Biester	Culver	Green, Pa.
Bingham	Danielson	Gubser
Blatnik	de la Garza	Gude
Boggs	Dellenback	Halpern
Bow	Dennis	Hansen, Idaho
Brademas	Dent	Harrington
Breaux	Diggs	Hathaway
Brooks	Donohue	Heckler, Mass.
Brown, Mich.	Dorn	Heinz
Brown, Ohio	Drinan	Helstoski
Broyhill, N.C.	du Pont	Hicks, Mass.
Broyhill, Va.	Edwards, Ala.	Hicks, Wash.
Buchanan	Edwards, Calif.	Hogan
Burke, Mass.	Eilberg	Holifield
Burleson, Tex.	Erlenborn	Hosmer
Byrnes, Wis.	Eshleman	Johnson, Calif.
Camp	Evins, Tenn.	Jonas
Burton	Findley	Jones, Ala.
Karth	Moorhead	Sarbanes
Kemp	Mosher	Scheuer
King	Nedzi	Schneebeli
Koch	Nix	Schwengel
Kyl	O'Hara	Shriver
Kyros	O'Konski	Sikes
Leggett	O'Neill	Stanton,
Lent	Passman	J. William
Long, Md.	Patten	Stanton,
McClory	Pepper	James V.
McCloskey	Perkins	Steed
McDade	Pickle	Steiger, Wis.
McEwen	Preyer, N.C.	Stokes
McFall	Price, Ill.	Sullivan
McKay	Quie	Teague, Calif.
McKevitt	Railsback	Ullman
McKinney	Rangel	Vander Jagt
Madden	Rees	Vanik
Mahon	Reid	Ware
Mallary	Rhodes	Whalen
Mann	Riegle	Whalley
Mathias, Calif.	Robinson, Va.	White
Mazzoli	Robison, N.Y.	Williams
Meeds	Rodino	Wilson, Bob
Mills, Ark.	Roe	Yates
Mills, Md.	Rooney, Pa.	Young, Tex.
Minish	Rosenthal	Zablocki
Mink	Roybal	

NAYS—73

Andrews, Ala.	Harsha	Pike
Archer	Hechler, W. Va.	Poage
Bennett	Henderson	Powell
Bevill	Hutchinson	Rarick
Brinkley	Jacobs	Reuss
Carter	Jarman	Ruth
Clawson, Del	Jones, N.C.	St Germain
Cleveland	Kastenmeier	Satterfield
Collier	Kazen	Saylor
Colmer	Landgrebe	Slack
Conover	Landrum	Smith, Calif.
Conyers	Latta	Spence
Daniel, Va.	Lujan	Stephens
Davis, Ga.	McCollister	Stubblefield
Downing	Mathis, Ga.	Taylor
Dulski	Melcher	Teague, Tex.
Duncan	Metcalfe	Tiernan
Eckhardt	Miller, Ohio	Wampler
Gaydos	Mitchell	Whitten
Goodling	Mizell	Wilson,
Griffin	Montgomery	Charles H.
Hagan	Myers	Wyatt
Hall	Natcher	Wyman
Hammer-	Obey	Young, Fla.
schmidt	Pettis	Zion

NOT VOTING—195

Abbitt	Davis, S.C.	Horton
Abernethy	Davis, Wis.	Howard
Abourezk	Delaney	Hull
Abzug	Dellums	Hungate
Alexander	Denholm	Hunt
Anderson,	Derwinski	Ichord
Calif.	Devine	Johnson, Pa.
Anderson, Ill.	Dickinson	Jones, Tenn.
Anderson,	Dingell	Keating
Tenn.	Dow	Kee
Andrews,	Dowdy	Keith
N. Dak.	Dwyer	Kluczynski
Annunzio	Edmondson	Kuykendall
Ashbrook	Esch	Lennon
Aspin	Evans, Colo.	Link
Baker	Fascell	Lloyd
Baring	Fish	Long, La.
Begich	Fisher	McClure
Bell	Flowers	McCormack
Biaggi	Flynt	McCulloch
Blackburn	Ford, Gerald R.	McDonald,
Blanton	Fountain	Mich.
Boland	Frenzel	McMillan
Bolling	Frey	Macdonald,
Brasco	Fulton	Mass.
Bray	Fuqua	Mailliard
Broomfield	Galifianakis	Martin
Brotzman	Gallagher	Matsunaga
Burke, Fla.	Garmatz	Mayne
Burlison, Mo.	Giaimo	Michel
Byrne, Pa.	Gibbons	Mikva
Byron	Goldwater	Miller, Calif.
Cabell	Gray	Minshall
Caffery	Green, Oreg.	Mollohan
Carey, N.Y.	Griffiths	Monagan
Celler	Gross	Morgan
Chappell	Grover	Moss
Clancy	Haley	Murphy, Ill.
Clark	Hamilton	Murphy, N.Y.
Clay	Hanley	Nelsen
Collins, Ill.	Hanna	Nichols
Collins, Tex.	Hansen, Wash.	Patman
Conte	Harvey	Pelly
Corman	Hastings	Peyser
Cotter	Hawkins	Pirnie
Crane	Hays	Podell
Curlin	Hébert	Price, Tex.
Daniels, N.J.	Hillis	Pryor, Ark.
Pucinski	Seiberling	Thomson, Wis.
Purcell	Shipley	Thone
Quillen	Shoup	Udall
Randall	Sisk	Van Deerlin
Roberts	Skubitz	Veysey
Rogers	Smith, Iowa	Vigorito
Roncalio	Smith, N.Y.	Waggonner
Rooney, N.Y.	Snyder	Waldie
Rostenkowski	Springer	Whitehurst
Roush	Staggers	Widnall
Rousselot	Steele	Wiggins
Roy	Steiger, Ariz.	Winn
Runnels	Stratton	Wolff
Ruppe	Stuckey	Wright
Sandman	Symington	Wydler
Scherle	Talcott	Wylie
Schmitz	Terry	Yatron
Scott	Thompson, Ga.	Zwach
Sebelius	Thompson, N.J.	

So the joint resolution was passed.

The Clerk announced the following pairs:

Mr. Annunzio with Mr. Gerald R. Ford.

Mr. Thompson of New Jersey with Mr. Widnall.

Mr. Hébert with Mr. Anderson of Illinois.

Mr. Waggonner with Mr. Winn.

Mr. Hays with Mr. Devine.

Mr. Rooney of New York with Mr. Conte.

Mr. Rostenkowski with Mr. Andrews of North Dakota.

Mr. Brasco with Mr. Fish.

Mrs. Hansen of Washington with Mr. Talcott.

Mr. Hanley with Mr. Horton.

Mr. Shipley with Mr. Martin.

Mr. Staggers with Mr. Frey.

Mr. Wolff with Mr. Broomfield.

Mr. Carey of New York with Mr. Grover.

Mr. Celler with Mr. Hunt.

Mr. Matsunaga with Mr. Mailliard.

Mr. Howard with Mr. Sandman.

Mr. Stratton with Mr. Minshall.

Mr. Anderson of Tennessee with Mr. Kuykendall.

Ms. Abzug with Mr. Gallagher.

Mr. Alexander with Mr. Clancy.

Mr. Begich with Mr. Crane.

Mr. Biaggi with Mr. Nelsen.

Mr. Clark with Mr. Johnson of Pennsylvania.

Mr. Monagan with Mr. Steele.

Mr. Morgan with Mr. Michel.

Mr. Murphy of New York with Mr. Ruppe.

Mr. Nichols with Mr. Dickinson.

Mr. Murphy of Illinois with Mr. Harvey.

Mr. Podell with Mr. Bell.

Mr. Fascell with Mr. Burke of Florida.

Mr. Giaimo with Mr. McDonald of Michigan.

Mr. Roncalio with Mr. Davis of Wisconsin.

Mr. Rogers with Mr. Esch.

Mr. Roush with Mr. Derwinski.

Mr. Mikva with Mr. Frenzel.

Mr. Byron with Mr. Ashbrook.

Mr. Denholm with Mr. Goldwater.

Mr. Delaney with Mr. Whitehurst.

Mr. Cotter with Mr. Wiggins.

Mr. Cabell with Mr. Quillen.

Mr. Chappell with Mr. Price of Texas.

Mr. Macdonald of Massachusetts with Mr. Keating.

Mr. Hull with Mr. Hastings.

Mr. Hamilton with Mr. Hillis.

Mr. Anderson of California with Mr. Baker.

Mr. Blanton with Mr. Blackburn.

Mr. Boland with Mr. Wylie.

Mr. Burlison of Missouri with Mr. Wydler.

Mr. Davis of South Carolina with Mr. Scherle.

Mr. Dingell with Mr. Sebelius.

Mr. Corman with Mr. McClure.

Mr. Dow with Mr. McCulloch.

Mr. Evans of Colorado with Mr. Bray.

Mr. Fisher with Mr. Brotzman.

Mr. Flowers with Mr. Collins of Texas.

Mr. Fulton with Mr. Zwach.

Mr. Fuqua with Mr. Thone.

Mrs. Green of Oregon with Mr. Thomson of Wisconsin.

Mr. Purcell with Mr. Thompson of Georgia.

Mr. McCormack with Mr. Snyder.

Mr. Link with Mr. Smith of New York.

Mr. Hawkins with Mr. Rousselot.
Mr. Hanna with Mr. Peyser.
Mr. Sisk with Mr. Pirnie.
Mr. Udall with Mr. Pelly.
Mr. Daniels of New Jersey with Mrs. Dwyer.
Mr. Van Deerlin with Mr. Lloyd.
Mr. Vigorito wtih Mr. Skubitz.
Mr. Yatron with Mr. Springer.
Mr. Wright with Mr. Terry.
Mr. Waldie with Mr. Steiger of Arizona.
Mr. Hungate with Mr. Shoup.
Mr. Ichord with Mr. Scott.
Mr. Kee with Mr. Schmitz.
Mr. Aspin with Mr. Keith.
Mr. Byrne of Pennsylvania with Mr. Abbitt.
Mr. Jones of Tennessee with Mr. McMillan.
Mr. Kluczynski with Mr. Symington.
Mr. Mollohan with Mr. Patman.
Mr. Moss with Mr. Pryor of Arkansas.
Mr. Pucinski with Mr. Garmatz.
Mr. Runnels with Mr. Miller of California.
Mr. Roberts with Mr. Gray.
Mr. Flynt with Mr. Edmondson.
Mr. Randall with Mr. Roy.
Mr. Abernethy with Mr. Abourezk.
Mr. Baring with Mr. Caffery.
Mr. Clay with Mr. Curlin.
Mr. Collins of Illinois with Mrs. Griffiths.
Mr. Dellums with Mr. Seiberling.
Mr. Smith of Iowa with Mr. Stuckey.
Mr. Gibbons with Mr. Lennon.
Mr. Haley with Mr. Dowdy.
Mr. Fountain with Mr. Long of Maryland.

Messrs. EDWARDS of California, DENT, MAZZOLI, and WHITE changed their votes from "nay" to "yea."

Messrs. LATTA and COLLIER changed their votes from "yea" to "nay."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. MAHON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks, and to include tables and extraneous matter, on the joint resolution just passed.

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

There was no objection.

AUTHORITY FOR SPEAKER TO DECLARE RECESS

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the Speaker be authorized to declare a recess, subject to the call of the Chair, with the understanding that such a recess shall not extend beyond 10:30 p.m. this evening.

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

There was no objection.

PUBLIC WORKS AND ECONOMIC DEVELOPMENT ACT AMENDMENT

Mr. JOHNSON of California. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 16071) to amend the Public Works and Economic Development Act of 1965, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 1, strike out all after line 4 over to and including line 7 on page 23 and insert:

SEC. 2. Section 2 of the Public Works and Economic Development Act of 1965, as amended, is amended by inserting at the end thereof the following sentence: "Congress further declares that substantial outmigration from rural to urban areas is aggravating the economic and social conditions of areas of outmigration as well as central cities. National economy policy should anticipate and take into account the dislocation of jobs due to technological change, shifting trade patterns, environmental adjustments, and the continuing need to make geographical adaptations to economic problems."

SEC. 3. (a) Section 101 of the Public Works and Economic Development Act of 1965, as amended, is amended

(1) by striking in subsection (a) (1) (D) the words "a redevelopment" and inserting in lieu thereof "an", and by striking "401 (a) (6)" and inserting in lieu thereof "107"; and

(2) by striking in subsection (c) "a project in a redevelopment area designated as such under section 401(a) (6)" and inserting in lieu thereof "any project, including projects in an area designated as such under section 107".

(b) Section 104 of the Public Works and Economic Development Act of 1965, as amended, is amended by inserting after the words "pursuant to" the words "section 105 of".

(c) Section 105 of the Public Works and Economic Development Act of 1965, as amended, is amended (1) by inserting after the word "title" the words "(except as provided in section 107)"; (2) by striking the words "$800,000,000 per fiscal year for the fiscal years ending June 30, 1972, and June 30, 1973.", and inserting in lieu thereof the words "$800,000,000 for the fiscal year ending June 30, 1972, and $550,000,000 per fiscal year for the fiscal years ending June 30, 1973, and June 30, 1974."; (3) by striking in the third sentence the words "years ending June 30, 1972, and June 30, 1973," and inserting in lieu thereof the words "year ending June 30, 1972,"; (4) by striking in the third sentence the words "redevelopment" and "as such"; and (5) by striking in the third sentence "401(a) (6)" and inserting in lieu thereof "107".

(d) Title I of the Public Works and Economic Development Act of 1965, as amended, is amended by adding at the end of such title the following new section:

"PUBLIC WORKS IMPACT PROGRAM

"SEC. 107. (a) The Secretary is authorized to designate those communities or neighborhoods (defined without regard to political or other subdivisions or boundaries) which he determines have one of the following conditions:

"(1) a large concentration of low-income persons;

"(2) rural areas having substantial outmigration;

"(3) substantial unemployment; or

"(4) an actual or threatened abrupt rise of unemployment due to the closing or curtailment of a major source of employment.

No area designated under this section shall be subject to the requirements of subparagraphs (A) and (C) of paragraph (1) of subsection (a) of section 101 of this title. No area designated under this section shall be eligible to meet the requirements of section 403(a) (1) (B) of this Act. Each area designated under this section shall be known as a public works impact area.

"(b) The Secretary is authorized to make grants, in accordance with the provisions of this title, to areas designated under this section.

"(c) Areas designated under this section shall be subject to a periodic review of eligibility (but at least annually) and the Secretary shall terminate the designation of any such area whenever it no longer satisfies the requirements of this section.

"(d) There is hereby authorized to be appropriated to carry out this section not to exceed $250,000,000 per fiscal year for the fiscal years ending June 30, 1973 and June 30, 1974."

SEC. 4. Subsection (c) of section 201 of the Public Works and Economic Development Act of 1965, as amended, is amended by striking "1973" and inserting in lieu thereof "1974".

SEC. 5. (a) Subsection (b) of section 301 of the Public Works and Economic Development Act of 1965, as amended, is amended—

(1) by inserting immediately after the words "hereof" the following: ", except that in the case of a grant under this subsection to an Indian tribe the Secretary is authorized to defray up to 100 per centum of such expenses"; and

(2) by striking out the words "the Federal-Aid Highway Act of 1962" and inserting in lieu thereof "title 23, United States Code".

(b) Section 302 of the Public Works and Economic Development Act, as amended, is redesignated as section 303 and immediately following section 301 a new section 302 is inserted as follows:

"SEC. 302. In the case of a vocational training facility constructed with a direct grant under title I of this Act, the Secretary is authorized to make grants for the operation of such facility. Such grants may be made for up to 75 per centum of the operating costs of such facility for the initial two years of operation of any such facility constructed after the enactment of this section or for any two-year period during the first five years of operation of any facility constructed previously. Not to exceed $15,000,000 per fiscal year of the funds authorized in section 303 of this title shall be available to carry out this section."

(c) Section 303 of the Public Works and Economic Development Act of 1965, as amended, as redesignated by subsection (b) of this section, is amended by striking "and June 30, 1973.", and inserting in lieu thereof: "June 30, 1973, and June 30, 1974.".

SEC. 6. (a) Section 401(a) (6) of the Public Works and Economic Development Act of 1965, as amended, is amended to read as follows:

"(6) those urban and rural communities or neighborhoods (defined without regard to political or other subdivisions or boundaries) which the Secretary determines have one of the following conditions:

"(A) a large concentration of low-income persons;

"(B) substantial unemployment; or

"(C) an actual or threatened abrupt rise of unemployment due to the closing or curtailment of a major source of employment.

No redevelopment area established under this paragraph shall be eligible to meet the requirements of section 403(a) (1) (B) of this Act;".

(b) Section 403(a) (1) (D) of the Public Works and Economic Development Act of 1965, as amended, is amended to read as follows:

"(D) the proposed district has a district overall economic development program which—

"(i) includes adequate land use and transportation planning;

"(ii) contains a specific program for district cooperation, self-help, and public investment;

"(iii) is approved by each affected State as consistent with the goals and objectives of

each applicable State plan and any overall State economic development program;

"(iv) is approved by the Secretary; and

"(v) provides that a copy be furnished to the appropriate regional commission established under title V of this Act if any part of such proposed district is within such a region, or to the Appalachian Regional Commission established under the Appalachian Regional Development Act of 1965 if any part of such proposed district is within the Appalachian region;".

(c) Subparagraph (C) of section 403(a)(2) of the Public Works and Economic Development Act of 1965, as amended, is amended by striking the period at the end thereof and adding the following: "; *Provided*, That no area designated as an economic development center under the provisions of this paragraph shall have such designation terminated or modified due to an increase in population."

(d) Section 403 of the Public Works and Economic Development Act of 1965, as amended, is amended by adding at the end thereof the following new subsection:

"(i) The Secretary is authorized to provide, in accordance with the applicable requirements of this Act, financial assistance, to those parts of an economic development district which are not within a redevelopment area when such assistance will be of substantial direct benefit to a redevelopment area within such district. Such financial assistance shall be provided in the same manner and to the same extent as is provided in this Act for a redevelopment area, except that nothing in this subsection shall be construed to permit such parts to receive the increase in the amount of grant assistance authorized in paragraph (4) of subsection (a) of this section."

(e) Subsection (g) of section 403 of the Public Works and Economic Development Act of 1965, as amended, is amended by striking "1973" and inserting in lieu thereof "1974".

SEC. 7. (a) Subsection (c) of section 505 of the Public Works and Economic Development Act of 1965, as amended, is amended to read as follows:

"(c) In carrying out subsection (a)(1) and subsection (b) of this section there may be expended in any fiscal year out of funds appropriated under authority of section 509 (d) of this title, such sums as are necessary up to a maximum of 10 per centum of the funds appropriated for each regional commission."

(b)(1) Subsection (d) of section 509 of the Public Works and Economic Development Act of 1965, as amended, is redesignated as paragraph (d)(1).

(2) Redesignated paragraph (d)(1) of section 509 of the Public Works and Economic Development Act of 1965, as amended, is amended by striking out in the first sentence the words 'two-fiscal-year period ending June 30, 1973, to be available until expended, not to exceed $305,000,000." and inserting in lieu thereof "fiscal year ending June 30, 1972, to remain available until expended, $152,500,000."; and by striking out in the third sentence the word "authorization" and inserting in lieu thereof "paragraph".

(3) Subsection (d) of section 509 of the Public Works and Economic Development Act of 1965, as amended, is amended by adding at the end thereof the following new paragraph:

"(2) There is authorized to be appropriated to the Secretary to carry out this title, for the fiscal years ending June 30, 1973, and June 30, 1974, not to exceed $100,000,000 per fiscal year for the Coastal Plains Regional Commission, not to exceed $100,000,000 per fiscal year for the Four Corners Regional Commission, not to exceed $100,000,000 per fiscal year for the New England Regional Commission, not to exceed $100,000,000 per fiscal year for the Ozarks Regional Commission, not to exceed $100,000,000 per fiscal year for the Upper Great Lakes Regional Commission, and not to exceed $20,000,000 per fiscal year for each regional commission which does not have a comprehensive long-range economic plan approved under section 503(a)(2) of this Act."

SEC. 8. Section 2 of the Act of July 6, 1970, as amended (Public Law 91-304), is amended by striking out "1972" and inserting in lieu thereof "1974".

SEC. 9. That the Appalachian Regional Hospitals, Incorporated (hereinafter referred to as the "corporation"), a nonprofit, nonsectarian corporation organized under the laws of the State of Kentucky, is hereby relieved of all liability for repayment to the United States of the sum of $3,607,590, together with all interest accrued thereon, representing the amount owed by the corporation to the United States under the terms of a loan made to the corporation by the Area Redevelopment Administration on June 26, 1964, the forgiveness of such loan being necessary to the provision of needed hospital facilities in the Appalachian region of Kentucky, West Virginia, and Virginia.

SEC. 10. (a) The heading of section 28 of the Occupational Safety and Health Act of 1970 is amended to read as follows:

"ASSISTANCE TO SMALL EMPLOYERS"

(b) Section 28(a) of such Act is amended by inserting "(1)" immediately after the subsection designation, by striking out "(1)" and inserting in lieu thereof "(A)" and by striking out "(2)" and inserting in lieu thereof "(B)".

(c) Subsections (b), (c), and (d) of section 28 of such Act are redesignated as paragraphs (2), (3), and (4), respectively.

SEC. 11. Section 28 of the Occupational Safety and Health Act of 1970, as amended by this Act, is further amended by inserting at the end thereof the following:

"(b)(1) In order to further carry out his responsibilities under subsections (c) and (d) of section 21 as amended regarding additional assistance to small employers, the Secretary may visit the workplace of any small employer which has twenty-five or fewer employees for the purpose of affording consultation and advice for such employer. Such visit (A) may be conducted only upon a valid request of an employer for consultation and advice at the workplace on the interpretation or applicability of standards or on possible alternative ways of complying with applicable standards, and (B) shall be limited to the matters specified in the request affecting conditions, structures, machines, apparatus, devices, equipment, or materials in the workplace. The Secretary shall evaluate a request by an employer pursuant to this subsection and, if appropriate, may provide for an alternative means of affording consultation and advice other than onsite consultation.

"(2) The Secretary may make recommendations regarding the elimination of any hazards disclosed within the scope of the onsite consultation. No visit authorized by this subsection shall be regarded as an inspection or investigation under section 8 of the Act and no citations shall be issued nor shall any civil penalties be proposed by the Secretary upon such visit, except that nothing in this subsection shall affect in any manner any provision of this Act the purpose of which is to eliminate imminent dangers.

"(3) For the purpose of carrying out the provisions of this subsection, there is authorized to be appropriated the sum of $1,000,000 for the fiscal year ending June 30, 1973, $1,500,000 for the fiscal year ending June 30, 1974, and $1,500,000 for the fiscal year ending June 30, 1975.

"(c)(1) When, in the course of any visit carried on under subsection (b), there is discovered an apparent serious violation (as defined in section 17(k)) of the requirements of section 5, of any standard, rule, or order promulgated pursuant to section 6, or of any regulations prescribed pursuant to this Act, the Secretary shall issue a written notice to the employer describing with particularity the nature of the violation, and the action which must be taken within a reasonable period of time specified by the Secretary for the abatement of the violation. Within such reasonable period of time specified by the Secretary, the employer shall certify that he has complied with the abatement instructions. Where an employer fails to make the certification required by the preceding sentence within the prescribed period, the Secretary shall, without further notice, conduct an inspection under section 8 of this Act.

"(2) In the event of a subsequent inspection, the Secretary shall take into consideration any information obtained during the consultation visit of that workplace in determining the nature of an alleged violation and the amount of the penalties to be proposed, if any. The failure of the Secretary to give consultation and advice regarding any specific matter during the consultation visit shall not preclude the issuance of appropriate citations and proposed penalties with respect to that matter.

"(d) In prescribing rules and regulations pursuant to subsection (b) of this section, the Secretary shall provide for the separation of functions between officers, employees, or agents who conduct visits pursuant to subsection (b) of this section and officers, employees, or agents who conduct inspections or investigations under this Act."

SEC. 12. Section 21 of the Occupational Safety and Health Act of 1970 is amended by adding a new subsection as follows:

"(d) In order to provide additional assistance to small employers the Secretary may conduct onsite consultations pursuant to the provisions of subsections (b), (c), and (d) of section 28."

SEC. 13. The previous three sections take effect thirty days after the date of their enactment.

SEC. 14. The Public Works and Economic Development Act of 1965 is amended by adding at the end thereof the following new title:

"TITLE VII—ENVIRONMENTAL EFFECTS

"SEC. 801. (a)(1) The Administrator of the Environmental Protection Agency shall on his own motion or not later than thirty days from the date he receives a written request of an employee of an affected plant or industry, or his representative, initiate an investigation of any employment loss or alleged employment loss which results or may result from the issuance of a standard or order under the Federal Water Pollution Control Act, the Clean Air Act, or any other Federal law having for its primary purpose the improvement of environmental quality.

"(2) Such an investigation shall include an evaluation of the action necessary for compliance, the costs of compliance, the social or external costs of noncompliance, the extent to which the community would be dislocated by such an employment loss, possible alternatives to the employment loss and the economic circumstances of the particular facility involved and its owner or operator, including present profitability or marginal economic position.

"(3) Whenever feasible, such investigation shall commence six months in advance of any anticipated employment loss, or at the earliest possible time. In any event, such investigation shall begin within ten days of any allegation of employment loss due to the enforcement of an order or standard for the protection of environmental quality which the Administrator is requested to investigate by any person.

"(4) For the purpose of assisting in any investigation under this section, the Administrator may issue subpenas for the at-

tendance and testimony of witnesses and the production of relevant papers, books, and documents, and he may administer oaths. Witnesses summoned shall be paid the same fees and mileage that are paid witnesses in the courts of the United States. In case of contumacy or refusal to obey a subpena served upon any person under this section, the district court of the United States for any district in which such person is found or resides or transacts business, upon application by the United States and after notice to such person, shall have jurisdiction to issue an order requiring such person to appear and give testimony before the Administrator to appear and produce papers, books, and documents before the Administrator, or both, and any failure to obey such order of the court may be punished by such court as a contempt thereof.

"(5) The owner or operator of any commercial or industrial facility seeking assistance under section 802 of this Act or alleging that an employment loss at any facility under his control will result from the enforcement of an order or standard for the protection of environmental quality, shall submit to the Administrator within thirty days a report disclosing:

"(A) the nature of the enforcement action;

"(B) his plans to comply, including a description of the technology necessary for compliance and its cost;

"(C) the extent of potential employment loss;

"(D) alternatives to the potential employment loss;

"(E) his plans to alleviate the effect of the potential employment loss on the individuals and communities involved;

"(F) the economic circumstances of the affected facility, including present profitability or marginality, and future investment plans in the absence of such enforcement; and

"(G) the economic circumstances of his total enterprises (including domestic and foreign subsidiaries or parent corporations), including present profitability, market (and any changes in market patterns), the effect of foreign competition, changes in the availability of transportation, opportunity for transfer personnel, capitalization, and capital availability, and future investment plans in the absence of such enforcement.

"(6) Such investigation shall be completed and a report of employment loss submitted to the Secretary of Labor not later than the sixtieth day after the date of initiation of investigation. The Secretary of Labor, upon receipt of such report, shall certify as unemployed as a result of such standard or order all employees who are unemployed as a result of such standard or order with respect to which the Administrator has conducted an investigation under this subsection. An individual to be eligible for certification for assistance under this section shall have had in the seventy-eight weeks immediately preceding his unemployment at least twenty-six weeks of employment in the plant or industry affected.

"(b) The Secretary is authorized to provide to any individual certified as unemployed under subsection (a) unemployment compensation. Such unemployment compensation shall equal 60 per centum of the individual's former weekly wage or the maximum payable to him under the unemployment compensation law of the State in which his employment loss occurs, whichever is the greater amount, except that no such individual shall be paid more than the highest amount of unemployment compensation payable to any individual by any State under any unemployment compensation law other than this section. Such unemployment compensation shall be paid so long as such individual is unemployed or until he retires from the labor force, whichever period is the lesser, except that no unemployment compensation shall be paid to any individual under this subsection for a period of more than seventy-eight weeks.

"(c) The Secretary is authorized to provide assistance on a temporary basis in the form of mortgage or rental payments to or on behalf of an individual certified under this section as unemployed who, as a result of financial hardship caused by such unemployment has received written notice of dispossession or eviction from his principal place of residence by reason of foreclosure of any mortgage or lien, cancellation of any contract or sale, or termination of any lease, entered into prior to such unemployment. Such assistance shall be provided for a period not to exceed one year or for the duration of the period of financial hardship, whichever is lesser.

"(d) The Secretary is authorized to provide reemployment assistance services under other laws to individuals who are certified under this section as unemployed.

"(e) The Secretary is authorized to pay the actual reasonable moving expenses of any individual (including his family and his household effects) certified under this section as unemployed who is unable to find employment at reasonable distance from his principal place of residence at the time of such unemployment and who finds employment beyond such distance.

"(f) There is authorized to be appropriated, not to exceed $100,000,000 for carrying out this section.

"(g)(1) No person shall discharge or in any other way discriminate against or cause to be discharged or discriminated against any employee or any authorized representative of employees of any commercial or industrial facility at which employment may be reduced due to, or alleged to be due to, the enforcement of an order of standard for the protection of environmental quality, (1) by reason of the fact that such employee or representative has filed, instituted, or caused to be filed or instituted any proceeding under this title, has provided information concerning any matter within the scope of this title, or has testified or is about to testify in any proceeding resulting from the administration or enforcement of the provisions in this title, or (2) in any case where the Administrator has determined an employment loss to be unjustified.

"(2) Any employee or a representative of employees who believes that he has been discharged or otherwise discriminated against by any person in violation of paragraph (1) of this subsection may, within thirty days after such violation occurs, apply to the Secretary of Labor for a review of such alleged discharge or discrimination. A copy of the application shall be sent to such person who shall be the respondent. Upon receipt of such application, the Secretary of Labor as he deems appropriate. Such investigation shall cause such investigation to be made shall provide an opportunity for a public hearing at the request of any party to enable the parties to present information relating to such violation. The parties shall be given written notice of the time and place of the hearing at least five days prior to the hearing. Any such hearing shall be of record and shall be subject to section 554 of title 5 of the United States Code. Upon receiving the report of such investigation, the Secretary of Labor shall make findings of fact. If he finds that such violation did occur, he shall issue a decision, incorporating an order therein, requiring the person committing such violation to take such affirmative action to abate the violation as the Secretary of Labor deems appropriate, including, but not limited to, the rehiring or reinstatement of the employee or representative of employees to his former position with compensation. If he finds that there was no such violation, he shall issue an order denying the application. Such order issued by the Secretary of Labor under this subsection shall be subject to judicial review. Violations by any person of paragraph (1) of this subsection or such an order shall be subject to a fine of $10,000 per day of violation.

"(3) Whenever an order is issued under this section, at the request of the applicant, a sum equal to the aggregate amount of all costs and expenses (including the attorney's fees) as determined by the Secretary of Labor to have been reasonably incurred by the applicant for, or in connection with, the institution and prosecution of such proceedings, shall be assessed against the person committing the violation.

"POLLUTION CONTROL FACILITIES LOANS

"SEC. 802. (a) The Secretary is authorized to make loans (which for purposes of this section shall include participations in loans) to aid in financing any project in the United States for the acquisition, construction, or alteration of pollution control facilities (including machinery and equipment) for industrial or commercial usage.

"(b) Financial assistance under this section shall be on such terms and conditions as the Secretary determines, subject, however, to the following restrictions and limitations:

"(1) Such financial assistance shall not be extended to assist establishments relocating from one part of the United States to another or to assist subcontractors whose purpose is to divest, or whose economic success is dependent upon divesting, other contractors or subcontractors of contracts theretofore customarily performed by them; except that such limitations shall not be construed to prohibit assistance for the expansion of an existing business entity through the establishment of a new branch, affiliate, or subsidiary of such entity if the Secretary finds that the establishment of such branch, affiliate, or subsidiary will not result in an increase in unemployment of the area of original location or in any other area where such entity conducts business operations, unless the Secretary has reason to believe that such branch, affiliate, or subsidiary is being established with the intention of closing down the operations of the existing business entity in the area of its original location or in any other area where it conducts such operations.

"(2) Such assistance shall be extended only to applicants both private and public (including Indian tribes), which have been approved for such assistance by an agency or instrumentality of the State or political subdivision thereof in which the project to be financed is located, and which agency or instrumentality is directly concerned with problems of economic development in such State or subdivision, and which have been certified by such agency or instrumentality as requiring the loan successfully to remain in operation.

"(3) No loan shall be made under this section unless the financial assistance applied for is not otherwise available from private lenders or from other Federal agencies on terms which in the judgment of the Administrator will permit compliance with such an order or standard, and unless the Administrator finds that funds necessary for compliance are not available from within the corporate structure of the owner or operator of the affected facility, or from any domestic or foreign subsidiary or parent corporation and unless it is determined that there is reasonable assurance of repayment.

"(4) Subject to section 701(5) of this Act, no loan, including renewals or extension thereof, may be made hereunder for a period exceeding thirty years.

"(5) Loans made shall bear interest at a rate determined by the Secretary of the Treasury but not more than 3 per centum per annum.

"(6) Loans shall not exceed the aggregate cost to the applicant (excluding all other Federal aid in connection with such pollu-

tion control facilities) of acquiring, constructing, or altering the pollution control facility.

"(7) The pollution control facility for which a loan is requested must be—

"(A) a facility or equipment used, or

"(B) a modification of methods, processes, or operations where the primary purpose of such modification is to abate or control water or atmospheric pollution or contamination by removing, altering, recycling, disposing, or storing of pollutants, contaminants, wastes, or heat and which—

"(i) the State certifying authority having jurisdiction with respect to such facility has certified to the Administrator of the Environmental Protection Agency as having been acquired, constructed, or altered in conformity with State requirements for abatement or control of water or atmospheric pollution or contamination; or

"(ii) the Administrator of the Environmental Protection Agency has certified to the Secretary—

"(aa) as being in compliance with the applicable regulations of the Environmental Protection Agency and of all other Federal agencies, and

"(bb) as being in furtherance of the general policy of the United States for cooperation with the States in the prevention and abatement of water pollution under the Federal Water Pollution Control Act, or in the prevention and abatement of atmospheric pollution and contamination under the Clean Air Act.

"(c) As used in this section, the term 'State certifying authority' means, in the case of water pollution, the State water pollution control agency as defined in the Federal Water Pollution Control Act and, in the case of air pollution, the air pollution control agency as defined in the Clean Air Act. The term 'State certifying authority' includes any interstate agency authorized to act in place of a certifying authority of the State.

"(d) There is hereby authorized to be appropriated not to exceed $100,000,000 per fiscal year for the fiscal years ending June 30, 1973, and June 30, 1974, to carry out this section."

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

Mr. HALL. Mr. Speaker, reserving the right to object——

Mr. GAYDOS. Mr. Speaker, I object.

The SPEAKER. Objection is heard.

Mr. HALL. Mr. Speaker, a parliamentary inquiry. Who objected?

The SPEAKER. The gentleman from Pennsylvania (Mr. GAYDOS).

TO AMEND THE PUBLIC WORKS AND ECONOMIC DEVELOPMENT ACT OF 1965

Mr. JOHNSON of California. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1166) providing for concurring the Senate amendment to H.R. 16071, to amend the Public Works and Economic Development Act of 1965, with an amendment.

The Clerk read as follows:

H. RES. 1166

Resolved, That immediately upon the adoption of this resolution the bill (H.R. 16071) to amend the Public Works and Economic Development Act of 1965, together with the Senate amendment thereto, be, and the same is hereby, taken from the Speaker's table to the end that the Senate amendment be, and the same is hereby, agreed to with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

SEC. 2. Section 2 of the Public Works and Economic Development Act of 1965, as amended, is amended by inserting at the end thereof the following sentence: "Congress further declares that substantial outmigration from rural to urban areas is aggravating the economic and social conditions of areas of outmigration as well as central cities. National economy policy should anticipate and take into account the dislocation of jobs due to technological change, shifting trade patterns, environmental adjustments, and the continuing need to make geographical adaptations to economic problems."

SEC. 3. (a) Section 101 of the Public Works and Economic Development Act of 1965, as amended, is amended

(1) by striking in subsection (a)(1)(D) the words "a redevelopment" and inserting in lieu thereof "an", and by striking "401(a)(6)" and inserting in lieu thereof "107"; and

(2) by striking in subsection (c) "a project in a redevelopment area designated as such under section 401(a)(b)" and inserting in lieu thereof "any project, including projects in an area designated as such under section 107".

(b) Section 104 of the Public Works and Economic Development Act of 1965, as amended, is amended by inserting after the words "pursuant to" the words "section 105 of".

(c) Section 105 of the Public Works and Economic Development Act of 1965, as amended, is amended (1) by inserting after the word "title" the words "(except as provided in section 107)"; (2) by striking the words "$800,000,000 per fiscal year for the fiscal years ending June 30, 1972, and June 30, 1973.", and inserting in lieu thereof the words "$800,000,000 for the fiscal year ending June 30, 1972, and $550,000,000 per fiscal year for the fiscal years ending June 30, 1973, and June 30, 1974"; (3) by striking in the third sentence the words "years ending June 30, 1972, and June 30, 1973," and inserting in lieu thereof the words "year ending June 30, 1972,"; (4) by striking in the third sentence the words "redevelopment" and "as such"; and (5) by striking in the third sentence "401(a)(6)" and inserting in lieu thereof "107".

(d) Title I of the Public Works and Economic Development Act of 1965, as amended, is amended by adding at the end of such title the following new section:

"PUBLIC WORKS IMPACT PROGRAM

"SEC. 107. (a) The Secretary is authorized to designate those communities or neighborhoods (defined without regard to political or other subdivisions or boundaries) which he determines have one of the following conditions:

"(1) a large concentration of low-income persons;

"(2) rural areas having substantial outmigration;

"(3) substantial unemployment; or

"(4) an actual or threatened abrupt rise of unemployment due to the closing or curtailment of a major source of employment.

No area designated under this section shall be subject to the requirements of subparagraphs (A) and (C) of paragraph (1) of subsection (a) of section 101 of this title. No area designated under this section shall be eligible to meet the requirements of section 403(a)(1)(B) of this Act. Each area designated under this section shall be known as a public works impact area.

"(b) The Secretary is authorized to make grants, in accordance with the provisions of this title, to areas designated under this section.

"(c) Areas designated under this section shall be subject to a periodic review of eligibility (but at least annually) and the Secretary shall terminate the designation of any such area whenever it no longer satisfies the requirements of this section.

"(d) There is hereby authorized to be appropriated to carry out this section not to exceed $250,000,000 per fiscal year for the fiscal years ending June 30, 1973 and June 30, 1974."

SEC. 4. Subsection (c) of section 201 of the Public Works and Economic Development Act of 1965, as amended, is amended by striking "1973" and inserting in lieu thereof "1974".

SEC. 5. (a) Subsection (b) of section 301 of the Public Works and Economic Development Act of 1965, as amended, is amended—

(1) by inserting immediately after the word "hereof" the following: ", except that in the case of a grant under this subsection to an Indian tribe the Secretary is authorized to defray up to 100 per centum of such expenses"; and

(2) by striking out the words "the Federal-Aid Highway Act of 1962" and inserting in lieu thereof "title 23, United States Code".

(b) Section 302 of the Public Works and Economic Development Act, as amended, is redesignated as section 303 and immediately following section 301 a new section 302 is inserted as follows:

"SEC. 302. In the case of a vocational training facility constructed with a direct grant under title I of this Act, the Secretary is authorized to make grants for the operation of such facility. Such grants may be made for up to 75 per centum of the operating costs of such facility for the initial two years of operation of any such facility constructed after the enactment of this section or for any two-year period during the first five years of operation of any facility constructed previously. Not to exceed $15,000,000 per fiscal year of the funds authorized in section 303 of this title shall be available to carry out this section."

(c) Section 303 of the Public Works and Economic Development Act of 1965, as amended, as redesignated by subsection (b) of this section, is amended by striking "and June 30, 1973.", and inserting in lieu thereof: "June 30, 1973, and June 30, 1974.".

SEC. 6. (a) Section 401(a)(6) of the Public Works and Economic Development Act of 1965, as amended, is amended to read as follows:

"(6) those urban and rural commuuities or neighborhoods (defined without regard to political or other subdivisions or boundaries) which the Secretary determines have one of the following conditions:

"(A) a large concentration of low-income persons;

"(B) substantial unemployment; or

"(C) an actual or threatened abrupt rise of unemployment due to the closing or curtailment of a major source of employment.

No redevelopment area established under this paragraph shall be eligible to meet the requirements of section 403(a)(1)(B) of this Act;".

(b) Section 403(a)(1)(B) of the Public Works and Economic Development Act of 1965 is amended by striking out "two or more redevelopment areas" and inserting in lieu thereof "at least one redevelopment area".

(c) Section 403(a)(1)(D) of the Public Works and Economic Development Act of 1965, as amended, is amended to read as follows:

"(D) the proposed district has a district overall economic development program which—

"(i) includes adequate land use and transportation planning;

"(ii) contains a specific program for district cooperation, self-help, and public investment;

"(iii) is approved by each affected State as consistent with the goals and objectives

of each applicable State plan and any overall State economic development program;

"(iv) is approved by the Secretary; and

"(v) provides that a copy be furnished to the appropriate regional commission established under title V of this Act if any part of such proposed district is within such a region, or to the Appalachian Regional Commission established under the Appalachian Regional Development Act of 1965 if any part of such proposed district is within the Appalachian region;".

(d) Subparagraph (C) of section 403(a)(2) of the Public Works and Economic Development Act of 1965, as amended, is amended by striking the period at the end thereof and adding the following: "; *Provided*, That no area designated as an economic development center under the provisions of this paragraph shall have such designation terminated or modified due to an increase in population.".

(e) Section 403 of the Public Works and Economic Development Act of 1965, as amended, is amended by adding at the end thereof the following new subsections:

"(i) The Secretary is authorized to provide, in accordance with the applicable requirements of this Act, financial assistance, to those parts of an economic development district which are not within a redevelopment area when such assistance will be of substantial direct benefit to a redevelopment area within such district. Such financial assistance shall be provided in the same manner and to the same extent as is provided in this Act for a redevelopment area, except that nothing in this subsection shall be construed to permit such parts to receive the increase in the amount of grant assistance authorized in paragraph (4) of subsection (a) of this section.

(j) In addition to technical assistance under section 301(a) of this Act, the Secretary is authorized to make grants to an economic development district to pay not to exceed 75 per centum of the administrative expenses, and not to exceed 100 per centum of planning expenses, of such district. In any case where the designation of an economic development district is terminated under subsection (c) of this section before the expiration of the five-year period which begins on the date of designation of such district, grants may be made under this subsection for such additional time as may be necessary to insure that such former district will receive administrative and planning grants during such five-year period. In determining the amount of the non-Federal share of such expenses, the Secretary shall give due consideration of all contributions both in cash and in kind, fairly evaluated, including but not limited to space, equipment, and services. Where practicable, planning grants authorized by this subsection shall be used in conjunction with other available planning grants, such as urban planning grants, authorized under the Housing Act of 1954 as amended, and highway planning and research grants authorized by title 23, United States Code, to assure adequate and effective planning and economical use of funds. For the purposes of this subsection there is hereby authorized to be appropriated not to exceed $20,000,000 per fiscal year for the fiscal years ending June 30, 1973, and June 30, 1974."

(f) Subsection (g) of section 403 of the Public Works and Economic Development Act of 1965, as amended, is amended by striking "1973" and inserting in lieu thereof "1974".

SEC. 7.(a) Subsection (c) of section 505 of the Public Works and Economic Development Act of 1965, as amended, is amended to read as follows:

"(c) In carrying out subsection (a)(1) and subsection (b) of this section there may be expended in any fiscal year, out of funds appropriated under authority of section 509 (d) of this title, such sums as are necessary up to a maximum of 10 per centum of the funds appropriated for each regional commission."

(b)(1) Subsection (d) of section 509 of the Public Works and Economic Development Act of 1965, as amended, is redesignated as paragraph (d)(1).

(2) Redesignated paragraph (d)(1) of section 509 of the Public Works and Economic Development Act of 1965, as amended, is amended by striking out in the first sentence the words "two-fiscal-year period ending June 30, 1973, to be available until expended not to exceed $305,000,000." and inserting in lieu thereof "fiscal year ending June 30, 1972, to remain available until expended, $152,500,000."; and by striking out in the third sentence the word "authorization" and inserting in lieu thereof "paragraph".

(3) Subsection (d) of section 509 of the Public Works and Economic Development Act of 1965, as amended, is amended by adding at the end thereof the following new paragraph:

"(2) There is authorized to be appropriated to the Secretary to carry out this title, for the fiscal years ending June 30, 1973, and June 30, 1974, not to exceed $100,000,000 per fiscal year for the Coastal Plains Regional Commission, not to exceed $100,000,000 per fiscal year for the Four Corners Regional Commission, not to exceed $100,000,000 per fiscal year for the New England Regional Commission, not to exceed $100,000,000 per fiscal year for the Ozarks Regional Commission, not to exceed $100,000,000 per fiscal year for the Upper Great Lakes Regional Commission, and not to exceed $20,000,000 per fiscal year for each regional commission which does not have a comprehensive long-range economic plan approved under section 503(a)(2) of this Act."

SEC. 8. Section 2 of the Act of July 6, 1970, as amended (Public Law 91-304), is amended by striking out "1972" and inserting in lieu thereof "1974".

SEC. 9. The Appalachian Regional Hospitals, Incorporated (hereinafter referred to as the "corporation"), a nonprofit, nonsectarian corporation organized under the laws of the State of Kentucky, is hereby relieved of all liability for repayment to the United States of the sum of $3,607,590, together with all interest accrued thereon, representing the amount owed by the corporation to the United States under the terms of a loan made to the corporation by the Area Redevelopment Administration on June 26, 1964, the forgiveness of such loan being necessary to the provision of needed hospital facilities in the Appalachian region of Kentucky, West Virginia, and Virginia.

SEC. 10. The Public Works and Economic Development Act of 1965 is amended by adding at the end thereof the following new title:

"TITLE VIII—ENVIRONMENTAL EFFECTS

"SEC. 801. (a)(1) The Administrator of the Environmental Protection Agency shall on his own motion or not later than thirty days from the date he receives a written request of an employee of an affected plant or industry, or his representative, initiate an investigation of any employment loss or alleged employment loss which results or may result from the issuance of a standard or order under the Federal Water Pollution Control Act, the Clean Air Act, or any other Federal law having for its primary purpose the improvement of environmental quality.

"(2) Such an investigation shall include an evaluation of the action necessary for compliance, the costs of compliance, the social or external costs of noncompliance, the extent to which the community would be dislocated by such an employment loss, possible alternatives to the employment loss and the economic circumstances of the particular facility involved and its owner or operator, including present profitability or marginal economic position.

"(3) Whenever feasible, such investigation shall commence six months in advance of any anticipated employment loss, or at the earliest possible time. In any event, such investigation shall begin within ten days of any allegation of employment loss due to the enforcement of an order or standard for the protection of environmental quality which the Administrator is requested to investigate by any person.

"(4) For the purpose of assisting in any investigation under this section, the Administrator may issue subpenas for the attendance and testimony of witnesses and the production of relevant papers, books, and documents, and he may administer oaths. Witnesses summoned shall be paid the same fees and mileage that are paid witnesses in the courts of the United States. In case of contumacy or refusal to obey a subpena served upon any person under this section, the district court of the United States for any district in which such person is found or resides or transacts business, upon application by the United States and after notice to such person, shall have jurisdiction to issue an order requiring such person to appear and give testimony before the Administrator to appear and produce papers, books, and documents before the Administrator, or both, and any failure to obey such order of the court may be punished by such court as a contempt thereof.

"(5) The owner or operator of any commerical or industrial facility seeking assistance under section 802 of this Act or alleging that an employment loss at any facility under his control will result from the enforcement of an order or standard for the protection of environmental quality, shall submit to the Administrator within thirty days a report disclosing:

"(A) the nature of the enforcement action;

"(B) his plans to comply, including a description of the technology necessary for compliance and its cost;

"(C) the extent of potential employment loss;

"(D) alternatives to the potential employment loss;

"(E) his plans to alleviate the effect of the potential employment loss on the individuals and communities involved;

"(F) the economic circumstances of the affected facility, including present profitability or marginality, and future investment plans in the absence of such enforcement; and

"(G) the economic circumstances of his total enterprises (including domestic and foreign subsidiaries or parent corporations), including present profitability, market (and any changes in, market patterns), the effect of foreign competition, changes in the availability of transportation, opportunity for transfer personnel, capitalization, and capital availability, and future investment plans in the absence of such enforcement.

"(6) Such investigation shall be completed and a report of employment loss submitted to the Secretary of Labor not later than the sixtieth day after the date of initiation of investigation. The Secretary of Labor, upon receipt of such report, shall certify as unemployed as a result of such standard or order all employees who are unemployed as a result of such standard or order with respect to which the Administrator has conducted an investigation under this subsection. An individual to be eligible for certification for assistance under this section shall have had in the seventy-eight weeks immediately preceding his unemployment at least twenty-six weeks of employment in the plant or industry affected.

"(b) The Secretary is authorized to pro-

vide to any individual certified as unemployed under subsection (a) unemployment compensation. Such unemployment compensation shall equal 60 per centum of the individual's former weekly wage or the maximum payable to him under the unemployment compensation law of the State in which his employment loss occurs, whichever is the greater amount, except that no such individual shall be paid more than the highest amount of unemployment compensation payable to any individual by any State under any unemployment compensation law other than this section. Such unemployment compensation shall be paid so long as such individual is unemployed or until he retires from the labor force, whichever period is the lesser, except that no unemployment compensation shall be paid to any individual under this subsection for a period of more than seventy-eight weeks.

"(c) The Secretary is authorized to provide assistance on a temporary basis in the form of mortgage or rental payments to or on behalf of an individual certified under this section as unemployed who, as a result of financial hardship caused by such unemployment has received written notice of dispossession or eviction from his principal place of residence by reason of foreclosure of any mortgage or lien, cancellation of any contract or sale, or termination of any lease, entered into prior to such unemployment. Such assistance shall be provided for a period not to exceed one year or for the duration of the period of financial hardship, whichever is lesser.

"(d) The Secretary is authorized to provide reemployment assistance services under other laws to indiivduals who are certified under this section as unemployed.

"(e) The Secretary is authorized to pay the actual reasonable moving expenses of any individual (including his family and his household effects) certified under this section as unemployed who is unable to find employment at reasonable distance from his principal place of residence at the time of such unemployment and who finds employment beyond such distance.

"(f) There is authorized to be appropriated, not to exceed $100,000,000 for carrying out this section.

"(g)(1) No person shall discharge or in any other way discriminate against or cause to be discharged or discriminated against any employee or any authorized representative of employees of any commercial or industrial facility at which employment may be reduced due to, or alleged to be due to, the enforcement of an order of standard for the protection of environmental quality, (1) by reason of the fact that such employee or representative has filed, instituted, or caused to be filed or instituted any proceeding under this title, has provided information concerning any matter within the scope of this title, or has testified or is about to testify in any proceeding resulting from the administration or enforcement of the provisions in this title, or (2) in any case where the Administrator has determined an employment loss to be unjustified.

"(2) Any employee or a representative of employees who believes that he has been discharged or otherwise discriminated against by any person in violation of paragraph (1) of this subsection may, within thirty days after such violation occurs, apply to the Secretary of Labor for a review of such alleged discharge or discrimination. A copy of the application shall be sent to such person who shall be the respondent. Upon receipt of such application, the Secretary of Labor shall cause such investigation to be made as he deems appropriate. Such investigation shall provide an opportunity for a public hearing at the request of any party to enable the parties to present information relating to such violation. The parties shall be given written notice of the time and place of the hearing at least five days prior to the hearing. Any such hearing shall be of record and shall be subject to section 554 of title 5 of the United States Code. Upon receiving the report of such investigation, the Secretary of Labor shall make findings of fact. If he finds that such violation did occur, he shall issue a decision, incorporating an order therein, requiring the person committing such violation to take such affirmative action to abate the violation as the Secretary of Labor deems appropriate, including, but not limited to, the rehiring or reinstatement of the employee or representative of employees to his former position with compensation. If he finds that there was no such violation, he shall issue an order denying the application. Such order issued by the Secretary of Labor under this subsection shall be subject to judicial review. Violations by any person of paragraph (1) of this subsection or such an order shall be subject to a fine of $10,000 per day of violation.

"(3) Whenever an order is issued under this section, at the request of the applicant, a sum equal to the aggregate amount of all costs and expenses (including the attorney's fees) as determined by the Secretary of Labor to have been reasonably incurred by the applicant for, or in connection with, the institution and prosecution of such proceedings, shall be assessed against the person committing the violation.

"POLLUTION CONTROL FACILITIES LOANS

"SEC. 802. (a) The Secretary is authorized to make loans (which for purposes of this section shall include participations in loans) to aid in financing any project in the United States for the acquisition, construction, or alteration of pollution control facilities (including machinery and equipment) for industrial or commercial usage.

"(b) Financial assistance under this section shall be on such terms and conditions as the Secretary determines, subject, however, to the following restrictions and limitations:

"(1) Such financial assistance shall not be extended to assist establishments relocating from one part of the United States to another or to assist subcontractors whose purpose is to divest, or whose economic success is dependent upon divesting, other contractors or subcontractors of contracts theretofore customarily performed by them; except that such limitations shall not be construed to prohibit assistance for the expansion of an existing business entity through the establishment of a new branch, affiliate, or subsidiary of such entity if the Secretary finds that the establishment of such branch, affiliate, or subsidiary will not result in an increase in unemployment of the area of original location or in any other area where such entity conducts business operations, unless the Secretary has reason to believe that such branch, affiliate, or subsidiary is being established with the intention of closing down the operations of the existing business entity in the area of its original location or in any other area where it conducts such operations.

"(2) Such assistance shall be extended only to applicants both private and public (including Indian tribes), which have been approved for such assistance by an agency or instrumentality of the State or political subdivision thereof in which the project to be proved for such assistance by an agency or instrumentality is directly concerned with problems of economic development in such State or subdivision, and which have been certified by such agency or instrumentality as requiring the loan successfully to remain in operation.

"(3) No loan shall be made under this section unless the financial assistance applied for is not otherwise available from private lenders or from other Federal agencies on terms which in the judgment of the Administrator will permit compliance with such an order or standard, and unless the Administrator finds that funds necessary for compliance are not available from within the corporate structure of the owner or operator of the affected facility, or from any domestic or foreign subsidiary or parent corporation and unless it is determined that there is reasonable assurance of repayment.

"(4) Subject to section 701(5) of this Act, no loan, including renewals or extension thereof, may be made hereunder for a period exceeding thirty years.

"(5) Loans made shall bear interest at a rate determined by the Secretary of the Treasury but not more than 3 per centum per annum.

"(6) Loans shall not exceed the aggregate cost to the applicant (excluding all other Federal aid in connection with such pollution control facilities) of acquiring, constructing, or altering the pollution control facility.

"(7) The pollution control facility for which a loan is requested must be—

"(A) a facility or equipment used, or

"(B) a modification of methods, processes, or operations where the primary purpose of such modification is to abate or control water or atmospheric pollution or contamination by removing, altering, recycling, disposing, or storing of pollutants, contaminants, wastes, or heat and which—

"(1) the State certifying authority having jurisdiction with respect to such facility has certified to the Administrator of the Environmental Protection Agency as having been acquired, constructed, or altered in conformity with State requirements for abatement or control of water or atmospheric pollution or contamination; or

"(ii) the Administrator of the Environmental Protection Agency has certified to the Secretary

"(aa) as being in compliance with the applicable regulations of the Environmental Protection Agency and of all other Federal agencies, and

"(bb) as being in furtherance of the general policy of the United States for cooperation with the States in the prevention and abatement of water pollution under the Federal Water Pollution Control Act, or in the prevention and abatement of atmospheric pollution and contamination under the Clean Air Act.

"(c) As used in this section, the term 'State certifying authority' means, in the case of water pollution, the State water pollution control agency as defined in the Federal Water Pollution Control Act and, in the case of air pollution, the air pollution control agency as defined in the Clean Air Act. The term 'State certifying authority' includes any interstate agency authorized to act in place of a certifying authority of the State.

"(d) There is hereby authorized to be appropriated not to exceed $100,000,000 per fiscal year for the fiscal years ending June 30, 1973, and June 30, 1974, to carry out this section."

Mr. JOHNSON of California (during the reading). Mr. Speaker, I ask unanimous consent that the resolution be considered as read and printed in the RECORD.

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

There was no objection.

The SPEAKER. Is a second demanded?

Mr. HAMMERSCHMIDT. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. JOHNSON of California. Mr.

Speaker, the purpose of the amendment to the Senate amendment is to do the following three things: First, provide an annual $20 million authorization for fiscal years 1973 and 1974 for administrative and planning expenses for economic and development districts.

Second, to require only one redevelopment area for the creation of an economic development district instead of two redevelopment areas. Both of these provisions were in the House bill when it passed the House.

Third, to delete an amendment to the Occupational Safety and Health Act of 1970 which provides onsite consultation services for small businesses of 25 employees or fewer without triggering application of the automatic enforcement provisions required by present law. This amendment is not germane to this legislation, nor is it under the jurisdiction of our committee.

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

Mr. JOHNSON of California. I yield to the gentleman from Missouri.

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

I want to say at the outset that in the rush of legislation, in the freshet of business of trying to adjourn I think this is a shoddy way to legislate. There having been an objection, probably for good cause, at the time I was trying to reserve the right to object and find out what was in the Senate amendments, we are here under suspension of the rules without a prior listing on the suspension list, and we have a bill that is not available, Senate amendments that are not in the hands of the Members, and by suspending the rules we are liable to take a pig in the poke.

For example, Mr. Speaker, I would like to ask my friend, the gentleman from California, whether the add-ons in the other body do not broadly expand the labor unemployment compensation plans in one of the titles; namely, title 8?

Mr. JOHNSON of California. I would say not.

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

Mr. JOHNSON of California. I yield to the gentleman from Minnesota.

Mr. BLATNIK. Mr. Speaker, our distinguished colleague, the gentleman from Missouri, raises a question, but I do assure the gentleman that we have restored this bill back as close as possible to the original version as originally passed by the House by a vote of 285 to 92, almost 3 to 1.

We have been in constant communication with the minority both at the staff level and likewise with the gentleman from Arkansas (Mr. HAMMERSCHMIDT) and we are in agreement on it.

The Senate did add on a detail that was not germane to the bill and we are deleting that. In short, while we are accepting some modification by the Senate, we are trying to restore this bill back as close as possible to the original bill that passed this House by a 3 to 1 vote.

Mr. HALL. Tell me please, if the gentleman will yield further, how we communicate this way and how we bring it back to the House position by accepting the Senate added-on amendments without a conference? I do not understand.

Mr. BLATNIK. It was not necessary to have a conference. In spite of the lack of the formal conference there have been informal conferences with the Senate Members on both sides of the aisle and also the Senate staff and we have come to an agreement that they and we would accept the language we are proposing here today.

Mr. HALL. Maybe I misunderstood the move to suspend the rules and consider the House-passed resolution with Senate amendments, but that is certainly what I thought I heard. What is the legislative situation in which we find ourselves? Are we accepting the Senate-passed amendments to the House-passed legislation?

Mr. BLATNIK. We are accepting some minor amendments, but the major one is an amendment to amend the Occupational Safety Health Act of 1970, which provides consultation services to small business. This amendment is nongermane and has nothing to do with the economic development legislation we are now bringing out. That is the main reason we are objecting.

Mr. HALL. The gentleman's words are very reassuring but the information I have had from other sources is that one of the titles added by one of the amendments in the other body to the House-passed resolution, dolls it up with whatever rhetoric the gentleman wants to, boiled down is again having us performing a minuet to the tinkle of the labor requirements, and it grossly enhances unemployment compensation and expands it under this plan.

Second, I would ask the gentleman, does not another title include a nongermane office of OSHA?

Mr. BLATNIK. That is the amendment, OSHA, I referred to which we oppose. It has no business in this bill. It is not germane. It was put on in the Senate at the last moment, and we in the House insisted it be knocked out. That is the main reason we are here. The Senate has agreed to accept our deletion of that OSHA provision.

Mr. HALL. The gentleman is reassuring me that the OSHA is not in the bill we are now considering with Senate amendments?

Mr. BLATNIK. The gentleman is absolutely correct.

Mr. HALL. It is in the Senate amendment, is it not?

Mr. BLATNIK. It is in the Senate amendment, yes, but it was not in our original bill passed by the House and we do not accept it now and do not concur. We urged the Senate Public Works Committee members to go along with us and they have so agreed.

Mr. HALL. Mr. Speaker, I just do not believe the gentleman understands the legislative situation, or else I am very dense; one or the other. Is or is not the OSHA amendment the one that was passed in the Senate and added to the House-passed bill?

Mr. BLATNIK. We have eliminated the OSHA amendment added on to the Senate bill. It is stricken in this version and is not now in this legislation which we are considering.

Mr. HALL. Mr. Speaker, all I can say is, this demonstrates the folly of legislating in this manner.

Mr. BLATNIK. I yield to the gentleman from Arkansas.

Mr. HAMMERSCHMIDT. May I say to the gentleman from Missouri, to clarify the situation, that what we are offering is an amendment to the Senate amendment to do the following three things:

First, the first provision would require only one redevelopment area for the creation of an economic development district instead of two redevelopment areas in the original House provision.

Second, it also restores the provision that provides an annual $20 million authorization for fiscal year 1973 and 1974 for administrative expenses for economic development districts.

Third, and this is the question you had in mind, and the one you were pursuing; it deletes an amendment to the Occupational Safety and Health Act of 1970, which provides onsite consultation service for small businesses of 25 employees or less, without triggering automatic enforcement provisions required by present law.

As our distinguished chairman says, this amendment is not germane to this legislation, nor is it under the jurisdiction of our committee. So, therefore, we are using this amending process to delete it from the legislation.

Mr. HALL. Would my colleague and friend from across the border yield?

Mr. HAMMERSCHMIDT. Yes.

Mr. HALL. I appreciate the work that you have done on this. As I recall, the OSHA amendment exempted employers of 25 and less. Is that not true?

Mr. HAMMERSCHMIDT. That is true.

Mr. HALL. Now, the amendment passed by the other body knocked that out, from 25 to 3 or less; is that correct?

Mr. HAMMERSCHMIDT. No, we are talking about two different subjects, I believe. One actually exempted 25 or less down to 3. This is a different approach, offering consultation services for 25 or less employees. It is an entirely different approach than the other subject matter, which was an exemption.

Both deal with the Occupational Safety and Health Act, yes; but the amendment in this bill only speaks to furnishing them a consultation service. The other amendment has been on the House floor previously, it involved 25 or less.

Mr. HALL. I say they need a lot of consultation under OSHA, no question about that.

I am still thoroughly confused, but I will yield.

Mr. FINDLEY. Mr. Speaker, will the Chairman yield to me?

Mr. JOHNSON of California. I yield to the gentleman from Illinois (Mr. FINDLEY).

Mr. FINDLEY. In order to clarify this, am I correct that the OSHA provision which the Senate inserted would assure onsite consultation service to business firms employing 25 or less persons?

Mr. JOHNSON of California. Yes.

Mr. FINDLEY. And the effect of this

motion is to strike that assurance from the bill?

Mr. JOHNSON of California. That is right.

Mr. FINDLEY. I have been laboring under the assumption, at least for the last 10 days, that before this Congress adjourns, that very provision would become law, which is a badly needed service to the small employer who has really been befuddled by the health and safety standards that have been sought to be administered under the new act.

If we approve this motion, am I correct that it strikes this assurance of onsite consultations; that with the success of this motion we kill any possibility in this Congress of assuring onsite consultations?

Mr. JOHNSON of California. If the gentleman will yield, I would say that this was a nongermane amendment added in the Senate. This committee has no jurisdiction.

We are asking for this section to be deleted from this particular piece of legislation.

Mr. FINDLEY. Mr. Speaker, will the gentleman yield so that I may make a parliamentary inquiry?

Mr. JOHNSON of California. I yield.

PARLIAMENTARY INQUIRY

Mr. FINDLEY. May I inquire of the Speaker if a bill is pending that will be called up before adjournment; namely, the bill which provides for on-site consultation for firms employing 25 persons or less?

The SPEAKER. It is not on the list of announced bills, and the Chair does not consider that a parliamentary inquiry.

Mr. FINDLEY. Mr. Speaker, under the circumstances I see no way we can provide on-site consultation for these small firms unless we defeat this motion. If I am incorrect I would certainly like to have clarification.

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

Mr. JOHNSON of California. I yield to the chairman of the Committee on Public Works.

Mr. BLATNIK. The material is nongermane. It does not belong in a bill designed to help economically distressed areas. It was merely tacked on.

There is another bill, H.R. 17201, presently in the Committee on Education and Labor, which covers this material dealing with the Occupational Safety and Health Act of 1970. I do not know why the sponsors—and there are a sufficient number—do not go ahead and pass their own legislation. That is how it should be done, not by tacking part of it on as a nongermane item to a bill to which it has no reference.

Mr. FINDLEY. Mr. Speaker, if the gentleman will yield further, I have the greatest respect for the gentleman and the leadership he has provided on the Public Works Committee. I have no reason to question the nongermane character of this, but the need for on-site consultation is very present and very real. This looks like the only way we can provide it. I do not know of anyone in this body who objects to providing on-site consultation for small business firms.

Mr. BLATNIK. Then there should not be any difficulty in passing H.R. 17201 on its own merits.

As a procedural matter, I ask the Members not to clutter up this bill and confuse it and perhaps increase the danger of its being defeated.

Mr. FINDLEY. Yet it appears, from what the Speaker just announced, it will not be considered in any other form in this Congress.

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

Mr. Speaker, I should like to reiterate this very briefly, because of the concern about this provision that would allow consultation for firms with 25 employees or less.

I wanted to tell the gentleman that I personally am a cosponsor of that bill. I have the same concern the gentleman from Illinois has. But in our opinion the Senate has added an amendment to this bill which is not germane in accordance with the rules of the House, and we cannot recommend that this nongermane amendment be included.

We know further that this amendment has been carefully considered by another committee of the House.

In my opinion, not only would it be presumptuous on the part of this committee to evaluate the merits of the proposal in another committee, but unwise and improper as well.

So rather than risking a point of order against the entire substitute, while at the same time defending our colleagues, we consider it prudent to strike this Senate provision from this current amendment.

Mr. FINDLEY. Would the gentleman yield?

Mr. HAMMERSCHMIDT. Yes, I will yield to the gentleman.

Mr. FINDLEY. Mr. Speaker, the gentleman has indicated his support for this legislative provision. The OSHA standards are sought to be applied right now, and that has caused a great deal of difficulty, with harassment to the small business firm. If we are to provide relief, it must be provided right now.

Mr. Speaker, if there has been any case made against or any objection raised to the onsite consultation service, I have not heard of it, and while I am certainly in accord with being as germane as we can, we are faced with a practical problem right now: We either reject this motion or we do not provide this onsite consultation service for firms under OSHA.

Mr. HAMMERSCHMIDT. Mr. Speaker, I appreciate the remarks of the gentleman. However, I know he would not want to preempt the rules of the House for his zealous concern.

I would like to comment further on this amendment.

Mr. Speaker, included in this amendment are two vital provisions which were contained in the bill passed by the House on August 16, and subsequently deleted by the Senate Committee on Public Works. We understand that these provisions are now acceptable on the other side.

The first provision would reduce the basic requirement for the formation of an economic development district from two redevelopment areas to one redevelopment area. The importance of this provision is clearly evident when an examination is made of the gerrymandering tactics that have been forced upon the formation of districts in complying with the two-redevelopment criteria. Further, 41 States have now subregionalized into State planning and development districts. The current two-redevelopment-area criteria constitutes a deterrent to EDA's ability to form economic development districts along State planning district lines. This provision would not only permit flexibility in creating EDA districts in concert with State districts but would allow flexibility in working with the district programs of other agencies, such as HUD.

The second provision is even more important. It would permit designating economic development districts to receive planning and administrative expenses for a minimum of five years. Before a district can be designated it must prepare an overall economic development plan.

Such plan requires a great deal of time and effort as well as cooperation and agreement from all the communities and counties contained within the proposed district. Under the present law, designated districts become officially extinct if a required redevelopment area is redesignated—this, in spite of all of the efforts, sometimes spanning a year or more, which went into the preparation of the overall economic development plan. This provision would assure that districts could expect from EDA a minimum of 5 years of planning and administrative expenses, not projects, to aid in carrying out the plan which was required.

Further, the second provision would create a modest authorization of $20 million per fiscal year for all the district expenses. There are now in existence more than 100 such districts designated and funded; and, in addition, almost another 100 are eligible for such status. Such expenses under current law are paid out of title III—technical assistance—appropriations. Both the House and Senate bills added to title III a new program to pay the operating expenses of vocational training facilities contained under this act. Such expenses would be paid for out of existing title III appropriations, which action, without the new authorization for district expenses, would serve to dilute the effectiveness of the title III technical assistance appropriation.

I urge the adoption of this amendment.

Section 11 of the Senate substitute amending section 28 of the Occupational Safety and Health Act of 1970 is deleted by our amendment.

In our opinion the Senate's amendment is nongermane. In accordance with the rules of the House we cannot recommend that this nongermane amendment be included. We know further that this question has been given careful consideration by another committee of this House. Not only would it, in my opinion, be presumptuous on the part of this committee to evaluate the merits of a proposal under consideration in another committee but unwise and improper as well. Rather than risk a point of order

against the entire substitute, while at the same time offending our colleagues, we considered it prudent to strike the Senate provision from our current amendment.

I urge the adoption of this amendment.

Mr. JOHNSON of California. Mr. Speaker, I yield such time as he may consume to the gentleman from Minnesota (Mr. BLATNIK).

Mr. BLATNIK. Mr. Speaker, the Public Works and Economic Development Act of 1965 establishes an effective program to combat the problems of unemployment and low-income in economically lagging areas.

On August 16 of this year, the House passed by vote of 285–92 and sent to the Senate H.R. 16071, a bill amending the Economic Development Act.

On Thursday of this week, the Senate passed H.R. 16071, deleting some material from the House bill and adding several new provisions.

The committee proposes now to pass the bill as it came from the Senate, with certain modifications which we have reason to believe will be agreed to by the other body.

When the Senate passed H.R. 16071, they deleted several provisions of the House bill, including two very important sections dealing with the development district program of the Economic Development Administration.

These development district provisions—which we have put back in the bill—provide $20 million in annual authorization for districts, a certain 5-year District life and a reduction from two redevelopment areas to one in the requirement for formation of a district.

We have been assured by the other body that the reinsertion of this material—already passed once by the House—will be accepted in the Senate.

Several other provisions of H.R. 16071 were deleted or modified by the Senate. These provisions remain unacceptable to the other body and are therefore not in the bill now being considered.

Among the more important such modifications are the following. The Senate:

Reduced the House bill authorization for regular public facility grants from $800 million per year for 1973 and 1974 to $550 million per year for these years—a return to the current authorization level.

Reduced House bill authorization for accelerated public works from $500 million per year for 1973 and 1974 to $250 million per year for these years—also a return to the current authorization level.

Deleted a House provision to create new development tools such as loan and lease guarantees;

Deleted a House provision for increasing maximum Federal share of a development loan from 65 percent to 75 percent.

Deleted a House provision permitting the Secretary to assist very poor communities in preparing applications.

Deleted a House provision authorizing funds for coordination efforts of agencies involved in economic development work.

Deleted House bill provisions regarding coordination of Regional Economic Development Commission activities with EDA.

Tightened administration and procedures of the provisions for assistance to individuals and to industry for environmental compliance.

The Senate added some of its own material as well as modifying or deleting House provisions.

One of the new Senate provisions, providing forgiveness of a $3.6 million loan made to Appalachian Regional Hospitals, Inc., by the Area Redevelopment Administration in 1964, has been kept in the bill.

A second Senate provision amending the Occupational Safety and Health Act of 1970, has been deleted from the bill now being considered. This action is agreeable to the other body.

This Health and Safety Act amendment is not in any way related to the economic development program which is the substance of H.R. 16071. Furthermore, the amendment applies to legislation within the jurisdiction of another committee, where action on it is now pending.

The House has already acted once upon the substance of H.R. 16071. The bill was a good one when it left the House, where it got a better than 3-to-1 vote; the amendments made in the Senate are reasonable, and I urge passage of this much-needed job-producing legislation, as amended, without delay.

(Mr. CLEVELAND (at the request of Mr. HAMMERSCHMIDT) was granted permission to extend his remarks at this point in the RECORD.)

Mr. CLEVELAND. Mr. Speaker, I feel that I must express my strong distate for the manner in which this legislation is before us. It demonstrates, I think, the evils of rushing legislation through the Congress at the last minute.

It gratifies me that the provision which I sponsored establishing low-interest, long-term loans for enterprises that otherwise would have to shut down as a result of Government environmental orders remains in the bill before us. It distresses me however to see that the other body has seen fit to place restrictions and conditions upon the loan applicants that may prove onerous and frankly, in my view, are unnecessary. There is enough redtape with Government programs; why add more? Commonsense dictates that we should help industry, which produces jobs, meet their pollution problems. Wise administration will be needed so that we can not only improve our environment but foster economic development and the preservation of job-creating industries.

The SPEAKER. The question is on the motion offered by the gentleman from California (Mr. JOHNSON) that the House suspend the rules and pass House Resolution 1166.

The question was taken.

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

The SPEAKER. Evidently a quorum is not present.

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

The question was taken; and there were—yeas 155, nays 64, not voting 212, as follows:

[Roll No. 452]

YEAS—155

Adams	Frelinghuysen	Myers
Addabbo	Gaydos	Natcher
Anderson, Tenn.	Gonzalez	Nedzi
	Grasso	Obey
Arends	Green, Pa.	O'Hara
Aspinall	Griffin	O'Konski
Badillo	Hagan	O'Neill
Barrett	Halpern	Passman
Bennett	Hammer-schmidt	Patten
Bergland		Pepper
Bevill	Hansen, Idaho	Perkins
Biester	Harrington	Pickle
Bingham	Harsha	Pike
Blatnik	Hathaway	Preyer, N.C.
Boggs	Hechler, W. Va.	Price, Ill.
Brademas	Heinz	Rangel
Breaux	Helstoski	Rees
Brinkley	Henderson	Reid
Broyhill, N.C.	Hicks, Mass.	Reuss
Burke, Mass.	Hicks, Wash.	Rodino
Burton	Hogan	Rooney, Pa.
Carlson	Holifield	Rosenthal
Carney	Johnson, Calif.	Roybal
Carter	Jones, Ala.	St Germain
Chamberlain	Jones, N.C.	Sarbanes
Chisholm	Karth	Saylor
Clausen, Don H.	Kazen	Scheuer
	Kemp	Schwengel
Cleveland	Koch	Shriver
Conover	Kyros	Stanton, J. William
Conyers	Landrum	
Coughlin	Leggett	Stanton, James V.
Culver	Lent	
Danielson	Lujan	Steed
Davis, Ga.	McCloskey	Stokes
Dent	McCollister	Stubblefield
Diggs	McDade	Sullivan
Donohue	McFall	Taylor
Dorn	McKinney	Teague, Calif.
Drinan	Madden	Teague, Tex.
Dulski	Mann	Tiernan
Duncan	Mathis, Ga.	Ullman
du Pont	Mazzoli	Vander Jagt
Eckhardt	Meeds	Vanik
Eilberg	Metcalfe	Wampler
Eshleman	Miller, Ohio	Ware
Evins, Tenn.	Mills, Ark.	Whalley
Flood	Mills, Md.	Wilson, Bob
Foley	Minish	Wilson, Charles H.
Ford, William D.	Mink	
	Mitchell	Wyatt
Forsythe	Mizell	Yates
Fountain	Moorhead	Zablocki
Fraser	Mosher	Zion

NAYS—64

Andrews, Ala.	Findley	Poage
Archer	Frey	Powell
Betts	Gettys	Quie
Brooks	Goodling	Rhodes
Brown, Mich.	Hall	Robinson, Va.
Brown, Ohio	Hastings	Robison, N.Y.
Broyhill, Va.	Hosmer	Ruth
Buchanan	Hutchinson	Satterfield
Burleson, Tex.	Jacobs	Schneebeli
Byrnes, Wis.	Jarman	Sikes
Camp	Jonas	Smith, Calif.
Casey, Tex.	King	Spence
Cederberg	Kyl	Steiger, Wis.
Clawson, Del	Landgrebe	Stephens
Collier	Latta	White
Colmer	McClory	Whitten
Daniel, Va.	McEwen	Williams
de la Garza	Mahon	Wyman
Dennis	Mallary	Young, Fla.
Downing	Mathias, Calif.	Young, Tex.
Edwards, Ala.	Montgomery	
Erlenborn	Pettis	

NOT VOTING—212

Abbitt	Aspin	Bray
Abernethy	Baker	Broomfield
Abourezk	Baring	Brotzman
Abzug	Begich	Burke, Fla.
Alexander	Belcher	Burlison, Mo.
Anderson, Calif.	Bell	Byrne, Pa.
	Biaggi	Byron
Anderson, Ill.	Blackburn	Cabell
Andrews, N. Dak.	Blanton	Caffery
	Boland	Carey, N.Y.
Annunzio	Bolling	Celler
Ashbrook	Bow	Chappell
Ashley	Brasco	Clancy

Clark	Heckler, Mass.	Railsback
Clay	Hillis	Randall
Collins, Ill.	Horton	Rarick
Collins, Tex.	Howard	Riegle
Conable	Hull	Roberts
Conte	Hungate	Roe
Corman	Hunt	Rogers
Cotter	Ichord	Roncalio
Crane	Johnson, Pa.	Rooney, N.Y.
Curlin	Jones, Tenn.	Rostenkowski
Daniels, N.J.	Kastenmeier	Roush
Davis, S.C.	Keating	Rousselot
Davis, Wis.	Kee	Roy
Delaney	Keith	Runnels
Dellenback	Kluczynski	Ruppe
Dellums	Kuykendall	Sandman
Denholm	Lennon	Scherle
Derwinski	Link	Schmitz
Devine	Lloyd	Scott
Dickinson	Long, La.	Sebelius
Dingell	Long, Md.	Seiberling
Dow	McClure	Shipley
Dowdy	McCormack	Shoup
Dwyer	McCulloch	Sisk
Edmondson	McDonald,	Skubitz
Edwards, Calif.	Mich.	Slack
Esch	McKay	Smith, Iowa
Evans, Colo.	McKevitt	Smith, N.Y.
Fascell	McMillan	Snyder
Fish	Macdonald,	Springer
Fisher	Mass.	Staggers
Flowers	Mailliard	Steele
Flynt	Martin	Steiger, Ariz.
Ford, Gerald R.	Matsunaga	Stratton
Frenzel	Mayne	Stuckey
Fulton	Melcher	Symington
Fuqua	Michel	Talcott
Galifianakis	Mikva	Terry
Gallagher	Miller, Calif.	Thompson, Ga.
Garmatz	Minshall	Thompson, N.J.
Giaimo	Mollohan	Thomson, Wis.
Gibbons	Monagan	Thone
Goldwater	Morgan	Udall
Gray	Moss	Van Deerlin
Green, Oreg.	Murphy, Ill.	Veysey
Griffiths	Murphy, N.Y.	Vigorito
Gross	Nelsen	Waggonner
Grover	Nichols	Waldie
Gubser	Nix	Whalen
Gude	Patman	Whitehurst
Haley	Pelly	Widnall
Hamilton	Peyser	Wiggins
Hanley	Pirnie	Winn
Hanna	Podell	Wolff
Hansen, Wash.	Price, Tex.	Wright
Harvey	Pryor, Ark.	Wydler
Hawkins	Pucinski	Wylie
Hays	Purcell	Yatron
Hébert	Quillen	Zwach

So the resolution was agreed to.

The Clerk announced the following pairs:

Mr. Annunzio with Mr. Gerald R. Ford.
Mr. Thompson of New Jersey with Mr. Widnall.
Mr. Hébert with Mr. Anderson of Illinois.
Mr. Waggonner with Mr. Winn.
Mr. Hays with Mr. Devine.
Mr. Rooney of New York with Mr. Conte.
Mr. Rostenkowski with Mr. Anderson of North Dakota.
Mr. Brasco with Mr. Fish.
Mrs. Hansen of Washington with Mr. Talcott.
Mr. Hanley with Mr. Horton.
Mr. Shipley with Mr. Martin.
Mr. Staggers with Mr. Bow.
Mr. Wolff with Mr. Broomfield.
Mr. Carey of New York with Mr. Grover.
Mr. Celler with Mr. Hunt.
Mr. Matsunaga with Mr. Mailliard.
Mr. Howard with Mr. Sandman.
Mr. Stratton with Mr. Minshall.
Mr. Whalen with Mr. Kuykendall.
Ms. Abzug with Mr. Gallagher.
Mr. Alexander with Mr. Clancy.
Mr. Begich with Mr. Crane.
Mr. Biaggi with Mr. Nelsen.
Mr. Clark with Mr. Johnson of Pennsylvania.
Mr. Monagan with Mr. Steele.
Mr. Morgan with Mr. Michel.
Mr. Murphy of New York with Mr. Ruppe.
Mr. Nichols with Mr. Dickinson.
Mr. Murphy of Illinois with Mr. Harvey.
Mr. Podell with Mr. Bell.
Mr. Fascell with Mr. Burke of Florida.
Mr. Giaimo with Mr. McDonald of Michigan.
Mr. Roncalio with Mr. Davis of Wisconsin.
Mr. Rogers with Mr. Esch.
Mr. Roush with Mr. Derwinski.
Mr. Mikva with Mr. Frenzel.
Mr. Hungate with Mr. Shoup.
Mr. Ichord with Mr. Scott.
Mr. Kee with Mr. Schmitz.
Mr. Aspin with Mr. Keith.
Mr. Byrne of Pennsylvania with Mr. Abbitt.
Mr. Jones of Tennessee with Mr. McMillan.
Mr. Kluczynski with Mr. Symington.
Mr. Mollohan with Mr. Patman.
Mr. Moss with Mr. Pryor of Arkansas.
Mr. Pucinski with Mr. Garmatz.
Mr. Runnels with Mr. Miller of California.
Mr. Roberts with Mr. Gray.
Mr. Roe with Mr. Galifianakis.
Mr. Flynt with Mr. Edmondson.
Mr. Randall with Mr. Roy.
Mr. Abernethy with Mr. Abourezk.
Mr. Baring with Mr. Caffery.
Mr. Clay with Mr. Curlin.
Mr. Collins of Illinois with Mrs. Griffiths.
Mr. Dellums with Mr. Seiberling.
Mr. Smith of Iowa with Mr. Stuckey.
Mr. Gibbons with Mr. Lennon.
Mr. Haley with Mr. Dowdy.
Mr. Ashley with Mr. Belcher.
Mr. Edwards of California with Mr. Conable.
Mr. Kastenmeier with Mr. Dellenback.
Mr. Long of Louisiana with Mr. Mayne.
Mr. Long of Maryland with Mr. Gude.
Mr. McKay with Mrs. Heckler of Massachusetts.
Mr. Melcher with Mr. McKevitt.
Mr. Nix with Mr. Railsback.
Mr. Rarick with Mr. Riegle.
Mr. Byron with Mr. Ashbrook.
Mr. Denholm with Mr. Goldwater.
Mr. Delaney with Mr. Whitehurst.
Mr. Cotter with Mr. Wiggins.
Mr. Cabell with Mr. Quillen.
Mr. Chappell with Mr. Price of Texas.
Mr. Macdonald of Massachusetts with Mr. Keating.
Mr. Hull with Mr. Hastings.
Mr. Hamilton with Mr. Hillis.
Mr. Anderson of California with Mr. Baker.
Mr. Blanton with Mr. Blackburn.
Mr. Boland with Mr. Wylie.
Mr. Burlison of Missouri with Mr. Wydler.
Mr. Davis of South Carolina with Mr. Scherle.
Mr. Dingell with Mr. Sebelius.
Mr. Corman with Mr. McClure.
Mr. Dow with Mr. McCulloch.
Mr. Evans of Colorado with Mr. Bray.
Mr. Fisher with Mr. Brotzman.
Mr. Flowers with Mr. Collins of Texas.
Mr. Fulton with Mr. Zwach.
Mr. Fuqua with Mr. Thone.
Mrs. Green of Oregon with Mr. Thomson of Wisconsin.
Mr. Purcell with Mr. Thompson of Georgia.
Mr. McCormack with Mr. Snyder.
Mr. Link with Mr. Smith of New York.
Mr. Hawkins with Mr. Rousselot.
Mr. Hanna with Mr. Peyser.
Mr. Sisk with Mr. Pirnie.
Mr. Udall with Mr. Pelly.
Mr. Daniels of New Jersey with Mrs. Dwyer.
Mr. Van Deerlin with Mr. Floyd.
Mr. Vigorito with Mr. Skubitz.
Mr. Yatron with Mr. Springer.
Mr. Wright with Mr. Terry.
Mr. Waldie with Mr. Steiger of Arizona.

Messrs. BROOKS, JARMAN, and KYL changed their votes from "yea" to "nay."

Messrs. PASSMAN, BREAUX, LENT, PICKLE, and O'KONSKI changed their votes from "nay" to "yea."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

CONFERENCE REPORT ON H.R. 15475, COMMISSION ON MULTIPLE SCLEROSIS

Mr. SATTERFIELD submitted the following conference report and statement on the bill (H.R. 15475) to provide for the establishment of a National Advisory Commission to determine the most effective means to find the cause of, and cures and treatments for, multiple sclerosis:

CONFERENCE REPORT (H. REPT. No. 92–1604)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 15475) to provide for the establishment of a national advisory commission to determine the most effective means of finding the cause of and cures and treatments for multiple sclerosis, 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 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:

SHORT TITLE

SECTION 1. This Act may be cited as the "National Advisory Commission on Multiple Sclerosis Act".

FINDINGS

SEC. 2. The Congress finds that—

(1) multiple sclerosis is a disease characterized by degeneration within the brain and spinal cord and by loss of motor and sensory functions;

(2) this disease, known as the "great crippler of young adults", generally makes its first appearance in the very prime of life, between the ages of twenty and forty, already affects great numbers of Americans, and will begin to afflict an even greater number as our young adult population expands;

(3) the cause of multiple sclerosis is unknown and there is neither a preventive nor a cure for the disease; and

(4) the determination of the most effective program for discovering the cause of and cures and treatments for the disease deserves the highest priority.

NATIONAL ADVISORY COMMISSION

SEC. 3. (a)(1) The Secretary of Health, Education, and Welfare (hereinafter in this section referred to as the "Secretary"), after consultation with the advisory council to the National Institute on Neurological Diseases and Stroke appointed under section 342 of the Public Health Service Act, shall appoint a national advisory commission to determine the most effective means of finding the cause of and cures and treatments for multiple sclerosis. Such study and investigation shall give particular emphasis to the need for additional financial support by the Federal Government and the means by which the Federal Government can best participate in the effort to find the cause of and cures and treatments for multiple sclerosis.

(2) The Secretary shall appoint to the commission (A) four members of the advisory council referred to in paragraph (1), and (B) five other individuals from the public who are particularly qualified to participate in the work of the commission. The members of the Commission shall select a chairman from among the members appointed under clause (B) of the preceding sentence. Members of the commission shall each be entitled to receive the daily equivalent of the annual rate of basic pay in effect for grade GS–18 of

the General Schedule for each day (including travel time) during which they are engaged in the actual performance of duties vested in the commission. While away from their homes or regular places of business in the performance of services for the commission, members of the commission shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in the Government service are allowed expenses under section 5703(b) of title 5 of the United States Code.

(3) The Secretary shall provide such administrative support services for the commission as it may request.

(b) Each department, agency, and instrumentality of the executive branch of the Federal Government, including independent agencies, shall furnish to the commission, upon the request of its chairman, such information, services, personnel, and facilities as the commission deems necessary to carry out the purposes of this section.

(c) The commission shall transmit to the Secretary for transmittal to the President and the Congress a final report (which shall include recommendations for such legislation as the commission determines is necessary) but not later than one year after the date of enactment of this Act, and the commission shall cease to exist thirty days after submitting its report.

And the Senate agree to the same.

HARLEY O. STAGGERS,
PAUL G. ROGERS,
DAVID E. SATTERFIELD,
ANCHER NELSEN,
TIM LEE CARTER,
Managers on the Part of the House.

HARRISON A. WILLIAMS,
EDWARD M. KENNEDY,
GAYLORD NELSON,
THOMAS F. EAGLETON,
ALAN CRANSTON,
HAROLD E. HUGHES,
CLAIBORNE PELL,
WALTER F. MONDALE,
RICHARD S. SCHWEIKER,
J. K. JAVITS,
PETER DOMINICK,
BOB PACKWOOD,
J. GLENN BEALL, Jr.,
ROBERT TAFT, 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 amendment of the Senate to the bill (H.R. 15475) to provide for the establishment of a national advisory commission to determine the most effective means of finding the cause of and cures and treatments for multiple sclerosis, 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:

HOUSE BILL

The House bill directs the Secretary of Health, Education, and Welfare to establish a National Advisory Commission to determine the most effective means of finding the cause of and cures and treatments for multiple sclerosis. In establishing the advisory commission, the Secretary is to consult with the advisory council to the National Institute on Neurological Diseases and Stroke. The advisory commission is to give special emphasis to the need for additional Federal financial assistance and to the means by which the Federal Government can most effectively assist in finding the cause of and cures and treatments for multiple sclerosis.

The advisory commission is to be composed of nine members, five to be chosen from among the members of the advisory council to such National Institute and four to be chosen from qualified members of the public. The usual provisions relating to compensation and travel expenses for advisory committee members is made applicable to members of the advisory commission. Administrative support services, as required by the advisory commission are to be provided by the Secretary, and other units of the executive branch are to furnish the advisory commission, upon request, with personnel and material to carry out its functions.

Within one year of the date of enactment, the advisory commission is to make a report to the President and the Congress and the report is to include recommendations for such legislation as the advisory commission determines to be necessary.

The bill provides for the following short title: "National Advisory Commission on Multiple Sclerosis".

SENATE AMENDMENT

The Senate amendment establishes the National Commission on Multiple Sclerosis. The commission is to be composed of eleven members appointed by the President from among individuals with a demonstrated interest in achieving through research practical means for preventing or arresting the further progress of multiple sclerosis. Five of the eleven members are to be chosen from the medical community and six are to be chosen from the general public. The usual provisions relating to compensation and travel expenses for advisory committee members are made applicable to commission members.

The commission is to make a thorough and complete study and investigation of current research in the field of multiple sclerosis and related neurological diseases to determine the most productive avenues of approaches toward finding causes, cures, and treatments for multiple sclerosis, including recommendations respecting enactment of legislation. The study and investigation is to give particular emphasis to funding needs and the means by which the Federal Government can best participate. Within one year of the date of enactment the commission is to transmit to the President and to the Congress a final report respecting its study and investigation.

The commission is given the usual authority respecting personnel and activities to carry out its functions.

CONFERENCE AGREEMENT

The conference substitute is the same as the House bill, except that (1) four (instead of five) of the nine members of the advisory commission are to be chosen from members of the advisory council to the National Institute of Neurological Diseases and Stroke; (2) five (instead of four) of such nine members are to be chosen from members of the public; and (3) the chairman of the advisory commission is to be selected only from the members selected from the public.

HARLEY O. STAGGERS,
PAUL G. ROGERS,
DAVID E. SATTERFIELD,
ANCHER NELSEN,
TIM LEE CARTER,
Managers on the Part of the House.

HARRISON WILLIAMS,
EDWARD M. KENNEDY,
GAYLORD NELSON,
THOMAS F. EAGLETON,
ALAN CRANSTON,
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RICHARD S. SCHWEIKER,
J. K. JAVITS,
PETER H. DOMINICK,
BOB PACKWOOD,
J. GLENN BEALL, Jr.,
ROBERT TAFT, Jr.,
Managers on the Part of the Senate.

The SPEAKER. Does the gentleman wish to call up the conference report?

Mr. SATTERFIELD. Not at this time, Mr. Speaker.

MAJOR MARITIME AGREEMENT

Mr. GERALD R. FORD. Mr. Speaker, I am pleased to advise the House that today a historic agreement was signed culminating months of intensive negotiations between the United States and the Soviet Union. I refer to the major maritime agreement signed this morning by Secretary of Commerce Peter G. Peterson and the Minister of Merchant Marine of the Union of Soviet Socialist Republics T. B. Gouzhenko. This agreement represents another step forward in President Nixon's strategy for peace and a necessary link in the establishment of an expanding commercial relationship with the Soviet Union. According to an announcement by the White House, the agreement has two basic objectives: First, to open the channels of maritime commerce between the two nations by opening major U.S. and Soviet commercial ports to calls by specified kinds of U.S.-flag and Soviet-flag vessels; and secondly to afford the U.S.-flag vessels and Soviet-flag vessels, the opportunity to participate equally and substantially in the carriage of all cargoes moving by sea between the two nations.

Of particular interest is the fact that this agreement will expedite the shipment of wheat sold to the Soviet Union and provides that national flag vessels of each nation will have the opportunity to carry not less than one-third of all cargoes moving in whole or in part by sea between the two nations. In the case of grain shipments, the one-third requirement is to be applied retroactively to all shipments since July 1, 1972. A number of Great Lakes ports are included among the 40 ports in each nation which ore open to access by vessels of the other nation, including Bay City, Mich., and other Great Lakes ports.

I include in the RECORD at this point the text of the announcement by the White House:

ANNOUNCEMENT BY THE WHITE HOUSE

A major maritime agreement with the Soviet Union was signed today by U.S. Secretary of Commerce Peter G. Peterson and the Minister of Merchant Marine of the Union of Soviet Socialist Republics T. B. Gouzhenko. This Agreement represents another necessary link in the establishment of an expanding commercial relationship with the Soviet Union.

The negotiations which culminated in this Agreement were initiated in the latter part of 1971, and have been the subject of a series of meetings in Washington and Moscow throughout 1972.

By providing a broad framework and a clear set of ground rules for maritime activities between the two countries, this Agreement is an important step toward normalizing and expanding maritime relationships between the United States and the Soviet Union.

OBJECTIVES

The Agreement has two basic objectives; first, to open the channels of maritime commerce between the two nations by opening major U.S. and Soviet commercial ports to calls by specified kinds of U.S. flag and Soviet-flag vessels; and, secondly, to afford

to US-flag vessels and Soviet-flag vessels the opportunity to participate equally and substantially in the carriage of all cargoes moving by sea between the two nations.

SALIENT POINT OF THE AGREEMENT

Port Access

The Agreement provides access to specified Soviet and United States ports to flag vessels of both countries engaged in commercial maritime shipping and merchant marine training activities. Under the Agreement, 40 ports in each nation are open to access by vessels of the other nation upon four days' advance notice to the appropriate authorities. The selection of the ports was based on commercial considerations, reasonable reciprocity and protection of national security interests. The U.S. ports open to access by Soviet vessels are:

Astoria, Oregon. Baltimore, Maryland. Baton Rouge, Louisiana. Bay City, Michigan. Beaumont, Texas. Bellingham, Washington. Brownsville, Texas. Burnside, Louisiana. Chicago, Illinois. Cleveland, Ohio. Coos Bay (including North Bend), Oregon. Corpus Christi, Texas. Duluth, Minnesota/Superior, Wisconsin. Erie, Pennsylvania, Eureka, California. Everett, Washington. Galveston/Texas City, Texas. Honolulu, Hawaii. Houston, Texas. Kenosha, Wisconsin. Long Beach, California. Longview, Washington.

Los Angeles (including San Pedro, Wilmington, Terminal Island), California. Milwaukee, Wisconsin. Mobile, Alabama. New Orleans, Louisiana. New York (New York and New Jersey parts of the Port of New York Authority), New York. Olympia, Washington. Philadelphia, Pennsylvania (including Camden, New Jersey). Ponce, Puerto Rico. Port Arthur, Texas. Portland (including Vancouver, Washington), Oregon, Sacramento, California, San Francisco (including Alameda, Oakland, Berkeley, Richmond), California. Savannah, Georgia. Seattle, Washington. Tampa, Florida. Toledo, Ohio.

While the four-day notice requirement is more than the normal 24-hour notice period applicable to commercial vessels, it is substantially less restrictive than the 14-day advance request requirement now applied by the United States to Soviet vessels and the 30-day advance request required by the U.S.S.R. for U.S. vessels.

Entry of vessels to ports not specified in the Agreement will continue to be permitted in accordance with existing rules and regulations, i.e., the 14 and 30 day prior request provisions will still apply. Requests for entry by Soviet vessels to U.S. ports not specified in the Agreement must be made of the Department of State, Washington, D.C., and must be accompanied by an itinerary complete with ports of call and dates. Maritime training vessels and hydrographic and other research vessels may enter the ports only for purposes of resupply, rest, crew changes, minor repairs and other services normally provided in such ports. The Agreement does not involve any concessions in the policy of the United States with respect to ships which have called on Cuban, North Vietnam or North Korean ports. Soviet vessels which have called or will call on Cuba, North Vietnam, or North Korea will not be permitted to bunker in U.S. ports and Soviet vessels which have called on Cuba or North Vietnam will not be permitted to load or unload in U.S. ports government-financed cargoes such as grains sold on Commodity Credit Corporation credit terms.

In addition, the Agreement contemplates the access of initially 81 U.S. and 50 Soviet vessels engaged in hydrographic, oceanographic, meterological or terrestrial magnetic field research of a civilian nature. The Agreement does not include vessels engaged in fishing or related activities since these matters are covered by separate agreements; nor does it include warships or vessels carrying out state functions other than those mentioned above. It is not intended to cover any liquefied natural gas trade which may develop between the nations.

TONNAGE DUTIES

Under the Agreement, neither nation shall charge vessels of the other tonnage duties which exceed duties charged to vessels of other nations in like situations.

EQUAL AND SUBSTANTIAL SHARING

The Agreement sets forth the intention of both governments that the national-flag vessels of each country will each carry equal and substantial shares of the oceanborne commerce between the two nations. At the same time the Agreement recognizes the policy of both the United States and the Soviet Union with respect to participation in its trade by third-flag vessels.

The intention that a substantial share of the trade between the two nations will be carried by each national flag merchant marine is defined as meaning that the national-flag vessels of each nation will have the opportunity to carry not less than one-third of all cargoes moving in whole or in part by sea between the two nations, whether by direct movement or by transshipment through third countries. In the case of grain shipments, the one-third requirement is to be applied retroactively to all shipments since July 1, 1972.

Equal share of the trade between the two nations is measured on the basis of U.S. dollar freight value of cargo carryings by the national-flag vessels of each party during each calendar year accounting period. Special accounting procedures are established to determine on a uniform basis the U.S. dollar freight value of cargo carryings and to protect against the possibility of disparities caused by the undervaluing of freight rates to increase the volume of cargo carried. These procedures are also designed to permit continuous monitoring so as to maintain parity of carriage throughout the accounting period. Cargoes carried in liner vessels and bulk cargoes carried in nonliner service are accounted for separately under the Agreement due to the difference in the methods of establishing freight rates.

The opportunity for carriage of equal and substantial shares of the trade between the two nations by national-flag ships is to be assured by the routing of controlled cargoes; i.e., cargoes with respect to which entities of either government have the power to designate the carriage.

On the U.S. side, this includes only those cargoes which are subject to U.S. government control under our cargo preference laws. On the Soviet side, all exports and imports for which entities of the U.S.S.R. have or could have the power at any time to designate the carrier are included.

Recognition has been given to the practical commercial consideration that vessels of either nation may not be available to carry the amount of cargo to which they are entitled under the principles of the Agreement. Under such circumstances, a limited variance from the equal and substantial sharing rules is provided. Such variance is permitted where the cargo was offered on reasonable terms and conditions and where the unavailability of national-flag carriers is certified by a representative of the U.S. Maritime Administration or U.S.S.R. Ministry of Merchant Marine, as the case may be. Even though unavailability has been certified by the appropriate representative, there is still an obligation to continue to offer controlled cargo to restore the one-third share if possible within the same calendar year.

Freight rates

The matter of freight rates to be paid to U.S. vessels is an important provision of the Agreement. With respect to liner service, U.S.-flag carriers should face no significant problems because U.S. vessels can participate in this trade under the conference-rate system with the assistance of the U.S. operating subsidy program. Rates for shipment of bulk cargo, such as grain, however, present a different situation. Bulk cargo is shipped in world trade under charter rates which are set in competition with ships of nations with far lower costs than American ships. The United States has never before had a subsidy system which permit its vessels to compete in the bulk grain trade, although such a subsidy system was legislatively authorized in 1970. In lieu of a subsidy system for bulk cargo, there were regulations which required shipments of grain to the Soviet Union to move 50% in U.S.-flag vessels. This, however, never resulted in significant carriage for U.S. vessels. Freight rates are a substantial part of the cost of grain and without subsidy the rates charged by U.S. flag carriers increased the cost of grain beyond the level buyers were willing to pay.

Under the Agreement, the two governments have worked out rate provisions for two categories of bulk cargo to be carried by U.S. vessels.

For nonagricultural bulk cargoes, the agreement in essence provides that American vessels shall be paid in each year the average of the freight rate for that category of cargo on the route in question over the prior three calendar years.

The other and far more important category of charter rates is for agricultural commodities and products. With respect to these cargoes the Soviet Union will offer to United States vessels the *higher of*:

1. a rate computed on the 3-year average formula described above for the years 1969, 1970, and 1971. This rate for the route most expected to be used for the current grain sales is $8.05 per ton for wheat and other heavy grains, or

2. 110 per cent of the current market rates for the shipment involved.

In addition to these provisions, for agricultural cargo the Soviet Union has also agreed to terms relating to unloading ships in the Soviet Union which are more favorable to United States vessels than would otherwise apply in this trade. Our maritime experts estimate these special terms represent a reduction from typical rates of at least $1.75 per ton.

These special provisions for rates on agricultural cargo apply through June 30, 1973, by which time the parties will negotiate future rates. This will permit review of the actual workings of this rate system near the close of the current unusual grain shipment season.

TERM OF AGREEMENT

The Agreement remains in force through 1975, subject to earlier termination by either party on 90 days' notice.

U.S. SUBSIDY

Although not part of the agreement, a necessary part of achieving its objectives is that the United States pay a subsidy to its own vessels in the carriage of agricultural cargo. This is not a financial advantage to the Soviet Union since it could carry all this cargo in its own vessels or third-flag vessels at lower costs than it will pay United States vessels. The combination of higher than market charter rates, and favorable terms for unloading, afforded U.S.-flag vessels reduces the subsidy costs.

The subsidy system, to be published shortly, is authorized under the Merchant Marine Act of 1970. Because the ships which will be involved in this trade, unlike U.S.-flag vessels carrying freight in the liner trade, have not received United States construction subsidies, the subsidy to be provided will take into account the amount by which U.S. construction costs exceed foreign construction costs. In order to keep the subsidy at a minimum, it has basically been de-

signed to create no more than a break even situation at $8.05 for most ships which will be likely to participate. The estimated subsidy paid to vessels carrying agricultural cargo under the Agreement will be in the range of $8.00 to $10.00 a ton, if market rates stay in the range of $9.00 to $11.00 a ton, which compares to the current subsidy of about $19.00 per ton on PL–480 grain shipments.

Among provisions limiting the subsidy paid for movements under the Agreement will be the following:

1. Where market rates exceed the $8.05, all of the excess paid by the Soviet Union over market (i.e. 10% premium) is used to reduce the subsidy;

2. When the market rate is $9.00 or more, a substantial part of the amount over $9.00 will be used to reduce the subsidy;

3. Each subsidy contract will have a renegotiation clause to ensure that no excess profits are made.

The exact amount of subsidy which will be involved with respect to carrying the American share of the grain cargo is difficult to predict with precision because it depends on factors such as: (1) the volume of the Soviet grain trade actually carried by U.S. ships (which will be reduced to the extent that more attractive carriage is available (such as PL–480 or oil); (2) the level of market rates, since the U.S. subsidy paid will be substantially reduced as market rates go up.

PUBLIC AVAILABILITY OF THE AGREEMENT

A copy of the Agreement, Annexes, and the exchange of letters with respect to the bulk commodity rates is publicly available.

NEWSLETTER

(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, next week I will be sending to my constituents my October Report, my sixth newsletter of this Congress. At this time I would like to set forth the complete text of the newsletter. It follows:

CONGRESSMAN EDWARD I. KOCH REPORTS FROM WASHINGTON

[Vol. 2, No. 6, October, 1972]

Dear Constituent and Fellow New Yorker:

My second term in Congress has gone by quickly. I thought you might be interested in my observations on how I approach my job representing you and how I attempt to achieve the goals which we have in common.

I believe every Congressman has several roles—national legislator, improving the quality of life in the neighborhood, and service to constituents who have personal problems with which a member of Congress can help.

As a national legislator, my major area of expertise is mass transportation. As a member of the Banking and Currency Committee having jurisdiction over mass transit legislation, I have pressed for federal construction funds and federal operating subsidies which I describe in detail further on in this newsletter.

To me, improving the quality of life in the neighborhood means participating in the resolution of local problems, working with community planning boards and neighborhood associations, and especially doing whatever I can to cope with the ever increasing menace of street crime.

Finally, my staff and I seek to help constituents with their personal problems. To help a returning veteran get benefits which had been unjustly denied, to assist a cripple couple in obtaining a ground floor apartment, and to cut the red tape of government bureaucracy for so many other people has given me great satisfaction.

There are those who say that Congress does not work and that nothing can be achieved through that body. I disagree. If you are committed to an issue, develop an expertise and work hard, you can get support and get legislation passed.

The House and Senate have passed my bill mandating treatment for addicts in prison or on parole.

The House and Senate have passed legislation incorporating provisions of my bill withholding welfare payments to any addict who is not in a drug treatment program.

A tax bill enacted last December adopted parts of my child care bill increasing the tax deduction available to working men and women for child care and household expenses.

Senators Kennedy, Nelson and I co-sponsored legislation which was recently enacted into law providing for an extension of a comprehensive health care program serving the needs of 500,000 children living in poverty.

Certain provisions favorable to New York City in a revenue sharing bill originally introduced by Congressman Hugh Carey and myself have been included in the revenue sharing legislation passed by the House and Senate.

In addition, 11 other pieces of legislation which I co-sponsored have been enacted into law during the 92nd Congress. These include, among others, the establishment of the Office of Drug Abuse Control; funds for a sickle cell anemia detection and treatment program; the protection of wildlife; and a low cost meal program for our elderly citizens.

Finally let me conclude by sharing with you my thoughts on this war in Vietnam.

Can the American people really believe that this war is any less horrifying or costly than it was four years ago? Can we close our minds to all the bombing and not recognize that this war has poisoned every one of us? I don't think we can or want to do that. That's why for the last four years, I have voted against every military appropriations bill containing funds to continue this war. That's why I'm going to keep voting that way. The job remains to end the war and change our national priorities. I know this has all been said many times before. But it happens to be true.

MASS TRANSIT

Mass transportation had the chance of making considerable headway in the 92nd Congress, but has suffered some recent legislative setbacks.

On September 21st, the Banking and Currency Committee, of which I am a Member, reported out an omnibus housing and urban development bill. Included in this bill was a $3 billion increase in mass transit's capital program and my proposal to provide $400 million for mass transit operating subsidies.

A number of forces were working against the bill, including the Administration's opposition to any transit subsidy. Consequently, on September 27th the Rules Committee refused to send it to the Floor for a vote. Instead, a simple extension of the existing housing program, lacking any mass transit aid, was passed.

Another opportunity to assist mass transit came during the House's consideration of the Federal Aid-Highway Act on October 5th. I helped put together a coalition of Democrats and Republicans committed to opening the Highway Trust Fund to mass transit expenditures by giving states and localities the option of spending certain funds on public transportation as well as highway programs. But, the House was prevented from even voting on the amendment through a parliamentary maneuver joined in, unfortunately, by the House Democratic and Republican leadership—a reflection of the highway lobby's influence and its determination to stop a vote they feared they would lose. An amendment similar to ours had already been accepted by the Senate. It is possible that the final bill passed by Congress will have some of the Senate's mass transit provisions. The battle for adequate funding must continue until subway and bus riders are treated equitably.

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AND A CONGRESSMAN LOOKS AT N.Y. JUSTICE

(NOTE.—This speech by Rep. Edward I. Koch (Dem.-Lib., N.Y.) appeared earlier this month in the Congressional Record under the heading: "A Short Story on Street Crime.")

I would like to acquaint the House of Representatives of an incident involving street crime in which I was the victim, and how it was resolved. On May 4 of this year I left my home which is in New York City just off Washington Square Park shortly after 6 p.m., intending to attend a dinner given by the American Jewish Committee at the Americana Hotel.

As I walked through Washington Square Park to get to the Sixth Avenue Subway I was stopped by an individual who was about six feet tall and probably weighed over 200 pounds. He was very threatening in manner and became even more so when he said to me, "Give me a quarter, man." I replied, "No." He then said, "Give me a quarter, man, or I am going to beat the - - - - out of you," and he put up his hands as though to strike me.

In response I said, "No, I am Congressman Koch and I am going to have you arrested." Unaccountably the man dropped his fists and started to walk away.

I looked for a police officer in the park. There was none. I thought to myself that I really should go to the dinner where I was expected. It was about 6:10 p.m. But, Mr. Speaker, I decided I could not permit this incident to pass and not take some action, because I knew how the residents—women, children, senior citizens—of the area are afraid to use the park because of incidents like this.

I watched the man stop others who gave him coins in response to his demands. And I followed him as he started to walk up Fifth Avenue. About a block later I saw a police patrol car, stopped it, explained what had happened, and asked that the individual be arrested. The police officer said, "Do you really want to press charges? Do you know how much time it will take?" I told him, "Yes, I do want to and while I know I can't make my 6:30 p.m. dinner appointment I hope I can at least get to the dinner before it ends."

I got into the patrol car, drove a block, to where the individual was now standing and got out of the car. Immediately the man said to the police officers, without any intervening conversation, "I didn't do it." They arrested him and the two of us were taken to the Sixth Precinct headquarters.

By then it was 6:30 p.m. It took 45 minutes for the police to fill out the information forms on the arrested individual. At 7:15 p.m. we were taken by police car down to the Criminal Court Building and arrived there at 7:30 p.m. where again forms had to be filled out, and this took another 45 minutes.

The defendant was charged with intoxication, loitering and harassment. I was told by the assistant district attorney that I should charge him with attempted robbery, but I told him I did not want to make a "Federal case of it" and that I simply wanted to have him punished for what had occurred in some reasonable way.

At 8:15 p.m. I was taken to the court room where the defendant was present with counsel provided by the court. A new assistant district attorney said to me that he did not

think that it was worth pressing the matter and that nothing would happen since there were so many cases of this kind. I said, "That is why I have taken the time to come here." He said if I wanted to have something done I should charge the defendant with attempted robbery, but he warned that it would take another three hours. I said no, I would simply press the three original charges. The defendant then pleaded guilty to the charge of harassment and I asked the court whether I might make a statement. The judge said, "by all means."

What I said to the court in substance was that I had taken the time to do this, although I knew that it would be more sensible from the point of view of safety and convenience to pay the quarter because somebody had to stand up and say, "No!" The court sympathized with what I had said, stating that crime was rampant not only in the area in which I lived, but so many places in the city. And then the judge, turning to the defendant said:

"I want you to know that the next time you come into this court I will deal with you very sternly and this time I will fine you $50."

Defendant's counsel told the court that the defendant was employed, giving the court the name of the employer. He said that the defendant earned $4.50 an hour but did not have any money with him that evening; he asked that the court give him time in which to pay. The court asked, "Will three weeks be enough?" Counsel said it would. The defendant and I both left the Criminal Court Building at 8:30 p.m. by the same door. And as he passed me he smiled; he knew something I did not.

I arrived at my dinner at 9 p.m. where the meal was over and all that was left were the speeches.

Having become a statistic, I decided to find out what happens in a case of this kind: And so, approximately three weeks later, I wrote to the clerk of the court and asked whether the fine had been paid. Not receiving a response by June 15, I wrote to Administrative Judge David Ross of the Criminal Court of the City of New York. By letter of June 26, Lester C. Goodchild, the court's executive officer, responded: The defendant failed to appear and pay his fine. A warrant for his arrest was issued, but he could not be found. The residence and employment information he had given the court was false.

Mr. Speaker, one additional statistic and that is there are thousands of bench warrants outstanding in New York City. This will be one more probably never to be executed. Is it any wonder that the people of this country are outraged at the way our courts are administering justice?

THE ELDERLY

First and foremost, I have been working to get substantial increases in social security benefits—to catch up and keep up with the high cost of living. The Congress has passed a 20% increase in social security benefits, but it still is inadequate for those living on fixed incomes.

Another hardship on the elderly is the limitation on income one can earn before age 72 without losing social security benefits. Since coming to Congress, I have pressed my bill to eliminate the income eligibility limitation altogether. A bill soon to be approved by Congress would increase the present $1680 limitation to $3000.

Recently, the medicare program was amended to include the cost of certain outpatient drugs used in the treatment of chronic illnesses afflicting the aged. I have proposed in H.R. 16339 that all prescription drugs not covered by medicare, including hearing aids and eye glasses, be sold to medicare recipients at wholesale prices by federally assisted hospitals until such costs can be covered by a new national health insurance program.

Two other bills that I have introduced to aid the elderly deserve brief mention. H.R. 16492 encourages family support of elderly relatives by giving a $750 tax exemption to any taxpayer who provides at least $1500 in annual support. H.R. 16493 provides for the payment of attorney's fees incurred by an elderly person who successfully challenges a government decision to deny, reduce or limit social security benefits, medicare, old age assistance and disability insurance.

Our elderly citizens who have worked hard all their lives deserve a great deal more than they are now receiving.

STREET CRIME

Street crime remains the chief concern of all New Yorkers. Here is a brief review of some of my efforts to combat this menace.

"Unwanted Night Spots"—Bars and private afterhour clubs, which operate as centers for drug-trafficking, constitute an increasing public nuisance and source of crime. I have helped community groups close down several such establishments, but the process is long and arduous and quicker methods are needed. I have recommended that the City Department of Consumer Affairs license so called "private clubs" which are in fact profit making businesses, thus permitting entry for periodic inspection, particularly if there have been complaints about a specific club. A lawyer from the City Corporation Counsel's office should be designated as an ombusman to represent the public's interest in court; and a special acceleration of court procedures should be established to prevent these businesses from disrupting a neighborhood during months or years of court appeals.

"Hight-Intensity Street Lights"—The effectiveness of bright street lighting as a crime deterrent has been proven in many different cities. New York recently announced a $15 million lighting program for major thoroughfares. However, we must also have high-intensity lighting on residential side streets. The City cannot afford the massive lighting campaign we need. That is why I have introduced legislation to create a national Light on Crime program providing $90 million in three years to light our streets.

"Police Duty at the Consulates"—Continuing acts of international terrorism make it imperative that the Federal government immediately assume its responsibility to guard the U.N. and foreign consulates in New York instead of our local police. The President temporarily sent members of the Executive Protection Service to the City to provide extra security for the recent opening of the U.N. General Assembly. But the problem is permanent and must have a permanent solution which would be passage of my bill that mandates the Executive Protection Service to guard all foreign consulates. It is unfair that the full time responsibility still rests with our police and is paid for with local tax money. We need our police, already undermanned, back on the street protecting our residents and merchants.

AFRICA—STATELESS ASIAN UGANDANS

Over the last several months, I have worked to obtain refuge in this country for some of the Asian Ugandans whose lives are being threatened by the racial dictatorship of Major General Idi Amin.

Finally, on October 2, the State Department informed me that the Attorney General has agreed to permit the entry of 1000 educated and skilled Asian Ugandans into the United States under his parole authority.

This is similar to action taken by the Administration in September 1971 when they finally acceded to my legislative proposal to permit the entry of Soviet Jews into this country without regard to immigration quota restrictions.

I have received assurances from the International Rescue Committee, United HIAS, U.S. Catholic Conference, and the Church World Service that they will assist in the resettlement of the stateless Asian Ugandans in this country.

* * * * *

Your comments on this newsletter and any proposals you might have on any subject are of interest to me. Please write to me c/o House of Representatives, Washington, D.C. 20515.

If you need assistance, call my New York City office at 264–1066 between 9:00 a.m. and 5:00 p.m. on weekdays.

Among the pictures included in the newsletter, two were captioned. These captions read as follows:

In the weeks before the highway bill was brought to the House Floor for a vote, a number of meetings were held with those interested in opening the Highway Trust Fund to mass transit expenditures. On September 28th, Secretary of Transportation John A. Volpe met with Members of the Democratic Study Group. The meeting was sponsored by DSG's Transportation Task Force, of which I am Chairman.

On September 28th, I testified before a House Judiciary Sub-Committee on my bill, H.R. 837, the Newsmen's Privilege Act. This bill protects newsmen's First Amendment privileges against forced disclosure of confidential sources and background material. Society has a vested interest in the free flow of information to the press; and so the protections of H.R. 837 are for the public as well as the press.

Also included in the newsletter were pictures of members of my Washington staff: Barbara Downey, Diane Coffey, Ginny Sammon, Barbara Guentert, Sue Silverman and Douglas Adler. These pictures and others appearing in the newsletter were taken by Ronay Arit, also a member of my Washington staff.

ACCOMPLISHMENTS OF THE 92D CONGRESS: REPORT TO THE PEOPLE OF THE FOURTH DISTRICT OF WISCONSIN

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

Mr. ZABLOCKI. Mr. Speaker, as has been my practice since being elected to the House of Representatives, I wish to take the opportunity to report to the people of the Fourth District of Wisconsin on the legislative accomplishments of the 92d Congress.

The record of the past 2 years is a highly productive one. Despite Presidential vetoes of some major bills, this Congress has moved significantly on a broad range of issues, including: tax revision and reform; revenue sharing with States and localities; consumer protection; crime and drug control; water pollution control; aid to education and school lunch program; 18-year-old vote; social security benefit increases; increased assistance to veterans; and control of strategic defensive and offensive armaments.

This report and my legislative record undoubtedly will not be completely pleasing on every issue to each constituent. Suffice to say that in representing the people of my district I have attempted always to work in their interests and the interests of our Nation.

THE ECONOMY

Throughout the 92d Congress, attention has focused on the problems of the

economy and the need to limit the rate of inflation and reduce the numbers of unemployed. To curb inflation, the Congress gave the President the power to impose wage and price controls many months before a crisis situation forced him at last to act. To combat joblessness, the Congress enacted two bills—the Emergency Employment Act and the Emergency Unemployment Compensation Act. They are providing $2.5 billion in jobs and benefits to those who otherwise would be unemployed and on the relief rolls.

Despite the fact that Congress has cut administration budget requests for funds by $14.5 billion, the President asked for a budget ceiling which would hold Federal expenses at $250 billion for the current fiscal year and reduce the anticipated deficit. The House passed this anti-inflation measure in order to preclude a possible tax increase next year.

In fact, the movement in Congress during the past 2 years was to lighten the tax burden on the average taxpayer by increasing the individual tax exemption. We also acted to return more Federal tax money to States and localities by passage of the Revenue Sharing Act and thus bring some potential property tax relief for our citizens.

CONSUMER PROTECTION AND CRIME CONTROL

Congress strengthened programs to protect consumers through the creation of an independent agency with authority to establish safety standards for household consumer products, and by enactment of stricter auto safety regulations.

The campaign against crime in the streets was continued by the 92d Congress with passage of bills to develop community-based preventive services to potentially delinquent young people, and establishment of an Interdepartmental Council on Juvenile Delinquency to coordinate all Federal delinquency programs.

Recognizing the key position which narcotics plays in crime, the Congress also established a Special Action Office of Drug Abuse Prevention. It also acted to provide for drug treatment programs at State and local prisons, to compensate innocent victims of violent crime and to provide cash benefits for survivors of police officers killed in the line of duty, or to the officer himself if he becomes disabled.

POLLUTION CONTROL AND CONSERVATION

The 92d Congress approved the most comprehensive water pollution control bill in history. It authorizes $18 billion for the Federal share of constructing waste treatment plants through fiscal year 1975, plus an additional $6.4 billion for other water pollution abatement programs. It establishes as Federal policy the goals of making the Nation's waters suitable for fish propagation and swimming by 1981 and of ending all discharges of pollution into navigable waters by 1985. It would be unfortunate if the President vetoed this bill.

Other actions in the 92d Congress to safeguard the environment include enactment of the Federal Insecticide and Pesticide Control Act which will permit increased Government regulation of the manufacture and use of chemical pesticides; increased funding and an indefinite extension for the Youth Conservation Corps; and amendments to provide more effective administration of natural gas pipeline safety laws.

EDUCATION AND HEALTH

Priority consideration was given to measures designed to improve the Nation's educational and health systems. For example, the Congress enacted the Higher Education Act of 1972, with new programs of direct assistance to colleges and universities. Other major education bills extended and expanded the school lunch program for needy children and provided new funds for secondary school construction and educational expansion.

In spite of the President's veto of four major health bills in the past 4 years, the Congress has made notable progress in that field. Passed into law during the past 2 years were bills: to assist education in the health professions through construction grants and student loans and scholarships; to extend and expand programs to train nurses; to establish dental health projects for children and increase the availability of dental care; and to expand programs for combating heart, blood vessel, lung, and blood diseases.

In order to direct greater effort to finding a cure for cancer, the Conquest of Cancer Act—which I had cosponsored—was enacted. This measure established a National Cancer Authority to coordinate research projects and authorized $1.59 billion over the next 3 years to spur research efforts.

SOCIAL SECURITY AND WELFARE

Certainly the most important legislation benefiting the elderly was the passage of the 20-percent increase in social security payments which went into effect in September. Under the new law the increase for an average retired worker is from $133 per month to $161. For the average couple, the increase is from $224 to $270. The new law also contains a cost-of-living escalator provision; beginning in 1975, benefits will rise whenever the cost of living goes up by 3 percent or more.

Among other actions taken by the 92d Congress on behalf of our senior citizens were: establishment of a nutrition-for-the-elderly program to provide the money and machinery to provide at least one hot, nutritious meal daily for needy people 60 or over; creation of a National Institute of Aging to conduct research on the aging process and the special health problems of older persons; and the broadening of programs to provide a variety of services to the aged, including low-cost transportation, expanded employment centers, retirement training, and other social welfare aid.

GOVERNMENT ORGANIZATION AND OPERATION

The 92d Congress approved two constitutional amendments, to lower the voting age to 18 and to guarantee equal rights for men and women. The new voting age amendment has been ratified by the necessary three-fourths of the States and will be in effect for the national elections of November 7, while 21 States have thus far ratified the equal rights amendment.

Significant reform and regulation of political campaign practices represents another important achievement of the 92d Congress. The Federal Election Campaign Act of 1971 limits the total amounts that candidates for Federal office may spend on media advertising or from personal funds. It also requires more complete reporting of campaign contributions and expenditures.

SERVICEMEN AND VETERANS

The contribution of veterans of the Indochina conflict and prior wars again was recognized by Congress. Because of the increased costs of higher education, we provided a 25.7-percent increase in educational benefits for veterans and expanded programs of vocational rehabilitation and job training for returned servicemen. A 10-percent increase in veterans' and dependents' pension and disability benefits also was approved and became effective in January 1972.

The 92d Congress also took essential steps toward ending the military draft and creating an all-volunteer army by providing a $2.8 billion increase in pay and allowances for military personnel, and by giving statutory authority and funding to the President during the transition period.

INTERNATIONAL AFFAIRS

As a member of the Committee on Foreign Affairs, I have been directly involved in the consideration and passage of a number of important bills affecting our Nation's international relations.

Perhaps the most important from the standpoint of world peace and national safety was congressional approval of the agreements signed in Moscow last May which prohibit construction of comprehensive and anti-ballistics missile systems by both the United States and the Soviet Union, and which place an interim "freeze" on certain strategic offensive weapons systems.

While continuing to keep our national defenses strong through continued support for adequate funding for our armed services, the 92d Congress overwhelmingly endorsed the search for arms control represented by the strategic arms limitation talks—SALT—with the Soviets.

Among other important legislative enactments in the area of foreign affairs was a measure I sponsored which requires all international executive agreements to be transmitted to Congress within 60 days after their signing. In addition, my war powers proposal and my resolution condemning treatment of American prisoners of war in North Vietnam both passed the House but were not, unfortunately, acted on by the Senate. If returned to the Congress, I shall continue to work for legislation on both subjects.

In order to remedy the present breakdown in relations between the Congress and the President over foreign affairs, a new Commission has been formed to study ways of making our Nation's foreign policy formulation more efficient and effective. I have been honored by being selected by you, Mr. Speaker, as one of two Members of the House of Representatives to serve on that Commission,

together with representatives of the Senate, executive branch, and six distinguished private citizens.

The 92d Congress did not complete action in several important areas, although in many cases thorough hearings were conducted and specific proposals recommended. Further action is expected in the 93d Congress on establishment of a national health insurance plan, protection of workers' pension contributions, securing the levels of veterans' pensions, measures to help workers and industries hurt by increased imports, and efforts to improve our balance of trade. In addition legislation should be approved to provide an increase in the minimum wage, to clarify the issue of busing in the public school system, and to evaluate Federal programs of housing assistance.

As I have stressed, priority consideration must be given in the 93d Congress to further efforts to control inflation and to reduce the numbers of unemployed, and to close major tax loopholes to develop a more equitable and progressive tax system.

It is vital that efforts to reorder our Nation's priorities will continue, and that all branches and levels of government will join together in the coming year in a determined commitment to improve the quality of life for all Americans.

ROLLCALL AND RECORD AND VOTING SUMMARY

At this point, Mr. Speaker, I wish to insert the record of my attendance and my position or vote on major legislative issues before Congress, together with the present status of each measure:

VOTING RECORD OF CONGRESSMAN CLEMENT J. ZABLOCKI, 92D CONGRESS

Position	Issue	Status
	NATIONAL ECONOMY	
Voted for	Increased individual tax exemptions and tax incentives for business	Became law.
Voted for	1-year extension of President's authority to control prices, rents, wages, and salaries, and other provisions to combat unemployment	Became law.
Cosponsored	Tax reform legislation to close tax loopholes and provide $7,000,000,000 in additional Federal revenues	Pending in House.
Cosponsored	Legislation authorizing creation of additional jobs in public works programs	Passed House and Senate.
Voted for	Federal Revenue Sharing Act to assist all levels of local government	Passed House and Senate.
Sponsored	An increase in personal and dependency income tax exemptions	Pending in House.
Voted for	Federal guarantee of $250,000,000 in bank loans to Lockheed Aircraft Corp	Became law.
Voted for	2-year extension of interest equalization tax to discourage American investment abroad and to correct our balance of payments	Became law.
Voted for	Extension of President's authority to control exports	Became law.
Voted for	Legislation authorizing the Secretary of the Treasury to establish a new gold par value of the dollar	Became law.
	CONSUMER PROTECTION AND CRIME CONTROL	
Cosponsored	Increased consumer protection through the creation of an independent Consumer Protection Agency	Passed by House.
Voted for	Establishment of a Consumer Product Safety Council	Became law.
Voted for	Legislation calling for promulgation of bumper standards for passenger motor vehicles	Became law.
Voted for	Continued enforcement of Flammable Fabrics Act	Passed by House and Senate.
Supported	Establishment of minimum standards for warranties on consumer products	Passed by Senate.
Voted for	Development of community-based preventive services to potentially delinquent youth	Became law.
Cosponsored	Establishment of a law enforcement officers' bill of rights	Pending in House.
Voted for	Measures to prohibit sending obscene materials to minors through the mail	Passed by House.
Voted for	Establishment of a Special Action Office for Drug Abuse Prevention	Became law.
Voted for	Toxic Substances Control Act	Passed by House and Senate.
	POLLUTION CONTROL, CONSERVATION, AND AGRICULTURE	
Voted for	Increased Federal regulation of the manufacture and use of pesticides	Passed by House and Senate.
Voted for	Legislation requiring that the best available technology be utilized by 1983 to control water pollution, and authorizing $18,000,000,000 to build and improve municipal sewer facilities.	Passed by House and Senate.
Cosponsored	Establishment of a Joint Committee on the Environment	Passed by House and Senate.
Voted for	Stricter Federal standards and coordination of programs relating to noise pollution	Passed by House and Senate.
Voted for	Development of a national program for the management of resources in the Nation's coastal zones, including the Great Lakes	Passed by House and Senate.
Voted for	Establishment of a National Environmental Data System	Passed by House and Senate.
Voted for	Legislation to protect marine mammals from extinction	Passed by House and Senate.
Voted for	$20,000 ceiling per crop on farm subsidies	Rejected by House.
Voted for	Settlement of land claims with Alaska's Natives	Became law.
Cosponsored	Establishment of Kosciuszko home in Philadelphia as a national historic site	Passed by House and Senate.
Voted for	Legislation to protect and control wild free-roaming horses on public lands	Became law.
Voted for	Provisions for criminal penalties for those harrassing or shooting birds or other wildlife from aircraft	Became law.
Voted for	5-year extension for Federal saline water conversion program	Became law.
Voted for	International moratorium on the killing of whales	Passed by House and Senate.
Cosponsored	Imposition of a tax on polluting smoke and other industrial emissions	Pending in House.
Voted for	Legislation to provide additional Federal assistance to rural America	Became law.
Voted for	Federal financing for telephone cooperatives and companies serving rural areas	Became law.
Voted for	Modernization of the farm credit system	Became law.
	EDUCATION, LABOR, AND CIVIL RIGHTS	
Voted for	$19,000,000,000 authorization for aid to higher education, including new program of general financial assistance to colleges and universities	Became law.
Voted for	Funds to aid school districts in court ordered desegregation costs; but not to be applied to busing for purposes of racial balance	Became law.
Voted for	Definition of formulation of remedies to insure equal educational opportunities, including limitations on the use of busing	Passed by House.
Voted for	Increased appropriations for elementary and secondary education	Original measure vetoed by President.
Voted for	Continuation of schoo. lunch programs for needy children	Became law.
Cosponsored	Provision for tax credit of up to $400 for tuition paid for nonpublic elementary and secondary education	Pending in House.
Voted for	Emergency Employment Act, authorizing $2,250,000,000 for creation of public service jobs and job training programs, with special consideration for Vietnam veterans.	Became law.
Cosponsored	Accelerated Public Works measure to direct public service job creation in areas of especially high unemployment	Passed by House and Senate.
Voted for	Federal assistance to States where unemployment is greater than 6.5 percent to provide an additional 13 weeks of unemployment benefits	Became law.
Voted for	Increase in minimum wage	Passed by House and Senate.
Voted against	Legislation authorizing compulsory arbitration to settle west coast dock strike	Became law.
Voted for	20-percent increase in railroad retirement pensions effective Sept. 1, 1972	Became law over President's veto.
Supported	Additional Federal laws to protect contributions to private pension plans	Hearings completed.
Cosponsored	Requirements for safety standards for schoolbuses	Pending in House.
Voted for	Additional authority for Equal Employment Opportunity Commission	Became law.
Cosponsored	Legislation to repeal the Emergency Detention Act	Became law.
Voted for	Constitutional amendment to provide equal rights for men and women	Passed by House and Senate.
Cosponsored	Legislation to reestablish the Menominee Indians as a federally recognized, sovereign Indian tribe	Pending in House.
	SOCIAL SECURITY, HEALTH, AND WELFARE	
Cosponsored	20-percent increase in social security benefits, effective Sept. 1, 1972	Became law.
Voted for	Reforms in social security, medicare, medicaid, and welfare programs	Passed by House and Senate.
Sponsored	Reduced social security benefits for retirees at age 60	Passed by Senate.
Cosponsored	Increase in amount which social security beneficiary may receive without a reduction in his benefits	Passed by House and Senate.
Supported	Supplemental national health insurance programs	Hearings completed.
Cosponsored	Establishment of a House Select Committee on Aging	Pending in House.
Voted for	Establishment of a National Institute on Aging	Passed by House and Senate.
Voted for	Development of low-cost meal programs for senior citizens	Became law.
Cosponsored	Establishment of a Conquest of Cancer Agency within the National Institutes of Health	Became law.
Voted for	Establishment of 10 model cardiovascular disease prevention clinics	Became law.
Voted for	Funds to support expanded programs of grants to health professions, schools, and programs of student assistance loans and scholarships	Initial amounts vetoed by the President.
Voted for	Federal support for diagnosis, counseling, and research programs for sickle cell anemia	Became law.
Voted for	2-year extension in antipoverty program	Became law.

VOTING RECORD OF CONGRESSMAN CLEMENT J. ZABLOCKI, 92D CONGRESS—Continued

Position	Issue	Status
	GOVERNMENT ORGANIZATION AND OPERATION	
Voted for	Constitutional amendment lowering the voting age to 18	Ratified and became law.
Voted for	Reforms in Federal election campaign procedures	Became law.
Voted against	Legislation to give the President authority to limit Federal expenditures without additional Congressional approval	Passed by House.
Cosponsored	Legislation to require congressional approval of any funds impounded by the executive branch	Pending in House.
Voted for	Voluntary public funding of Presidential elections	Law to be effective in 1976.
Voted for	Legislation creating pay rates for Federal blue collar workers	Became law.
Voted for	Legislation to increase the Government's contribution to Federal employees health benefit programs	Passed by House and Senate.
Sponsored	Constitutional amendment to permit voluntary silent prayer or meditation in public schools	Pending in House.
	SERVICEMEN AND VETERANS, NATIONAL DEFENSE AND SPACE	
Voted for	Reforms in Selective Service System and $2,400,000,000 in military pay increase	Became law.
Voted for	Legislation providing drug treatment and rehabilitation in VA hospitals	Became law.
Voted for	Legislation to increase veterans educational benefits	Passed by House and Senate.
Voted for	Cost-of-living increases in veterans' and survivors' pensions, effective Jan. 1, 1972	Became law.
Voted for	Increased medical benefits for veterans	Passed by House and Senate.
Sponsored	Health benefits for survivors of a serviceman killed in hostile fire areas	Pending in House.
Voted for	Establishmen of a survivor benefit plan for the Armed Forces	Became law.
Voted for	Increased compensation for disabled veterans	Became law.
Voted for	Increased Government subsidies for veterans in nursing homes	Passed by House.
Voted for	Continued appropriations for the National Aeronautics and Space Administration, including funds for research and development of a space shuttle.	Became law.
Sponsored	Resolution encouraging international cooperation in satellite broadcasting	Pending in House.
	INTERNATIONAL AFFAIRS	
Sponsored	Resolut.on requiring the President to report to Congress whenever he committed U.S. forces abroad without prior congressional approval and reaffirming the constitutional power of Congress to declare war.	Passed by House and Senate.
Sponsored	Resolution calling for humane treatment and early release of American prisoners of war held by North Vietnam and the National Liberation Front.	Passed by House.
Sponsored	Resolution requiring that international agreements other than treaties be transmitted to Congress	Became law.
Sponsored	Resolution to allow the people of the Trust Territory of the Pacific Islands to express their wishes as to the form of government they desire	Pending in House.
Voted for	Strategic Arms Limitation Agreement	Approved by House and ratified.
Voted for	Extension and revision of U.S. economic and military aid programs to developing countries	Passed by House; rejected by Senate.
Sponsored	Legislation to lower the contributions of the United States to the United Nations	Pending in House.
Sponsored	Legislation to allow U.S. Information Agency materials distributed abroad to be open to public inspection under certain conditions	Pending in House.
Sponsored	Legislation to extend the Export-Import Bank and to expand its functions	Pending in House.
Voted for	Measures to stimulate export industries	Became law.
Sponsored	Resolution expressing the approval of Congress regarding the cooperative agreements on science and technology and other matters signed in Moscow, July 1972.	Pending in House.
Sponsored	Resolution calling for collection of overdue debts due to the United States	Pending in House.

ROLLCALL RECORD OF CONGRESSMAN CLEMENT J. ZABLOCKI, 92D CONGRESS

Session	Total roll and quorum calls	Rollcalls	Teller votes	Not voting [1]	Quorum calls	Absent on quorum [2]	Voting percentage (presence)
1st	470	211	108	12	151	5	96.3
2d	459	244	85	3	133	11	96.9

[1] Paired on rollcall votes when possible; excused when on official business.

[2] Absence on quorum call does not necessarily mean an entire legislative day's absence.

STATEMENT BY CONGRESSMAN JAMES SCHEUER UPON INTRODUCTION OF BILL TO AMEND THE WAR CLAIMS ACT OF 1948

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

Mr. SCHEUER. Mr. Speaker, I am today introducing legislation that would simply duplicate action taken by the House of Representatives in the 91st Congress. I firmly believe that the action we took then was correct and fair and was very disappointed when the Senate took an alternate approach when it came time to amend the War Claims Act of 1948. Because of the press of time near the end of the second session of Congress, the House chose to go along with the Senate bill. I think that it has become clear that this was a mistake.

In 1948, the Congress provided through the War Claims Act of 1948 for the payment of a limited category of war claims of American citizens out of a fund consisting of the proceeds of vested German and Japanese assets in the United States. A Commission, now known as the Foreign Claims Settlement Commission, was created to administer the act, and to conduct a study to determine and recommend to the Congress additional categories of claims to be paid out of this fund. Recommendations were made to the Congress by the Commission, and in 1962, legislation was enacted establishing a number of categories of claims to be paid out of the fund. In general, the claims allowed were those claims for which compensation had not otherwise been provided either under laws of the United States, treaties with foreign countries, or domestic laws of foreign countries.

H.R. 2669, which was passed by the House in 1969, provided for payment under the War Claims Act of 1948, of the full amount of the unpaid balance of claims of nonprofit organizations operated exclusively for the promotion of social welfare, religious, charitable, or educational purposes, and would then provide for payment of the unpaid balance of all claims of individuals under title II of that act, with claims for the unpaid balance of awards of corporations not previously paid being relegated to third priority.

The Senate version, which eventually became Public Law 91–571 provided that the first payments out of the War Claims Fund should be made to nonprofit organizations operated exclusively for the promotion of social welfare, religious, charitable, or educational purposes up to the full amount of the unpaid balance of their award. Payments thereafter would be made on the unpaid balances due to individual and corporate claimants up to a maximum of $35,000. The last priority would go to individual and corporate claimants whose unpaid balances exceed $35,000.

Both bodies agreed that the nonprofit organizations would have first priority on payments. The differences arose on the dispersal of funds as between individual and corporate claimants. The House said the next payments should go to cover the unpaid balance of the claims of individuals with corporate claims getting last priority.

The Senate, on the other hand, after paying the claims of the nonprofit organizations decided that the next payments would be made on the unpaid balances due to individual and corporate claimants up to a maximum of $35,000. Individuals and corporate claimants with claims of more than $35,000 would share the remainder on a prorated basis.

The Attorney General supported the House version because the corporate claimants have received the great bulk of the money which has been paid out of

the War Claims Fund. Of the approximately $219 million distributed then, almost $154 million had been distributed to large corporations. Also the corporations have received substantial tax benefits. The Senate bill continued the discrimination against individual claimants and it is now obvious that Public Law 91-571 was a great victory for Standard Oil, American Express, ITT, Columbia Pictures, First National City Bank, and such other hardship cases over the people.

My bill will restore the order of priority that was accepted by the House. I understand that there is little chance of any action on it this session. I am hopeful, however, that it will indicate to the Department of Justice and the Department of the Treasury that Congress is considering a change in the law and that there should be no haste in depleting the fund to the benefit of large corporations.

Following is a copy of my legislation as well as a list of the outstanding individual and corporate claims:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 213(a) of the War Claims Act of 1948 as amended (50 App. U.S.C. 2017l(a)) is amended as follows:

Paragraph (3) is amended to read as follows:

"(3) Thereafter, payments from time to time on account of the other awards made to individuals pursuant to section 202 and not compensated in full under paragraph (1) or (2) of this subsection in an amount which shall be the same for each award or in the amount of the award, whichever is less".

CLAIMS MADE BY THE FOREIGN CLAIMS SETTLEMENT COMMISSION UNDER TITLE II OF THE WAR CLAIMS ACT OF 1948, AS AMENDED BY PUBLIC LAW 87-846

CLAIM NO., CLAIM OF, AND BALANCE OF ACCOUNT

9537: Universal Leaf Tobacco Co. Inc., $72,133.56.
5886: E. Paul Yaselli, $2,493.47.
1440: Matson Navigation Company, $212,-644.42.
8616: California Texas Oil Corporation, $27,455.03.
10921: Borg-Warner Corporation, $4,012.84.
10921: Home Insurance Company, $884.43.
4329: Home Insurance Company, $19,925.30.
6560: Insurance Company of North America, $6,532.38.
13522: California Texas Oil Corporation, $7,192.05.
1257: Archer-Daniels-Midland Company, $16,012.94.
13474: Union Oil Company of California, $331,709.19.
535: Rachel Solomon, $6,028.00.
5602: K. B. Kadison Goldwasser, $22,895.36.
8137: Howard Allington, $6,790.01.
8619: Standard Oil Company of California, $233,431.51.
8619: Texaco Incorporated, $233,431.51.
4319: Home Insurance Company, $13,763.21.
6556: Insurance Company of North America, $14,254.82.
8409: Anna Latecki, $1,843.76.
9525: Shangha Wharf & Warehouse Co. Fed Inc USA, $19,345.61.
20670: United States of America on High Seas, $104,604.61.
20670: United States of America Philippine Limit, $2,494.78.
11762: Martha Stewart Yerkes, $2,462.43.
11180: Westinghouse Air Brake Company, $17,351.09.
5595: Guardian Life Insurance Company of America, $10,285.00.
4267: Fred Barson, $4,988.61.
4308: Werner Steinhart etc, $13,593.85.
7414(2): Louise Mesick, $65,206.10.
11176: America Express Company, Incorporated, $121,658.73.
6561: Insurance Company of North America, $12,061.03.
4331: Home Insurance Company, $10,004.56.
6957: Aetna Casualty and Surety Company, $13,016.34.
6219: Henry Oberdorfer etc., $1,007.18.
12062: Paramount International Films Inc., $25,186.31.
12062: Paramount Pictures Corporation, $37,986.64.
7896: Hermine Rosenthal, $253.57.
13384: Evone Montague Tait, $1,194.71.
13384: Edwin Tait, $1,194.71.
8203: The Rieser Company, Inc., $21,103.42.
4453: Louise Mary Hardy, $35,397.72.
8204: Belle River Holding Company, Inc., $10,582.07.
11238: Else Lane, $11,635.63.
4900: Fred M. Terry, $11,223.56.
9809: Elsa S. Krewer, $15,539.69.
9809: Herbert Silberstein, $15,539.69.
11758: Janina Madaj Stober, $2,515.59.
2298: Mobil Oil Corporation, $511,870.67.
2300: Mobil Oil Corporation, $331,413.64.
10301: Helen Orbach, $3,072.29.
334: Joseph Puzyrewski, $323.62.
2297: Mobil Oil Corporation, $790,333.09.
2299: Mobil Oil Corporation, $1,259,384.79.
2302: Mobil Oil Corporation, $552,429.27.
3346: Tidewater Oil Company, $20,281.16.
12725: Alois J. Chronowski etc., $55,564.00.
9923: (File: Kutzman) Stanley Sigman, $31,350.45.
9923: Hannah Sigman, $98,894.37.
10685: Maria C. Steubben, $4,759.91.
3098: The Robert Dollar Company of California, $16,718.02.
9774: Warren Brothers Company, $10,-294.32.
14805: Columbia Pictures Corporation, $62,910.84.
8498: Helen Erdos, $4,438.11.
8498: George Wiss, $3,621.59.
4849: Claire Holt, $2,667.58.
7227: Reliance Motors Federal Inc. USA, $2,812.31.
7819: First National City Bank, $60,626.49.
3006: (File: White Securities) C. R. Breck, 20,194.56.
3006: Louise Breck, $20,189.69.
3590: Raymond S. Shepanek, $2,431.55.
3590: Norbert Shepanek, $2,431.55.
3590: Alice Gloria Shepanek, $2,431.55.
3619: Hilda Nolte Schlag, $4553.65.
8548: Northeastern Insurance Co. of Hartford, $558.95.
8550: Quaker City Insurance Company, $555.48.
8556: Rhode Island Insurance Company, $3,875.61.
10953: Marthe Loyson Gassmann, $1,964.50.
10377: Hugo Kurman, $1,565.89.
7815: Shanghai Power Company, $3,006,-906.54.
8592: New York Underwriters Insurance Company, $15,712.31.
8596: Pacific Insurance Company of New York, $5,979.84.
8610: Vigilant Insurance Company, $20,-495.79.
8567: Bankers and Shippers Insurance Co. of New York, $5,979.84.
8578: Guaranty Security Insurance Company, $421.14.
10010: S. S. Kresge Company, $20,510.58.
17977: The Gillette Company, $143,599.92
7671: Heinz L. Gumpel: $12,381.57.
8599: Providence Washington Insurance Co., $15,213.93.
8609: Universal Insurance Company, $14,-271.85.
8615: Edward Budd, deceased, $55,911.84.
4804: Elizabeth Sibert, $13,651.90.
6810: Aetna Casualty and Surety Company, $11,252.19.
8560: Aetna Insurance Company etc., $77,708.83.
8561: Agriculture Insurance Company, $79,222.78.
3562: Agriculture Insurance Company, $51,019.22.
8563: American Home Assurance Company, $49,864.39.
8564: American Insurance Company, $115,810.67.
8565: American Re-Insurance Company, $25,408.56.
8571: Continental Insurance Company, $131,412.38.
8572: Continental Insurance Company, $157,708.68.
8573: Federal Insurance Company, $166,-682.96.
8575: Fireman's Insurance Company of Newark NJ, $115,855.55.
8577: Great American Insurance Company, $206,488.97.
8579: Hanover Insurance Company, $54,-357.68.
8580: Hartford Fire Insurance Company, $182,594.39.
8584: Home Insurance Company, $32,220.89.
8590: National Fire Insurance Co. of Hartford, $62,758.90.
8607: St. Paul Fire and Marine Insurance Co. $103,918.45.
8597: Phoenix Insurance Company, $99,-448.60.
8598: Providence Washington Insurance Co., $188,019.49.
8600: Reinsurance Corporation of NY $38,476.17.
8593: Niagara Fire Insurance Co., $54,-988.66.
8603: Reliance Insurance Co., $6,463.07.
8604: Reliance Insurance Co., $10,242.85.
11252: Lucie Forstenzer, $12,856.13.
12138: Humble Oil Refining Company, $825,571.29.
5041: Standard Car Finance Corporation, $1,971,529.23.
7700: Leo S. Gutmann, $1,658.77.
8557: Aetna Insurance Company, $217,-985.73.
8557: Aetna Insurance Company, $215.78.
8558: Aetna Casualty and Surety Company, $197,399.02.
8558: Aetna Casualty and Surety Company, $994.68.
8570: Phoenix Insurance Company, $70,-350.22.
8570: Phoenix Insurance Company, $212.41.
8581: Fireman's Fund Insurance Company, $11,483.07.
8582: Fireman's Fund Insurance Company, $13,176.54.
8586: Insurance Company of North America, $27,316.13.
8602: Reliance Insurance Company, $18,-999.59.
8606: Monarch Life Insurance Co, $18,-421.02.
10662: Alice Sedlak etc, $11,173.77.
10663: Alice Sedlak etc, $6,142.61.
8583: Home Insurance Company, $159,-399.92.
8601: Reliance Insurance Company, $61,-583.38.
8605: Security Insurance Company, $83,-867.06.
8566: Atlantic Mutual Insurance Company, $366,433.74.
17575: Caltex (Asia) Limited, $2,011,774.55.
8576: Glens Falls Insurance Co., $141,-402.20.
4500: Isador Farber, $3,297.88.
4500: Milton Farber, $3,297.88.
4500: Estelle Ada Harrison, $3,297.88
4500: Dorothy Florence Shanok, $3,297.88.
4500: Dorothy F. Shanok etc., $824.47.
4500: Milton H. Farber etc., $824.47.
4500: Dorothy F. Shanok etc., $824.47.
4500: Estelle Ada Harrison etc., $824.47.
22740: International Telephone & Telegraph Corp., $35,376.14.

8323: Creole Petroleum Corporation etc., $62,604.47.
8323: Creole Petroleum Corporation etc., $81,987.69.
745: Henry Hakmeyer, $7,305.10.
6558: Walter Heller, $18,007.20.
6558: Eugene Henley, $7,325.22.
7729: Beate Herman, $1,320.14.
9368: Edward John Bell, $796.30.
9368: Christopher Bell, $796.30.
9368: Robert A. Bell, $796.30.
9368: Michael Wm. Bell, $796.30.
9368: Austin Joseph Bell, $796.30.
9368: Raymond R. Bell, $796.30.
9368: Philip Anthony Bell, $796.30.
9368: Mary Frances Bell, $796.30.
93681: James Alfred Bell, $796.30.
9368: Timothy C. Bell, $796.30.
17622: Andrew Kostanecki, $7,835.65.
4745: Olga Neubauer, $2,545.00.
8568: Boston Old Colony Insurance Company, $184,161.91.
8594: North River Insurance Company, $92,680.45.
8611: Westchester Fire Insurance Company, $191,486.63.
8608: United States Fire Insurance Co., $74,812.64.
8608: United States Fire Insurance Co., $208.16.
8585: Insurance Company of North America, $266,140.25.
8585: Insurance Company of North America, $408.82.
8574: Fireman's Fund Insurance Co., $224,001.15.
18450: Adele Christiane Elise Geyer, $19,205.35.
20749: Elizabeth Irene Abt, $7,266.40.
5620: Norman Coliver etc, $2,013.46.
7029: William Gande, $6,149.75.
9603: Eastman Kodak Company, $61,135.82.
9632: Ilse Maron, $10,924.03.
10325: (File: Edith Lobe) Meta Rosenbaum, $2,503.98.
8589: Merchants Fire Assurance Corp. of N.Y., $49,672.18
2301: Mobile Oil Corporation, $1,366,894.06.
17536: Ford Motor Company, $289,049.23.
22724: International Telephone & Telegraph Corp., $98,090.18.
22745: International Telephone & Telegraph Corp., $421,655.85.
18003: George Weiner and Lillian Winters etc., $8,765.49.
16779: Evelyn Parker etc., $29,410.25.
17212: Henry Arnhold, $23,430.36.
17212: Rainer Arnhold, $23,430.36.
17212: Sigrid Edwards, $23,430.36.
8587: Insurance Company of North America, $62,003.31.
8595: Boston Old Colony Insurance Co., $66,343.25.
9462: Ulrich Ollendorff, $5,202.08.
10671: Alfred Walter Maron, $171,331.18.
5896: Otis Elevator Company, $125,972.79.
6744: C. B. Dutton, etc., $118.99.
7280: Arthur Kallman, $10,381.75.
7978: George Markus, $1,674.25.
7978: Gertrude Herrscher, $1,674.25.
9207: Heinz Wolff, 58,144.13.
10120: Stefanie Schwerin, $229,618.02.
10276: Hilde Mosse, $3,568.15.
10276: Jutta Mosse, $18,352.06.
10690: Irma Metal etc., $8,590.98.
11042: Johanne Walter, $714.49.
11418: Carla Palm, $24,165.34.
11927: Isabella Kaufman, $15,364.23.
12987: Hildegard Palm, $25,346.90.
22742: International Telephone & Telegraph Corp., $33,106.93.
8526: Walter Bareiss, $4,798.21.
11788: Emil Hulles, $8,817.11.
11788: Paul Hulles, $8,817.12.
16004: Ernest Lorman, $13,911.25.
18270: International Harvester Company $1,233,404.53.
20235: Corn Products Company, $5,911,912.17.
9468: Chicago Pneumatic Tool co., $85,646.67.
9604: Eastman Kodak Co., $744,527.12.
10686: Peter Galich, $1,636.56.
11293: Rachel Grote Dickey, $48,466.79.
17426: Atlantic Richfield Co., $107,737.66. $107,614.64.
17528: Esso Standard Eastern Inc., $107,614.64.
17531: Esso Etandard Eastern Inc., $229,367.63.
18151: American Radiator & Standard Sanitary Corp., $769,329.89.
2561: Constantine Stephano etc., $7,621.09.
5420: Annie Ruben, $6,854.63.
18164: Horace Mayer, $11,152.70.
18164: Edward Willis Mayer, $11,152.70.
6234: Alfred Bach, $41,862.52.
6234: Elizabeth Bach, $23,921.44.
7173: Gertrud Riess, $130,177.21.
9796: United Shoe Machinery Corp., $2,009,611.75.
10698: Hella Stanton, $27,918.72.
6502: Mia DePeterse Hecht, $3,597.16.
6502: Hilda Branstrom DePeterse, $3,597.16.
14160: Adalbert Von Gontard, etc., $45,325.57.
14348: Eric Rehfeld, $3,222.25.
731: Joachim Hilton & Sidney Norris, etc., $20,342.36.
3394: Eli Trokenheim, $43,180.00.
7115: F. W. Woolworth Co., $664,405.57.
7116: Byron S. Miller, etc., $6,731.99.
7116: Bennett Chapple, etc., $6,731.99.
7389: Werner Goldschmidt & Eric Nagel, etc., $1,685.09.
13658: Robert Anninger, $16,643.02.
13659: Victor Anninger, $11,814.81.
13660: Ann Unger, $24,505.70.
22697: Elizabeth Konkiewicz, $6,383.11.
22739: International Telephone & Telegraph Corp., $4,966.76.
22741: International Telephone & Telegraph Corp., $40,243.74.
22743: International Telephone & Telegraph Corp., $27,894.97.
4186: Irene Coulter, etc., $13,162.46.
6139: Elfriede Elli Grunfeld, $23,184.87.
9529: Owe Toennies, etc., $12,384.47.
16781: Walter Reinemann, $3,495.06.
674: Mobil Oil Corp., 697,815.57.
6599: Herbert Jewell, $23,830.00.
10129: Francisco Toro, $3,529.69.
10129: Carlos Toro, $3,529.69.
10129: Gisela Walte, $3,529.69.
10129: Nieves Bassler, $3,529.69.
10206: Robert Steckler, $25,667.48.
10619: General Motors Corp., $6,326,705.87.
10619: General Motors Overseas Corp. (China), $47,928.84.
10619: General Motors Overseas Corp. (Philippines), $4,943.39.
10731: Equitable Life Assurance Society of U.S., $471,522.05.
493: Michael Devenis, $70,413.19.
15519: Susanne Von Schuching, $60,459.55.
15519: Isaac Schoenberg, $20,153.18.
15519: Elizabeth Brody, $20,153.18.
15519: Beatrice Rago, $20,153.19.
15520: Erna Menasche, $3,435.10.
16178: Frieda Heller, $1,381.81.
18150: Standard Oil Company of California, $109,522.25.
18150: Texaco Inc., $109,522.25.
17051: Robert A. Stein, $32,286.33.
18884: Worthington Corporation, $23,547.70
18893: Katharina Mimno, $12,949.30.
20237: Corn Products Co., $2,471,341.55.
8470: Swift & Co. (Illinois), $138,704.66.
8734: Samuel C. Coleman etc., $52,553.91.
6195: Randolph Jachman, $9,577.18.
7460: Rudolph Kaufman, $74,237.75.
5499: Aenne Romahn, $5,947.82.
5499: Charles Romahn, $8,921.74.
5499: Alice Romahn, $8,921.74.
7847: Richard Frederick Ury, $3,716.84.
7847: Kathe Ostwald, $3,716.84.
8390: Adam Koc etc., $86,391.84.
12067: Ulrich Strauss, $231,699.70.
17526: Esso Standard Eastern Inc., $253,893.28.
17527: Esso Standard Eastern Inc., $2,156,612.07.
17529: Esso Standard Eastern Inc., $56,420.73.
17530: Esso Standard Eastern Inc., $181,768.48.
17532: Esso Standard Eastern Inc., $9,472,418.27.
17533: Esso Standard Eastern Inc., $1,292,333.09.
17534: Esso Standard Eastern Inc., $438,104.51.
6575: Leon Neustadt, $9,998.62.
22752: Ulrich Strauss, $60,713.07.
1876: Albert Spenner, $167,917.36.
1967: United Fruit Company, $573,338.41.
2295: General Milk Company, $50,272.37.
4214: Harold Nebenzal, $144,574.00.
4323: Lincoln Judd, $382.64.
4323: Jadwiga Judd, $382.64.
4502: Arnold Bernstein, $393,176.96.
6239: Samuel Landau, $26,119.88.
7320: Ernest Rathenau, $1,238.87.
7332: Kathe Ostwald, $4,063.50.
7359: IBM World Trade Corporation, $1,627,787.65.
7625: Standard Oil Company New Jersey, $14,532,010.11.
7630: Luis Roever, $83,667.53.
7630: Rudolf Roever, $83,667.53.
7825: International Telegraph & Telephone Co., $125,843.66.
8243: Manfred Landers, $5,669.44.
8243: Ernest Landers, $2,375.69.
8243: Marie Hallgarten, $2,375.69.
8243: Ilse Hiller, $2,375.69.
8612: General Electric Company, $6,817,335.01.
8613: Texaco Incorporated, $366,806.34.
8617: International Securities Co., $1,814,925.21.
8617: The Singer Company, $81,081.55.
8825: Elsbeth Schultz, $450,374.70.
9333: Marie Garbaty etc., $278,299.21.
9333: Maurice Garbaty decd., $205,898.99.
9528: Ernest Herman, $471,972.32.
9528: Gunter Herman, $471,972.32.
9910: Siegfried Aram, $253.19.
10328: The Anaconda Company, $4,161.89.
11175: Betty Papanek, $116,690.26.
11641: Sea Oil & General Corporation, $73,737.52.
16480: Edith Tietz, $483,818.68.
16480: Herman Tietz, $80,636.45.
16480: Rosli Tietz Jasen, $80,636.45.
16563: Estate of David Paul Joffo decd., $14,929.00.
17341: Ruth Bendix, $21,237.10.
17627: Frederick W. Breuer etc., $21,767.88.
19940: Erwin Strauss, $4,359.06.
20236: Corn Products Company, $307,566.05.
20346: Konrad Valentin, $23,951.90.
22725: International Telephone & Telegraph Co., $10,450,700.51.
4670: Paul E. Hollos, $15,461.26.
8699: Jadwiga Zlobin, $11,206.06.
11622: Eric Warburg, $17,711.18.
11622: Anita Warburg, $8,855.59.
11622: Gisela Wyzanski, $8,855.59.
11622: Eric Warburg, $13,972.37.
8547: Reliance Insurance Company etc., $4,425.48.
9605: Eastman Kodak Company, $16,016.72.
4743: Harry Herrmann, $7,373.83.
8614: The Budd Company, $1,085,782.49.
14622: Monarch Life Insurance Company, $9,219.91.
Total, $101,279,146.54.

NATIONAL NEWSPAPER WEEK

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

Mr. DORN. Mr. Speaker, it is fitting and proper that the House of Representatives officially recognized and honored the great newspaper community this week, National Newspaper Week. It is a special pleasure for me to commend

the dedicated journalists and publishers who play such a vital role in protecting and preserving our representative democracy.

Mr. Speaker, it seems to be the order of the day among certain groups to lambast the press, to put on the pressure for more favorable presentation of the news about certain elements. And today, as in the past, it is the newsaper community that takes the lead in defending our priceless heritage of freedom of the press.

Newspapers have taken an important part in the development of our democracy and our free enterprise system. No other form of enterprise is specifically protected in the Bill of Rights as is the free press.

George Washington, Thomas Jefferson, James Madison, and the other Founding Fathers very wisely recognized that a free and independent press is absolutely essential to the preservation of individual liberty and dignity. One of the first actions of the First Congress in 1789 was to recommend to the States the ratification of the Bill of Rights, which, in the first amendment, contains the guarantee of a free press.

Every American should be familiar with the heroic action of John Peter Zenger, the patriotic New York editor who in 1735 was tried for libel because he had dared to criticize the conduct in office of the British Governor. Zenger's acquittal was the first official recognition in America of freedom of the press.

In our own State of South Carolina, newspapers have since the beginning been directly involved in affairs of the State. Political leaders used newspapers as the means of uniting their following. In other cases courageous editors and publishers have stood almost alone in providing a check and balance to movements that had temporarily taken over all political offices.

Mr. Speaker, we wish to especially recognize the weekly newspapers. Their editors are forthright and close to the thoughts of the people. They are uncontrolled by the giant syndicates. Our hometown newspapers are great bulwarks of freedom—academic freedom, religious freedom, intellectual freedom, and free enterprise. Usually the first move of a dictator is to eliminate freedom of the press. No dictator can exist for long with freedom of the press.

After the independent newspapers are shut down, and the government propaganda takes over, it is only a matter of time before the other fundamental freedoms are whittled away. Even in our own country we have been concerned recently with attacks from all directions. There are always those who would censor the press to provide a slant on the news. But free men have nothing to fear of a free press.

In the newspaper world, as elsewhere, eternal vigilance is the price of liberty. We must be constantly alert against government harassment and intrusion, however, sophisticated and indirect. We must guard against gradual government takeover of the free press.

Mr. Speaker, in my 32 years in public office I have found free enterprise press to be great allies of truth and justice in government. For me personally it has been a wonderful association with the press. Mrs. Dorn, a journalist, joins me in saluting and commending the American newspaper community during this National Newspaper Week.

CLEVIE DUPREE McNEESE

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

Mr. PEPPER. Mr. Speaker, on October 2, Clevie Dupree McNeese, 88, widow of Col. Oswald W. McNeese, and my wife's and my dear friend from 1937 until her passing, went to her reward.

Colonel McNeese who died in 1965 was on General MacArthur's staff and had a distinguished military record. Mrs. McNeese was of a distinguished southern family, the Overton family, closely associated with Andrew Jackson. She was born in Louisiana and received a bachelor of arts degree from Sophie Newcomb College and a graduate degree from Louisiana State University.

Mrs. McNeese not only read dozens of books every week from 1935 to 1963 but she gave a program known as the Friday forenoon book reviews at the Washington Club and the Sulgrave Club in the District. For many years she also conducted a book review program at the Shoreham Hotel.

Mrs. McNeese loved knowledge and she sought it with rare eagerness and joy. She was not only possessed with one of the keenest of minds but of a spirit exceptional for its beauty and sweetness. She radiated warmth and compassion along with the brilliant light of her learning.

She loved people as she loved books because she found in them the richness of character and soul and charm which she found in the intriguing world of knowledge. She was always modest and unassuming, gentle in manner and ever thoughtful of others. To know her was to love her.

Mrs. McNeese was an honorary member of the Colonial Dames of America. In her later years she traveled extensively. But she never lost her thirst for knowledge of the great world behind her and around her.

Colonel and Mrs. McNeese became two of my wife's and my dearest friends shortly after our arrival in Washington at the beginning of 1937, and we remained as close as friends could be until Colonel McNeese, gallant, handsome, soldierly gentleman as he was, finally passed away at 85, and Mrs. McNeese became ill. She and my wife were like sisters and my wife kept loving contact with her to the end.

Mrs. Pepper and I will always be indebted to Mrs. McNeese not only for the happy moments we spent with her but also for the inspiration we received from her. She enriched our lives as she did all the lives she touched and so many are poorer as well as sad that Mrs. McNeese has passed into the other world; into the companionship of that God she so much revered and so nobly served.

Mrs. McNeese has left behind three lovely sisters and three beautiful and noble daughters; Mrs. Fred Youngblood of Alexandria, Va.; Mrs. H. J. Vorder Bruegge of Memphis, Tenn., and Mrs. A. G. Bishop of Falls Church, Va., together with 12 grandchildren and two great-grandchildren.

So Clevie McNeese has left in her loving and honorable family and in the memory of countless friends and in numerous great deeds and thoughts a rich legacy to adorn the world she left behind and the world of the long future.

My wife and I extend our profound sympathy to all the members of Mrs. McNeese's family.

A SPEECH BY ROY D. STUBBS

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

Mr. PEPPER. Mr. Speaker, sometimes a letter from an old friend stirs within our hearts poignant memories. I have just recently had a letter from Roy D. Stubbs of Atlanta, Ga., a great lawyer, able prosecuting attorney in Florida, and longtime general counsel of the Coca-Cola Co., now 88 years young, sending me a copy of a speech he made in my campaign for the Senate in 1950 on the radio at Clearwater, Fla.

This is in the long ago but it warms my heart to see this eloquent expression of confidence and friendship from a cherished and distinguished friend. So I am pleased to have such an eminent witness of those times of turmoil about my efforts and hopes and dreams for my State and my country.

It will be gratifying to me to have it in the RECORD where some who wish to reexamine that tragic period may find it. So I hope, Mr. Speaker, I will be forgiven for any immodesty which may appear from my offering this able address of my friend for the RECORD. Friends and those who have been through such an ordeal as I experienced in 1950 will understand.

Hence, Mr. Speaker, I include the address of the Honorable Roy D. Stubbs, to which I referred, in the body of the RECORD:

ADDRESS OF ROY D. STUBBS

In behalf of the candidacy of Senator Claude Pepper for reelection to the United States Senate

Ladies and gentlemen of the radio audience:

This is Roy D. Stubbs of Fort Myers speaking in the interest of the candidacy of Senator Claude Pepper for re-election to the United States Senate from Florida.

I am doing this because thinking men and women all over this state are beginning to feel that there has not been an election in Florida for many years, which has meant quite so much to us as this one for the United States Senate. It does not seem to be too much to say that this election has assumed national proportions and has aroused national interest. Apparently, folks everywhere are interested. They are interested to know the "whys" and "wherefores" of this contest, people outside of Florida as well as well as people inside Florida.

That we are in a critical period of our country's history, no man can deny. Conservative people do not feel that this is the moment exactly, to foment friction and dis-

turbance, and stir up dissatisfaction and distrust among our people for our public servants, especially those in high places. But the hustings ring and certain elements are moving Heaven and earth to do that very thing.

At once, therefore, we ask ourselves why we are being urged to change horses during these anxious hours. Why we should discard men of experience for men without experience, in public affairs. Why we should swap the tried for the untried. At least, we are entitled to know what we stand to gain by trading Claude Pepper for some unknown politician who wants to get on the federal pay-roll as a United States senator. We want to know who these men are who aspire so suddenly to the top rung of the ladder. No one seems to know. A majority of the people of Florida have never even heard their names until they came recently into the public eye running for office. Let us not be stampeded, my fellow citizens, but rather, that they at least give us a reason why we should hand over to them the destiny of this state, in times like these.

Lots of us have been listening long to hear what they propose to do for us that Senator PEPPER has not already done, or what they propose, perchance, to undo. And they answer finding fault with the Senator and sanctioning by innuendo a whispering campaign. The people of Florida want constructive statesmanship right now. Not whispers. We are not interested to tear down, and heretofore men have not been elected to office in Florida, especially high office, because they malign the other fellow.

For example, one of the aspirants speaking recently in south Florida complained that Senator PEPPER had accepted invitations to speak on occasions in different parts of the United States, and this aspirant for office was especially upset that the Senator had even gone on one such visit, to Canada. And the opponents of the Senator complain that the acceptance of such invitations prevent the Senator from answering roll-calls and attending some of the other humdrum and drab formalities of the Senate.

They say that for this reason the Senator ought to be defeated. Of course we know that men without great ability are not recipients of such invitations and if the opponents of Senator PEPPER would only look about, they would be able to see that there are plenty of men of the other type already in Washington, making it unnecessary for us to send up any more. Florida is justly proud of the brilliance of our junior senator and the people appreciate his ability, his courage, his industry and his culture. It would be difficult to fill the place of Senator PEPPER under any conditions and it is suggested that we at least wait until some outstanding citizen of Florida makes himself available for this the highest post within the gift of the people of Florida.

And when these office-seekers talk about Senator PEPPER'S acceptance of these invitations to appear before distinguished assemblies and huge throngs of people all over the Nation, why do not they tell the people of Florida in the same breath, in all fairness, that Senator PEPPER has become a national figure and has done much by these very speeches to bring Florida into her rightful place on the political map of the United States, and while these speeches were not made with that end in view, it is probably true that they have been worth in advertising for our state the total of the senator's salary for a hundred years.

And if these same office seekers would inquire and learn, they could ascertain from the hundreds of businessmen from Florida constantly in the senator's office in Washington, that CLAUDE PEPPER is one of the hardest working men in this country and that no one has ever been more faithful to his job. There are but few men who would even try to stand up under the amount of work that this man does. This statement is not exaggeration nor the bombastic talk of an enthusiastic supporter, but the plain, simple truth and if the voters of Florida appreciate a man who works and works hard and intelligently for his constituency, they will send CLAUDE PEPPER back to the Senate.

You know a fellow's political opponents are some times hard to satisfy. They want his job and the salary that goes with it. And in their eagerness to feel the prestige and power of high, public office, they say a lot of silly things. For instance, they are dissatisfied that Senator PEPPER being a Democratic senator from a Democratic state has usually supported our democratic president.

They say this makes him a rubber-stamp. And they think this catchy phrase will befuddle somebody. Of course, if Senator PEPPER had not voted with the president, when it was to the interest of the people of Florida, they would have sought to recall him for that reason, and they would have been right. So the truth is that the opposition to Senator PEPPER is in deed and in fact a conspiracy. The Roosevelt haters and the Republicans want to defeat the Democratic administration and they rightfully regard Senator PEPPER as a part of it.

Mind you, they do not tell us one single thing that the present administration has done, one single statute that has been passed, which they propose to repeal. Not on your tin-type. They would not do that. That would be coming out in the open, and they can not stand the sun light. So they talk in vague generalities and lend their support to whispers, slanderous whispers based upon ridiculous nonsense and distortion of the facts, slanders which if brought into the open would not be tolerated by any right-thinking man or woman.

The opposition to Senator Pepper knows that when a republican is elected president of these United States a democratic Senator in Washington is practically without influence; he would not even be able to influence the appointment of a post master at a cross-roads hamlet and all of the important federal offices in Florida would be filled by strangers, largely from outside Florida.

They know that the sole business of a democratic senator under a republican administration is to attend those drab formalities of the senate, to which I have alluded. They know that the influence of the South in the nation's capitol would be gone and that in Florida, the strangers within our gates would be in the driving seat, the republican president pulling one way, and the democratic senator from Florida pulling the other, with the ultimate destination, so far as Florida is concerned, of exactly nowhere.

And yet, this is the price that Senator Pepper's opposition would have us pay to rid ourselves of what they are pleased to term a "rubber-stamp." If they want the truth, here it is—listen—Claude Pepper will never be dictated to by any group of people, large or small, powerful or not, whose opposition to him is based upon hate to the head of this nation, and especially, when as now, he is also the commander-in-chief of our armed forces, right now engaged in a deadly struggle for the life or death of our very existence; no.

The fidelity of Senator Pepper to the philosophy of the great masses, like that of the president himself, will not change, and if this constitutes him a rubber-stamp, his opponents will have to make the best of it, political threats to the contrary notwithstanding.

In conclusion, let us reason together after this manner: First, let us remember that our country is at war and that the flower of the young manhood of Florida is in the four corners of the world, laying down their lives in order that we at home may live in peace and happiness and prosperity, and then—let us remember that Claude Pepper, a veteran of the first World War and a ranking member of the Committee on Foreign Relations of the United States senate, has an understanding heart that beats in sympathy with our boys over there.

Remembering this, the fathers and mothers of Florida will not lightly hand over their welfare and security to an inexperienced office-seeker running upon a platform of hate to the commander-in-chief of these boys, a hate so bitter and unreasonable until it would damn any man or woman who supports him even when he is right. And thus remembering, may I suggest that the electorate of Florida will on May 2nd., rise above petty jealousies, and turning a deaf ear to the slanderous rumors and whispers that fill the air, and thinking first of Florida and her sons in her service, they will return to the senate, the man who is already filling with distinction and honor and dignity, the office of a United States senator from Florida: the Honorable Claude Pepper.

TRADE ADJUSTMENT ASSISTANCE ORGANIZATION ACT OF 1973

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

Mr. CULVER. Mr. Speaker, today I am introducing legislation which attempts to develop practical and timely economic adjustment programs to help workers, companies, and communities hard hit by foreign imports.

I introduce the Trade Adjustment Assistance Organization Act of 1973 at the end of the 92d Congress in the hope that my colleagues and the executive branch will fully recognize that the Nation needs workable solutions to the economic issues which confront us—loss of jobs, continuing inflation, and our mounting trade deficit—and that in response to these issues the Congress and Executive will work together to give this or a similar bill a very high priority on the legislative agenda of the 93d Congress.

For the past four decades the United States has pursued an outward looking foreign trade policy—a policy designed to seek freer trade, from which all nations could benefit economically and politically. The United States did not take this course until after learning, in the hard school of the depression and Smoot-Hawley years, the grave disadvantages of indiscriminate trade restrictions—political isolationism and retaliatory trade barriers, which in turn forced many American businesses to lay off workers. Since 1934 and the enactment of the Reciprocal Trade Act, and especially after World War II, the United States has encouraged cooperative and interdependent international economic policies. On balance, the result of our outward looking foreign economic policy has been U.S. economic growth with increased sales abroad, strengthened economic and political relations with foreign countries, and an increased standard of living at lower costs to consumers in the developed countries, including the United States.

Over the last year, however, there has been growing concern in the United States about our mounting trade and balance-of-payments deficits combined with an intolerable 5 to 6 percent unemployment rate. We are confronted with these

facts, but have been unable to reach a consensus as to their root cause, and more important have, to date, been unable to develop truly constructive solutions.

Some concerned citizens have pointed to unfair trade practices engaged in by foreign companies and governments, which have gone unchallenged by the Executive. Others have suggested that the root of our employment and trade difficulties are to be found in our domestic economy, through the lack of economic policies effectively controlling inflation, and the lack of economic policies to stimulate innovation, productivity and vigorous competition.

But one fact is clear. Millions of American workers are gripped by the fear that imports are undermining their job security, and they are joined in this fear by diverse industries which feel the pressure of foreign competition.

As a result, we are witnessing the shift of more and more of our Nation's business, labor and economic leaders from an outward looking foreign economic policy to a more protectionist one, and have seen the introduction of legislation which would greatly restrict imports across the board as well as the activities of American companies abroad.

These events are warning signals that the United States must develop and pursue fresh concepts to meet the problems of economic dislocations caused by imports.

THE NECESSITY FOR A WORKABLE TRADE ADJUSTMENT PROGRAM

In the last year, the Subcommittee on Foreign Economic Policy, which I chair, held a series of hearings on the domestic and foreign ramifications of U.S. foreign economic policy. We examined successively the economic impact of enlargement of the European Common Market; the international implications of the new economic policy; and the state of our politico-economic relationship with our two largest trading partners, Canada and Japan. From these hearings there are a few facts on which a consensus did emerge.

First, to the extent the United States reacts unilaterally in the world economic arena to trade and international monetary problems, we risk incurring foreign political losses which could seriously endanger our country's security. Furthermore, there is every reason to believe that the unilateral imposition of trade restrictions by the United States would provoke retaliation in kind by our trading partners. The resulting trade wars can only seriously undermine our general economic well-being. As in the 1930's American jobs will be lost, not gained because of trade wars.

Moreover, import restrictions damage the U.S. consumer by reducing competition for domestic producers and permitting them to raise prices. It is estimated that present U.S. trade restrictions now cost U.S. consumers as much as $10 to $15 billion every year.

In a State such as Iowa, which I represent, both consumers and working people have no cause to rejoice in a trade war since exports are a vital part of Iowa's economic base.

Agricultural exports shipped from Iowa to foreign markets accounted for $620 million in fiscal year 1972; and the State was again second in the Nation in total as well as per capita exports of farm products. Most important, Iowa's growth rate in agricultural exports leads the Nation.

Iowa is also a major exporter of manufactured goods, ranking 11th among the States in per capita exports of these products. Iowa's export trade in manufactured goods nearly doubled in the 1960's and continues to grow.

Cedar Rapids, for example, is the States major producer of manufactured goods for exports, predominately farm and heavy duty road equipment, as well as electrical and food products.

Waterloo also exports large amounts of farm and road equipment: and other important export centers are Dubuque, Des Moines, and the metropolitan area of Davenport.

Second, the concerns being voiced by labor and management in the adversely affected sectors of our economy are real concerns, and cannot be ignored or answered by resorting to the vague conceptual slogans of either "free trade" or "protectionism."

Third, trade adjustment assistance, in its present form as enacted in the Trade Expansion Act of 1962, has been employed so ineffectively and so marginally that continued business and labor criticism of adjustment assistance as nothing but "burial expenses" must be accepted.

For workers the assistance was supposed to be extra unemployment and retraining benefits. For companies the program specified loans and technical advice in modernizing their production facilities or moving them into new product lines. But in 10 years after these laws were placed on the books, the actual record of accomplishment is pitiful. Only two companies and 20,000 workers have been temporarily helped, while another 17 companies and their workers, who did manage to survive the dense bureaucratic jungle necessary to qualify for assistance, have to date, received nothing useful to help them.

We must face the fact that adjustment assistance as it was enacted 10 years ago was unworkable and obsolete the day it was passed.

The emphasis today must be put on a better delivery system, more substantive assistance and an early warning network to spot in advance those industries and companies which are running into trouble. Then Government assistance can be useful before the company is financially beyond hope, and it can enroll workers into training programs before their skills become obsolete. The Government must anticipate problems and identify industries likely to become uncompetitive. But, most important, the assistance must be adequate, practical—and quick. Otherwise, we will always be in a position of doing too little, too late.

As a result of its failure to soften the burdens of foreign competition by the rapid reemployment of workers and resources into more profitable and productive enterprises, trade adjustment assistance has failed to encourage large segments of business and labor to continue to support an outward looking foreign policy. Now, we find that many of those who have grievances against foreign competition are supporting legislation to restrict international trade as the only alternative to deal with damaging foreign imports.

It would be irresponsible to dismiss this understandable action without suggesting any viable alternative. In view of the tremendous impact which imports have had on workers, industries and entire communities, a positive alternative to trade restrictions and trade wars is called for.

THE TRADE ADJUSTMENT ASSISTANCE ORGANIZATION ACT OF 1973

In April and May of this year, the Subcommittee on foreign economic policy held seven days of hearings to examine workable mechanisms for economic conversion as an alternative to trade wars. During these hearings, the subcommittee received testimony from knowledgeable private witnesses drawn from former Government officials, universities, public interest groups, labor, and business, as well as from key Government officials.

The general consensus reached during the hearings was that trade adjustment assistance has not been given a meaningful test. That the trade adjustment assistance program provided for in the Trade Expansion Act of 1962 in its design could not work and therefore has not; and that, most important, a trade adjustment assistance program can be designed to provide prompt and effective assistance to the workers, firms and communities who need it—at a lower cost to the economy than, and without the foreign policy disadvantages of import restricting relief.

For the purpose of providing a workable alternative to trade restrictions and trade wars, I am introducing today the Trade Adjustment Assistance Organization Act of 1973.

This bill is based on the recommendations made in the subcommittee's report on trade adjustment assistance, and is, in my opinion, a reasonable and constructive means of making adjustment assistance, a workable answer to economic dislocations caused by imports. The bill is, however, open for refinement and I welcome any constructive suggestions.

In submitting this legislation I would like to raise an inherent broader issue which presented itself in our hearings—the issue of developing a national industrial conversion and manpower training program.

TRADE ADJUSTMENT ASSISTANCE—A MODEL FOR A NATIONAL PROGRAM

We live in an era of "future shock." The social and human costs of economic dislocation caused by rapid technological change, changes in consumer tastes, Government procurement programs, international trade, and other factors, make the development of effective adjustment mechanisms imperative where such dislocations occur.

Viewed in the context of the various

factors which can cause economic dislocations, it is hard to justify helping workers suffering unemployment for some reasons while neglecting others whose unemployment arise from different causes equally beyond the workers control. To a firm or worker thrown out of business by impersonal forces, it makes no difference whether the cause is increased imports, or changing technology, or rapid and sudden shifts in Government programs. Textile firms and workers in the Northeast were probably hurt far more by the internal relocation of their industry to the South than by imports from the Far East. Similarly, the aerospace engineer in California now driving a taxicab can attribute his misfortune to diminution of the U.S. space program, not construction of the Anglo-French Concorde. And the family farmer who leaves his land because he cannot compete with the mechanized efficiency of large corporations may never have even heard of the variable import levy restrictions on his potential exports to the Common Market.

Moreover, as the Vietnam war and our orientation toward a military economy wind down, and as the 1970's bring a new awareness of the human and environmental problems which confront the Nation, we must develop a national priorities and economic conversion program which would serve to shift industry from less productive areas to those for which there is a need for greatly expanded services, manpower, and capital investments—health, education, energy, low cost housing, pollution control, mass transportation, and rural and urban development.

To deal more effectively with the problems of unemployment, inflation, low productivity, lack of competitiveness, worker dissatisfaction, and redirecting our economic priorities, the United States must commit itself to the development and implementation of national manpower and industrial priority programs. It is time to develop mechanisms to provide adequate training and retraining opportunities with the genuine prospect of a job at the end of the line for all workers.

However, with the imminence of new multilateral trade negotiations, it is all the more timely to develop a workable trade adjustment assistance program, which can also serve as a demonstration model for a national manpower and industrial program. Moreover, a strong trade adjustment assistance program will strengthen our position in international economic negotiations as well as fulfill an important responsibility to our domestic economy.

Mr. Speaker, I am happy to be joined in the cosponsorship of this legislation by my subcommittee colleague, Mr. WHALEN, who took a most active part in the hearings and the preparation of the trade adjustment report. At this point I would like to submit a summary of the Trade Adjustment Assistance Organization Act of 1973:

A SUMMARY OF THE TRADE ADJUSTMENT ASSISTANCE ORGANIZATION ACT

TITLE I—REORGANIZATION

Since the effective administration of an improved adjustment assistance program required a cohesive organization which can provide greater coordination at the Federal and state levels, this title transfers the trade adjustment assistance functions of existing Federal agencies to a newly created Trade Adjustment Assistance Administration, which will be in the Labor Department.

This new Administration will absorb all or parts of the following existing offices:

(1) The Office of Trade Adjustment Assistance of the Commerce Department;

(2) The Office of Trade Adjustment Assistance of the Labor Department;

(3) The adjustment assistance functions of the Tariff Commission; and

(4) other relevant Federal programs.

The Administrator, appointed by the President, will be the chief executive of the Trade Adjustment Assistance Administration. He will be authorized to establish, certify and support training programs, and to coordinate the Administration's activities with local and state bodies.

To help anticipate adjustment problems, identify industries most in need of modernization, establish national economic priorities, and review operations, an Economic Priorities Council will be created. It will consist of twelve members, three from labor, three from industry, three from consumer groups, and the Secretaries of Commerce, Treasury and Labor. Appropriate staff will be provided by the Department of Labor and the Trade Adjustment Administration.

TITLE II—ASSISTANCE

Subtitle A establishes a simple criteria for eligibility for benefits under this Act. This simplified criteria will expand coverage and speed up delivery of benefits. The Secretary of Labor will be responsible for determining the eligibility of workers, companies and communities.

A firm shall be eligible for economic adjustment assistance if it establishes that a significant number or proportion of its workers have become unemployed or underemployed or are threatened with unemployment or underemployment, and that the situation has been caused in substantial part by increased imports of articles competitive with articles produced by the firm without linkage to trade concessions.

Workers shall be eligible for economic adjustment assistance under the same criteria as firms, as well as in the situation where the relocation or proposed relocation of facilities of the firm to a place outside the United States causes, or threatens to cause unemployment or underemployment.

Communities shall be eligible for economic adjustment assistance if—

(1) a firm in such community is eligible for economic adjustment assistance and the economic situation of the firm has been a substantial cause or threat of serious injury to the economic base of the community, or

(2) if the relocation or proposed relocation of facilities of a firm will be a substantial cause or threat of serious injury to the economic base of the community.

To the extent practicable, joint firm-worker and firm-worker-community adjustment proposals and petitions should be encouraged. Such cooperation would expedite economic readjustment. Lacking such coordinated efforts, the Administrator shall notify the authorized representatives of all affected parties of pending petitions and adjustment proposals and consult with them in order to develop a coordinated economic adjustment program.

Subtitle B provides for assistance to firms. Companies deemed eligible for assistance will be entitled to make application for the following forms of assistance:

(1) interim financing pending the approval of longer term loan assistance;

(2) loan terms more favorable than existing commercial rates;

(3) technical assistance; and

(4) research and development assistance for projects which would create new job opportunities.

Subtitle C would expand the present adjustment assistance program under the Trade Expansion Act of 1962 by increasing the amount and availability of benefits to eligible workers. To assure maximum equitable coverage and a minimum of hardship, a 60 day time limitation is placed on final determination of eligibility, and the qualification criteria concerning previous work, earnings and head of household status are liberalized so that there is a broad qualification for those workers who have been separated from their jobs. In addition, the readjustment allowance in this Act is raised from 65 percent to 85 percent of the displaced workers average weekly wage rate.

In order to encourage workers to seek retraining, workers who, in addition to their readjustment allowance, receive assistance from other manpower services—such as State unemployment or retraining programs—will now be eligible to receive 100 percent rather than 75 percent of their former wage. Eligible workers will not, however, be able to receive more than 100 percent of their former wage. Payment of readjustment allowances continues for the entire period of retraining, and the length of the retraining period is left to the determination of the Administration so that the period is adequate to complete the extensive training required for high skilled services and technologically advanced industries. Furthermore, qualified workers will be allowed to pursue technical, professional or academic training as well as the traditional vocational training.

To assist workers, the Administration will develop retraining programs teaching skills needed for priority economic areas, and will provide testing, counselling and job placement assistance.

Workers still employed but who can demonstrate that they are threatened by loss of employment in the future will be eligible for retraining programs.

In addition, the Administration will provide relocation assistance, continuation of health insurance, and speeded up retirement, pension and social security benefits for otherwise eligible displaced workers who are over 60 years of age.

Subtitle D provides economic adjustment assistance to communities. Adjustment assistance under this subtitle consists of technical assistance in the development of programs to enable communities to absorb the effects of economic dislocation and maintain a stable economic base by diversifying its industrial base, and wherever possible to reconstitute the local firm and its work force. In addition, the Administration shall submit to, and coordinate the communities adjustment proposal with the agency or agencies it determines to be appropriate for furnishing the technical and financial assistance to carry out the adjustment proposal.

TITLE III—RELOCATION OF FIRMS

This title provides that any firm which relocates facilities outside the United States must apply for all economic adjustment assistance for which its workers are eligible. In addition, such firms are required to offer first choice of future employment opportunities in their other production facilities to individuals at the old location who have been or will be rendered unemployed or underemployed by reason of the relocation of facilities. This should be done in cooperation with the appropriate labor representatives.

TITLE IV—AN EARLY WARNING SYSTEM

In order to have an effective adjustment assistance program there must be a mechanism which can spot in advance economic hardship among industries and workers so the government can then initiate adjustment programs before the hardship actually occurs.

In recognition of this factor, Title IV directs the Trade Adjustment Assistance Ad-

ministration to develop an integrated system of foreign and economic statistics. In addition, it requires, on a confidential basis, advance notice of corporate decisions to relocate facilities abroad, which would result in reduction of workers.

GENERAL LEAVE

Mr. ARENDS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks on the subject of Mr. McCLORY's special order, and to include extraneous material.

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

RECESS

The SPEAKER. Pursuant to a previous order of the House, the Chair declares a recess subject to the call of the Chair, but not later than 10:30 p.m.

Accordingly (at 9 o'clock and 38 minutes p.m.), the House stood in recess subject to the call of the Chair.

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 10 o'clock and 30 minutes p.m.

THE HOMEMAKER-HEALTH AIDE SERVICE, INC., NORTHAMPTON COUNTY, PA.

The SPEAKER. Under a previous order of the House, the gentleman from Pennsylvania (Mr. ROONEY) is recognized for 5 minutes.

Mr. ROONEY of Pennsylvania. Mr. Speaker, I am pleased to bring to the attention of my colleagues a tribute given to the Homemaker-Health Aide Service, Inc., of Northampton County, Pa.

The Homemaker-Health Aide Service, Inc. of Northampton County, Pa., is among the first in the country to be granted a certificate of approval by the National Council for Homemaker-Home Aide Services. The certificate was presented by Dr. Ellen Winston, president of the National Council and former U.S. Commissioner on Welfare, at the National Council's Regional meeting in Boston, Mass., September 21, 1972.

Homemaker-Health Aides in Northampton County give care to children and families, to the aged, to the chronically ill, to convalescents, and to the mentally ill or socially incapacitated.

The availability of Homemaker-Health Aides often means the difference between institutionalization or foster care for children, aged or ill and the chance to remain in their own homes.

Northampton County Homemaker-Health Aide Service has saved tax dollars by keeping the elderly in their own homes rather than in institutions. Some examples of the service are:

Mrs. V., age 65, living on social security, who is suffering from inflammation of muscles and degenerative arthritis of the spine. Homemaker-Health Aide Service has been caring for this woman since 1970, free of charge. Institutional cost would have been $8,000.

Mrs. H., age 70, living on her social security, has a diagnosis of tumor of the right side of face, hiatus hernia, cardiac enlargement and allergic bronchial asthma. Homemaker-Health Aide Service has been caring for this lady since February 1968. It would have cost the taxpayer $20,000 to institutionalize Mrs. H.

Mrs. F., age 60, on social security, has uremia and renal rickets. She must use a dialysis machine and could not possibly remain in her own home without this agency's help. Service began in December 1970, and is provided daily, at no cost to the client. Taxpayers were saved $8,000 by maintaining Mrs. F at home.

This type of service in Northampton County not only has saved dollars, but has made many of our elderly happy, because they are still a part of their community. Home care in many instances is more economical and certainly provides for a more contented elderly population.

Because of lack of funds to employ additional staff, some cases are being rejected by this agency.

More money is needed to continue to provide these services. Local United Funds and county tax dollars are now being used to maintain these people in their homes.

THE HONORABLE CLIFFARD D. CARLSON, MEMBER OF CONGRESS FROM THE 15TH DISTRICT OF ILLINOIS

The SPEAKER. Under a previous order of the House, the gentleman from Illinois (Mr. McCLORY) is recognized for 5 minutes.

Mr. McCLORY. Mr. Speaker, I have asked for this special order so that appropriate recognition may be given to our esteemed colleague from Illinois, CLIFFARD D. CARLSON, who represents the 15th Illinois District in the House of Representatives.

Mr. Speaker, although our colleague, Congressman CLIFFARD D. CARLSON, of Illinois' 15th Congressional District, has served only a brief time in the Congress, he has established himself as an able lawmaker and conscientious student of the legislative process.

Mr. Speaker, it is my privilege to be a candidate for office in the new 13th Congressional District of Illinois which includes the major part of Kane County—an area which is now served so ably by Congressman CARLSON.

Mr. Speaker, in addition to my intimate contact with CLIFF CARLSON and the thoughtful and attentive manner in which he has fulfilled his legislative duties, I am privileged to count him as a close personal friend.

Mr. Speaker, I am confident that there will be further opportunities for CLIFF CARLSON to render useful public service either in a future Congress or in some other appropriate capacity.

Mr. Speaker, I extend to CLIFF CARLSON and his attractive daughter, Carol, the best wishes of my wife Doris and me for a future of good health and much happiness.

I now yield to the gentleman from Illinois, the distinguished minority whip.

Mr. ARENDS. Mr. Speaker, on April 4 of this year, my warm and good friend, CLIFFARD CARLSON, of Geneva, Ill., was elected to Congress from the 15th District to fill the unexpired term of our former colleague, Charlotte Reid, who had voluntarily retired.

Since CLIFF, as we affectionately call him, came to Congress, we have come to realize that his election was a wise choice, indeed, on the part of his voting constituents.

I certainly have enjoyed serving with him here. He has been a diligent, hard-working Member of the 92d Congress. He quickly learned his way around these Halls and has conducted himself in the finest possible way. He has earned the respect and admiration of his colleagues.

When CLIFF arrived here, he was assigned to the important Committee on Education and Labor. He served well, and soon became acquainted with the many involved proposals coming before that committee.

CLIFF CARLSON will be with us as a Member of Congress until January 3, 1973, when the 92d Congress comes to a close. This Congress has benefited from his service here. Not only his Republican friends but many from the other side of the aisle have all benefited by the opportunity to know and work with this fine gentleman.

Whatever CLIFF CARLSON'S future holds, our very best wishes go with him.

Mr. McCLORY. Mr. Speaker, I now yield to the gentleman from Illinois (Mr. RAILSBACK).

Mr. RAILSBACK. Mr. Speaker, I have had a chance to watch many legislators come and go. Some are diligent, some are not. Some are intelligent, some are not. CLIFF CARLSON from Illinois has been a credit to Congress and to Illinois in both respects. He has worked arduously to see that his constituents have been well represented. His attendance record is unsurpassed and in a relatively short period of time he has grasped the intricacies of the legislative process. As an outstanding businessman, he has time after time demonstrated his concern for cutting out the waste in Government spending. I join with my colleagues in wishing him great success in the future and also to encourage him to continue in Government to further benefit our country.

Mr. McCLORY. Mr. Speaker, I now yield to the distinguished gentleman from Illinois (Mr. FINDLEY).

Mr. FINDLEY. Mr. Speaker, the service of our colleague, CLIFFARD CARLSON of Illinois, has been brief but excellent. In a short time he mastered the legislative process, besides ably representing district interests.

In a sense, he is a stand-in for Les Arends who, hopefully, will represent the district in the 93d Congress.

I hope political fortunes will some-

day return him to this Chamber, where he has many friends and admirers.

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

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

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

The fact that CLIFF CARLSON is here this evening at this late hour when he is not a candidate for reelection speaks very highly of his dedication to the responsibilities of this office. It is occasions like we have at the present which tend to prove the great wisdom of this individual who is not seeking reelection to this body.

We all wish CLIFF CARLSON well in the future, and we are better because he has been here.

Mr. McCLORY. I thank the gentleman from Iowa very much for his kind remarks.

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

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

Mr. FINDLEY. Mr. Speaker, as the gentleman knows, I have already expressed my high regard for CLIFF CARLSON, but I would like to take this opportunity, although it departs from the Carlson theme, to take notice in the Chamber tonight of a man who entered this body as the member of the 87th Club, the same class that I was in, and I feel has served as a Member of this body in a very singular way. I am speaking of DURWARD HALL of Missouri.

He is the total Republican representation from the State of Missouri in this body, and he has held up that responsibility very well. But in a broader way I know that Members on both sides of the aisle have felt that their work here is easier because of the diligence of "Doc" HALL. He has been here every day and all day. On those rare occasions when I have stepped in the Chamber and have noted the absence of Dr. HALL, I have felt that the Chamber was missing something of very great importance. It was not complete. He gets under the skin of some Members. He digs. He asks questions. Nothing ever slips by him. I dare say that he is one of the best, if not the best, informed Member of this body on the rules of procedure of this House, and in my view he is really a priceless Member. He is here even at this late hour, perhaps the very last day of his service, sitting in his seat on the aisle, as he has been for so many weeks, vigilantly watching every piece of legislation, getting on his feet, raising questions, challenging motions. He is really a fine example of public service. He is devoted to this Chamber, to the Congress, to the Constitution, and his country. He has literally guarded the legislative gates for more than a decade. We all owe him around of applause.

Mr. McCLORY. I thank the gentleman from Illinois, and the gentleman from Missouri certainly deserves that round of applause.

Mr. TEAGUE of California. Mr. Speaker, will the gentleman yield?

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

Mr. TEAGUE of California. Mr. Speaker, I had the privilege of meeting DURWARD HALL before he came to Washington. He was the family doctor for my wife's family back in Missouri. They not only thought highly of him as a man, but as a physician. I want to associate myself with the remarks just made by the gentleman from Illinois, and to assure Dr. HALL that we will all miss him very much.

I do not know what in the world H. R. GROSS is going to do without his executive officer.

Mr. McCLORY. I thank the gentleman from California.

I placed some remarks in the RECORD today appropriate for the occasion also directed to our distinguished colleague from Missouri (Dr. HALL).

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

Mr. McCLORY. I yield to the gentleman.

Mr. ARENDS. Let me also take this opportunity to make some remarks about our colleague who is likewise in a somewhat similar position to that of CLIFF CARLSON—and that is BILL CONOVER—who was elected to fill the unexpired term of our late lamented friend from Pittsburgh, Congressman Fulton. BILL CONOVER, who served for this short time, has served ably and well and has done an exceedingly extraordinarily fine job in the short time that he has been here serving the people of his district and the Nation.

Mr. PRICE of Illinois. Mr. Speaker, I join the gentleman, Mr. McCLORY, in his tribute to our distinguished colleague from Illinois, the Honorable CLIFFARD CARLSON.

CLIFF CARLSON has been a Member of this body only since April of this year, by virtue of a special election to fill the vacancy created with the appointment of the Honorable Charlotte Reid to the Federal Comunications Commission. But in the months he has been here he has earned the respect and admiration of the membership on both sides of the aisle. Active in his committee assignments and floor work, he quickly won he respect of his colleagues.

A successful businessman in Geneva, Ill., he carried his experience into his congressional work, and was effective in his chief efforts to encourage efficiency and economy in the operation of government.

CLIFF CARLSON, though here only a short time, made many friends and won much respect among the House membership. I am particularly pleased that I had the opportunity to meet and to know this man.

Mr. COLLIER. Mr. Speaker, our colleague CLIFF CARLSON of Illinois has been a member of this body slightly just a year. He was elected to fill the vacancy of Representative Charlette Reid, for whom he had campaigned arduously each time she ran for office. With the reapportionment of Illinois, CLIFF chose not to run for reelection and now reaches the end of his short career in the House. While I knew CLIFF in private life, I really did not have the opportunity to know him socially and professionally until he became one of our colleagues.

Like the rest of our Illinois delegation and many others in this body, I am going to miss him. I suppose we all feel a void when a fine gentleman leaves our midst. CLIFF has been a dedicated Member of this body and one who has contributed a great deal even in the short time he was here. I wish him well as he retires from Congress; but I draw great satisfaction in knowing that he will continue to make a great contribution to his district and his country when he returns to private life—resuming the achievement which have made him a success in business throughout his life.

Mr. ERLENBORN. Mr. Speaker, for many years the House was graced with the presence of Mrs. Reid of Illinois and we were sorry to have her leave. But her replacement in the few short months of his service has endeared himself to his colleagues. We are glad that he has had this opportunity to serve his district and pleased to have had this time to be associated with him.

I have known CLIFF CARLSON for many years as Mr. Republican of Kane County, Ill. His service to our party has been acknowledged in his election as State central committeeman and now as Congressman from the 15th District. I shall miss him in the coming Congress both as an Illinois neighbor and as a fellow member of the Education and Labor Committee.

I know that the entire membership of the House joins with me in wishing him good luck, Godspeed, good health, and good luck in the years ahead.

LEGISLATIVE PROGRAM

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

Mr. BOGGS. Mr. Speaker, I have asked for this time in order to try to inform the Members as to the progress that we have made. As you know I informed the Members a few minutes ago that there were three conference reports still out—on H.R. 1 and on the debt ceiling and on the highway bills.

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

Mr. BOGGS. I yield to the distinguished chairman of the Committee on Ways and Means.

Mr. MILLS of Arkansas. I thank my friend, the gentleman from Louisiana.

To inform the membership of the status of two conference reports that we have been working on for some time—we have completed the conference report on H.R. 1. I think we have a complete conference agreement on the debt ceiling—at least when I left the room we did—but before we can bring the first of those two conference reports back to the House our people are going to have to have about 50 more minutes to do the paper work—that is on H.R. 1—and by the time we get through with H.R. 1 I am told that they will have the paper work all done on the debt ceiling so that we can take that up immediately thereafter.

I hate to keep the House in session this late of course, but if we want to adjourn tonight I would say to the majority leader that it is possible for us

to do it if you will just be a little bit patient with your House conferees.

Mr. BOGGS. I thank the gentleman from Arkansas.

U.S. ENERGY SECURITY IN A CHANGING WORLD

(Mr. CULVER asked and was given permission to extend his remarks at this point.)

Mr. CULVER. Mr. Speaker, over the past month, the House Foreign Affairs Subcommittee on Foreign Economic Policy has held a series of informational hearings on the Foreign Policy Implications of the Energy Crisis. The purpose of these hearings was to examine the interlocking nature of our domestic energy policies and our foreign economic and political policies. Specifically, the subcommittee focused on our Nation's increasing dependence on Middle East energy imports, the alternatives available to us on both the demand and supply side, and the implications of these projections for the United States as a member of the world community.

As chairman of the Subcommittee on Foreign Economic Policy, I am taking this opportunity today to report to you our basic findings as well as to convey a few personal conclusions which I have reached for alleviating these highly interdependent problems.

WHY THE ENERGY CRISIS?

One certainly cannot look at the pressing foreign policy problems associated with the emerging energy crisis without first asking why there is a crisis at all. Four principal factors have conspired to change radically our Nation's energy picture: First, an ever-increasing consumption demand; second, the recent leveling out in domestic output of oil and natural gas; third, our new environmental consciousness and its attendant restrictions, and fourth, the failure of our Government to exert leadership in developing alternative or unconventional energy sources, with the glaring exception of its single-minded pursuit of the liquid metal fast breeder reactor.

Taken together this means that the United States is no longer self-sufficient and will have to look abroad for a large portion of its energy supplies in the next two decades. We have already passed the crossover point where the question—to import, or not to import—is any longer a live policy option.

In redressing our domestic supply-demand imbalance, the need for statecraft will be great. For the world in which we will have to deal to get our energy will be most difficult. That world will be characterized by potential new stresses in our relations with industrialized, energy have-not allies in Western Europe and Japan, who are also experiencing rising demand and who will continue to consume with us most of the world's energy output, and delicate relations with the oil-producing countries of the Middle East and North Africa, who have the lion's share of the world's reserves and who have recently determined to negotiate the control of their resources away from the once dominant international oil companies.

UNITED STATES AS WORLD'S LARGEST ENERGY IMPORTER

The United States' consumption of primary energy resources—composed primarily of the fossil fuels: oil, natural gas and coal—continues to accelerate at far in excess the rate of our population growth. We are consuming our nonrenewable fossil fuel resources at a rate that doubles every 16 years.

Oil and natural gas together make up 75 percent of the energy used by Americans today. Coal, which we have in abundance, is being used proportionately less and less because of the environmental problems it creates. Nuclear energy has been slow in coming and still represents only a small fraction of our overall consumption. In short, we are a fossil fuel-based economy and we will continue to be so for the next several decades.

The energy problem we face is an arithmetic one of finite resources vs. consumption moving in geometric progression. Some say, for example, that we could dig 16 billion barrels of oil out of the Continental Shelf, but that is only a billion barrels a year over the next 16 years, and we are going to be consuming annually some 15 billion barrels by 1985. Cries for more and more drilling are not going to solve the problem. Oil, gas and coal fields do not reproduce themselves. Every time one is drilled or mined, there is one less to go. Half of the coal ever mined has been taken from the ground since World War II; and more oil will be used in the 1970's than in all previous history. The fossil fuel age will not be with us forever.

The classical view of energy has assumed its natural beneficence, and the more quantity the better. In recent years, however, we have learned the hard way that energy can be the nemesis as well as the servant of man. The environmental consequences of our spiraling use of energy are profound. About two-thirds of any fuel we combust escapes into the environment. New York City and Los Angeles today dissipate from automobiles, air conditioners, and other modern conveniences more energy than falls upon those cities from the sun. To paraphrase Lord Acton's famous dictum, "All Power Pollutes." Unfortunately, foreseeable alternatives to our conventional energy sources also produce their own forms of environmental delegation.

FUTURE ALTERNATIVES ENERGY STRATEGIES

In the course of our hearings, we brought technical and foreign policy experts together so that we might overcome the compartmentalization that has grown up and begin to see these problems as a whole. No one challenges the fact that what we do or fail to do now in the energy field will substantially influence our future relations abroad. One of the principal purposes of the hearings, therefore, was to determine when alternative energy technologies and methods could mature and thus reduce our dependence on foreign supplies.

None of the alternative energy technologies will come on stream in time to meet our soaring demand. Given the long leadtimes involved in developing new energy sources, it is beyond our power at this point substantially to alter the energy picture for the remainder of this decade.

Even for technical experts, there is sometimes a fine line between science fiction and the energy technologies of the future. What unconventional energy sources make their way off the drawing boards, through the pilot stage, and into the homes and businesses of this country, however, are developmental decisions that must be made in this decade. Just as we seek to find the proper balance in our strategic weapons systems, so we must decide upon the right mix of technological options in fashioning our future alternative energy strategy. For the long term, we should aim for greater self-sufficiency with unconventional sources by placing more emphasis on research and development in coal gasification and liquefaction, tar sands, oil shale, geothermal and solar energy, and those nuclear technologies that can be safely made available. Greater funding will be required to develop these technologies to the point where we can better decide on their economic and environmental feasibility.

We must also move vigorously now to curb our prodigal use of energy. Most of the additional barrels of oil we consume in the future will have to come from overseas. And cumulatively these barrels will place a greater strain on our environment. The Office of Emergency Preparedness recently published a major study listing conservation measures which could relieve some of these pressures:

Improve insulation of both new and old homes;

More efficient air-conditioning equipment;

The greatest possible use of rail in the shipment of freight; shifts of intercity passengers from air to ground travel and urban passengers from automobiles to mass transit and freight consolidation in urban freight movement;

The introduction of more efficient industrial processes and equipment.

Priority must be given to the development of incentive and educational programs to put these and other conservation-directed recommendations into practice.

ENERGY SECURITY AND EVOLVING FOREIGN RELATIONSHIPS

In the interval, the solution to our energy problem will have to be found not in technology but in the realm of politics. By 1980, we could reach as much as 50 percent dependency on foreign oil alone, with most of this increase in imports coming from the Middle East. Liquified natural gas, now in its infancy as an internationally traded commodity, will soon pose import dependency problems similar to those already involved with the control of foreign oil. Thus our energy security in the immediate years ahead must be assessed not in terms of self-sufficiency but in terms of the reliability of these hydrocarbon supplies from available foreign sources.

The national security questions associated with energy are serious; but we must keep them in perspective. On the one hand, we should not accept simplistic

appeals which picture the U.S. energy tap being shut off at the whim of an ill-humored foreign government. On the other hand, we should be careful not to exaggerate the limitations of boycotts, embargos and other forms of economic pressure.

The reliance that one can place on the security of imports from the different oil-producing countries varies. We quite wisely have a hemispheric preference for Canadian and Venezuelan supplies. But as our need for foreign oil increases, the reliability of these sources will become less significant. Even under the most favorable arrangements now conceivable with Canada, a large portion of our energy will have to come from the Eastern Hemisphere, where the preponderance of the world's oil reserves are located. It behooves us, therefore, to use ingenuity in devising arrangements which will safeguard our interests as well as those of our allies and our unambiguous commitment to Israel as energy trade with this region intensifies.

The United States, through skillful diplomacy, can avoid many of the foreign policy pitfalls that come with its import dependency by taking every reasonable advantage of the mutuality of interest that exists between producers and consumers. Saudi Arabia, which has the largest reserves of any nation in the world and more than the Western Hemisphere combined, has recently offered to sell us their oil in exchange for the opportunity to invest within the United States in the so-called downstream operations of refining, transportation, and marketing. Care will have to be taken in detailing such an arrangement, and the development of standby petroleum reserves will have to be considered. But the concept deserves the fullest exploration because, first, such interdependent relationships improve our balance-of-payments deficit, and second, they decrease the likelihood of an oil interruption in view of the oil-producing country's investment in our country.

I strongly recommend that the United States use this opportunity to devise a program building upon the concept embodied in the Saudi offer which would be available to all petroleum exporting countries that wished to participate. Overdependence on any one oil supplier would thus be avoided while we would reap the many benefits that come from this type of interdependence.

In working out this program, it is essential that our Government consult in advance with our allies who share a common interest in maintaining a secure and continuous flow of oil. Too often the consuming countries have found themselves at a disadvantage in bargaining on a one-by-one basis with the block of producers konwn as OPEC—the Organization of Petroleum Exporting Countries.

Furthermore, the United States should work in unison with other consumers in encouraging the oil-rich Middle Eastern States to invest a greater share of their burgeoning revenues in the development of their part of the world. Countries such as Saudi Arabia and Kuwait have an unprecedented opportunity to provide developmental assistance to other countries in the region who lack the same resource advantages.

There is considerable irony in the way our perceptions of security have evolved. We have begun exploring with the Soviet Union the possibility of our importing natural gas. Despite the difficulties we have experienced in our past relations, we have found that workable arrangements based on mutual interests are possible. The United States may have much to gain from a carefully negotiated complementary trade deal with the Russians, whereby we could have a steadier stream of agricultural exports—in particular, wheat, soybeans, and corn—in return for a secure supply of energy.

The changing role of energy in both international and domestic affairs will require a number of difficult political and technological decisions. Just as we seek a more stable world military balance and undertake the complex task of finding a new set of international monetary and trade arrangements, so we will have to work our way during this decade toward a resolution of our energy problems.

In the 92d Congress, we have begun to illuminate these problems and their spreading implications. The next Congress and those that follow will have to make the hard choices which these new perceptions dictate.

RECESS

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the House stand in recess until 11 o'clock and 30 minutes p.m.

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

There was no objection.

Accordingly (at 10 o'clock and 41 minutes p.m.) the House stood in recess until 11:30 o'clock p.m.

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 11 o'clock and 30 minutes p.m.

ADJOURNMENT TO TUESDAY, OCTOBER 17, 1972

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that when the House adjourns tonight it adjourn to meet on Tuesday next.

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

Mr. PICKLE. Mr. Speaker, reserving the right to object, is it the gentleman's intention by this motion to then adjourn for tonight, or to then take up other legislation following this?

Mr. BOGGS. If the gentleman will yield, let me make myself quite clear, we had hoped to adjourn tonight, as the gentleman well knows, but the other body has informed us that they will have to take up further business so that we cannot adjourn tonight.

Members have told me—and this is on both sides of the aisle—that it would be much more convenient to come back on Tuesday rather than on Monday. So what I am trying to do is to get unanimous consent to come back on Tuesday. I cannot commit myself as to what happens here tonight after this, whether we will still be in session or whether we will adjourn.

Mr. PICKLE. Further reserving the right to object, Mr. Speaker, if Members on both sides of the aisle feel it would be more convenient to come back Tuesday, than Monday then it would be the gentleman's intention to proceed on three or four other conference reports to be acted on tonight?

Mr. BOGGS. My intention is that any business that is in order if we are able to take it up, we should proceed. I would like to get agreement at this time to this request. I will be quite frank with the gentleman. Suppose somebody makes a point of no quorum and suppose we do not have a quorum, then I will not be able to get permission to meet on Tuesday. I am trying to get permission in the event that should happen.

Some have asked why not meet on Monday? It is very simple. It is because we have made commitments to both sides of the aisle not to meet on Monday.

The Senate has a whole backlog of work and they have to go back and work also on the continuing resolution.

Mr. PICKLE. Further reserving the right to speak, it might be appropriate to see if we do have a quorum, or not.

Mr. BOGGS. If someone objects, it would simply mean if we do not have a quorum then we would have to meet on Monday regardless.

Mr. PICKLE. Certainly I do not want to place myself in a position of trying to put my needs over and above the others. I am very mindful of that. But the other body has already said they are not going to finish their business and they have gone home. I find it difficult to understand why we want to push with all undue haste at this late hour to pass two or three of the most controversial bills to come before this session.

Mr. MILLS of Arkansas. Mr. Speaker, if the gentleman will yield, let me explain to my friend, the gentleman from Texas, that the House has stayed here hoping to get through here tonight. As far as our program was concerned we could have adjourned tonight had the Senate remained in session, but they saw fit to adjourn until Monday morning. It is all the more important that we dispose of the conference reports with respect to the debt ceiling and H.R. 1 tonight, so the Senate can act on them on Monday.

If there is an understanding that the House itself is to go over until Tuesday as far as business is concerned, if we can dispose of these two conference reports tonight then the Senate can take them up Monday morning. We do have to act first. If we go over until Tuesday, and we do not dispose of these tonight and we have to act first, then the Senate will have to meet after that, and there is no telling how long we will be here next week.

Mr. PICKLE. If we take up these two conference reports the gentleman from Arkansas proposes, we might be here until dawn.

Mr. MILLS of Arkansas. We will not be here that long. I think I can assure the gentleman the matter will be expedited.

There is no agreement for sine die adjournment tonight?

Mr. BOGGS. Of course not. It is impossible to have such an agreement. We do have two coequal branches.

We were hopeful all day that the Senate would go along, and, as a matter of fact, we had rather definite assurances, but that is not the case as of this moment. I am not talking about a theory; I am talking about realities.

Mr. BURTON. Will the gentleman yield?

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

Mr. BURTON. I would like to pose a question to the distinguished chairman of the Committee on Ways and Means. Is it the intention of the distinguished chairman of the Committee on Ways and Means to seek by unanimous-consent request any other consideration of any other legislation except the debt limit and the Social Security Act and related amendments?

Mr. MILLS of Arkansas. No other request will be made by me tonight under any circumstances.

Mr. PICKLE. So, there will be no request made tonight by the chairman of the Committee on Ways and Means for any amendments to the tariff or tax——

Mr. MILLS of Arkansas. None at all. Just these two requests.

Mr. PICKLE. May I ask the gentleman from Louisiana, where do we stand with reference to the highway bill?

Mr. BOGGS. As far as I know, I was informed about an hour ago, and I am looking to see if the distinguished chairman of the committee is available, or any member of the committee, but no agreement.

Mr. JAMES V. STANTON. No agreement.

Mr. ARENDS. Will the gentleman yield?

Mr. BOGGS. I yield to the distinguished gentleman from Illinois.

Mr. ARENDS. I might say, I say to the majority leader, I followed very closely the logic of the request to go over to next Tuesday. I anticipate exactly what he said is going to happen.

I would much prefer that we get out these two proposals tonight and try to finish these tonight, if not pass a sine die resolution to let the other body know how we feel about the matter. Otherwise, we will be here all of next week. The Members might as well make up their minds to that.

Mr. BYRNES of Wisconsin. Will the gentleman yield?

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

Mr. BYRNES of Wisconsin. I just want to ask the chairman of the committee whether he has overlooked the fact that we do have a third conference report, or is it his intention to bring that up?

Mr. MILLS of Arkansas. We will take that up on Tuesday.

Mr. Speaker, would the gentleman from Louisiana yield for a unanimous-consent request?

Mr. BOGGS. Certainly.

Mr. HALL. Mr. Speaker, there is a unanimous-consent request before the House.

The SPEAKER. There is a unanimous-consent request pending from the gentleman from Louisiana.

Mr. PICKLE. I would ask one other question of the gentleman from Louisiana.

I would ask the question, what is the status of the highway bill and the reason there is no agreement on the highway bill?

Are we advised that we will have no highway bill this session? None?

Mr. BOGGS. I would say to the gentleman that I spoke with the chairman of the Committee on Public Works within the hour. He assured me that they were very close to agreement, but he did not assure me that there would be a bill.

Mr. PICKLE. I have been told by members of the committee that there will be no highway bill this year; that there is no agreement, that the other body would not come to any agreement.

Therefore, we are standing here tonight and rushing headlong into these other two very controversial measures, and we have lost the highway bill.

Mr. BOGGS. Well, the gentleman would really have to discuss that question with the chairman of the committee. I do not see him on the floor at the moment.

I am, as a matter of fact, interested in the highway bill, as the gentleman is. I certainly have not abandoned hope that the highway bill will not be available on Tuesday. I am told there is a very small difference between the two bodies.

Mr. PICKLE. I will not object at this point.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana that when the House adjourns today, it adjourn to meet on Tuesday next?

Mr. HALL. Mr. Speaker, reserving the right to object, I will say that this is a prime example of that leadership which I have been accused of castigating, and here we dangle on the threads of the other body, having neither the guts nor the will to pass a sine die resolution so that they will complete their business.

They recessed at 4 o'clock this afternoon. They came back and have recessed and gone home. It is utterly wrong to say that we have no alternative as a coequal body.

It has been done many times in the history of the people's representatives. I should think that the proper thing to do tonight would be to pass the two conference reports we have, if indeed we can do it with intelligence and a complete explanation and understanding, and then insist on passing a sine die resolution and adjourn without any time certain for returning. This would be the only way that they would "get the message" in the other body.

Mr. Speaker, I will not object to the unanimous-consent request, but I certainly insist that we have a quorum present with which to do business at the proper time.

Mr. FINDLEY. Mr. Speaker, reserving the right to object, I wonder if the distinguished majority leader would explain why it would not facilitate sine die adjournment to go over until Monday rather than Tuesday? I am sure there is a good reason for going over until Tuesday instead of Monday, but it escapes me. I would appreciate an explanation.

Mr. BOGGS. I can give the gentleman several explanations.

The first explanation is very simple. We have made a commitment to the leader of his party (Mr. GERALD R. FORD), who is not here now, that we would not have business on Monday. That is No. 1.

No. 2, is that these conferences would have to occur on Monday anyway.

No. 3, is that any number of Members have expressed to me their feelings that Tuesday would be a more convenient day for them.

In addition to that, the way the Senate is moving, I am quite certain they will not complete their business on Monday. We have completed our business except for these conference reports, and the highway conference. We can complete our business on Tuesday in a matter of minutes.

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

Mr. BOGGS. I am happy to yield to the gentleman from Ohio.

Mr. VANIK. Apparently the plan is to consider two conference reports which have just been agreed upon, about which the membership of the House knows absolutely nothing. Why would it not be just as well to pass over the action on these two conference reports and give the membership of the House an opportunity to see what the conferees have done? I have complete confidence in what the conferees have done, but I believe we ought to have an opportunity to examine it.

Mr. BOGGS. I would defer on that to the chairman of the conference.

Mr. MILLS of Arkansas. Ordinarily I would completely agree with the gentleman. If that is what the House wants to do it is all right with me.

The point I am trying to make is that we will expedite the adjournment of the Congress if we take up these two conference reports tonight and allow the Senate to take them up at 10 o'clock on Monday morning. We have to act first. If we adjourn over from today until Tuesday then the Senate probably would be until Wednesday or Thursday disposing of them. Then we will take the entire week next week before we can adjourn.

I do not care. I do not have an opponent. I have a lot of opposition, but nobody is capitalizing on it. I realize that. I do not have to go home. I can stay here with all the Members, if they want to do that. I am perfectly willing to do it.

Mrs. HECKLER of Massachusetts. Mr. Speaker, reserving the right to object, I should like to ask the majority leader, in view of the fact that there are issues of great controversy, whether or not it would be possible for this body to act on noncontroversial conference reports? I specifically refer to the conference report

on the National Multiple Sclerosis Commission, which has been returned to this body from the Senate. Will it be possible for us to act upon that this evening?

Mr. BOGGS. I am not prepared to answer that question. I would hope we will not be here until 5 o'clock in the morning. I would think, if it is noncontroversial, it can be handled Tuesday without any trouble.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana that when the House adjourns tonight it adjourn to meet on Tuesday next?

There was no objection.

FURTHER MESSAGE FROM THE SENATE

A further 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, bills of the House of the following titles:

H.R. 640. An act to amend the Tariff Schedules of the United States to permit the importation of upholstery regulators, upholsterer's regulating needles, and upholsterer's pins free of duty; and

H.R. 4678. A bill to provide for the free entry of a carillon for the use of the University of California at Santa Barbara.

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

S. 3959. An act to authorize the Secretary of the Interior to engage in feasibility investigations of certain potential water resource developments.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 15475) entitled "An act to provide for the establishment of a national advisory commission to determine the most effective means of finding the cause of and cures and treatments for multiple sclerosis."

CONFERENCE REPORT ON H.R. 1, SOCIAL SECURITY AMENDMENTS

Mr. MILLS of Arkansas submitted the following conference report and statement on the bill (H.R. 1) to amend the Social Security Act to increase benefits and improve eligibility and computation methods under the OASDI program, to make improvements in the medicare, medicaid, and maternal and child health programs with emphasis on improvements in their operating effectiveness, to replace the existing Federal-State public assistance programs with a Federal program of adult assistance and a Federal program of benefits to low-income families with children with incentives and requirements for employment and training to improve the capacity for employment of members of such families, and for other purposes:

CONFERENCE REPORT (H. REPT. NO. 92–1605)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 1) to amend the Social Security Act to increase benefits and improve eligibility and computation methods under the OASDI program, to make improvements in the medicare, medicaid, and maternal and child health programs with emphasis on improvements in their operating effectiveness, to replace the existing Federal-State public assistance programs with a Federal program of adult assistance and a Federal program of benefits to low-income families with children with incentives and requirements for employment and training to improve the capacity for employment of members of such families, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 41, 51, 98, 116, 118, 119, 120, 121, 122, 123, 124, 125, 126, 210, 211, 213, 214, 215, 221, 223, 224, 225, 236, 309, 327, 328, 329, 330, 351, 353, 354, 355, 356, 370, 414, 415, 416, 419, 445, 446, 448, 449, 478, 479, 493, 496, 497, 498, 507, 508, 509, 510, 511, 515, 530, 531, 532, 533, 534, 539, 544, 553, 554, 556, 559, 560, 562, 563, 566, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, and 583.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 42, 43, 44, 45, 46, 47, 48, 49, 50, 53, 54, 55, 56, 57, 58, 59, 60, 62, 64, 65, 66, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 117, 127, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 164, 165, 166 167, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 185, 186, 187, 188, 190, 192, 194, 195, 196, 197, 199, 201, 206, 207, 227, 228, 230, 231, 232, 233, 234, 235, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 311, 313, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 348, 349, 350, 352, 357, 358, 359, 360, 362, 363, 364, 366, 368, 369, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 393, 394, 395, 396, 398, 399, 400, 401, 403, 404, 405, 406, 408, 409, 410, 411, 412, 417, 418, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 447, 450, 452, 454, 455, 456, 458, 459, 460, 461, 462, 463, 464, 465, 466, 468, 469, 473, 477, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 494, 499, 500, 501, 502, 503, 504, 506, 512, 516, 517, 518, 519, 520, 521, 523, 524, 525, 527, 528, 529, 535, 536, 537, 538, 540, 541, 543, 546, 547, 557, and 561, and agree to the same.

Amendment numbered 2: That the House recede from its disagreement with the amendment of the Senate numbered 2, 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:

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And the Senate agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "$8.50".

And the Senate agree to the same.

Amendment No. 26: That the House recede from its disagreement to the amendment of the Senate numbered 26, and agree to the same with amendments, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

Strike out the matter proposed to be stricken by the Senate amendment and insert the matter proposed to be inserted by the Senate amendment.

On page 43 of the House engrossed bill after line 8, insert the following:

(2) Section 202(q)(3) of such Act is amended—

(A) by striking out clause (ii) of subparagraph (E) and inserting in lieu thereof the following:

"(ii) the amount equal to the sum of (I) the amount by which such widow's or widower's insurance benefit would be reduced under paragraph (1) if the period specified in paragraph (6)(A) ended with the month before the month in which she or he attained age 62 and (II) the amount by which such old-age insurance benefit would be reduced under paragraph (1) if it were equal to the excess of such old-age insurance benefit (before reduction under this subsection) over such widow's or widower's insurance benefit (before reduction under this subsection)".

(B) by striking out clause (ii) of subparagraph (F) and inserting in lieu thereof the following:

"(ii) the amount equal to the sum of (I) the amount by which such widow's or widower's insurance benefit would be reduced under paragraph (1) if the period specified in paragraph (6)(A) ended with the month before the month in which she or he attained age 62 and (II) the amount by which such disability insurance benefit would be reduced under paragraph (2) if it were equal to the excess of such disability insurance benefit (before reduction under this subsection) over such widow's or widower's insurance benefit (before reduction under this subsection)".

(C) by striking out "had such individual attained age 62 in" in subparagraph (G) and inserting in lieu thereof "as if the period specified in paragraph (6)(A) (or, if such paragraph does not apply, the period specified in paragraph (6)(B)) ended with the month before".

On page 43, line 9, of the House engrossed bill, strike out "(2)" and insert the following: (3).

On page 44, line 1 of the House engrossed bill, strike out "(3)" and insert the following: (4)

On page 44 of the House engrossed bill, after line 4, insert the following:

(5) Section 203(q)(3) of such Act is amended by adding at the end thereof the following new subparagraph:

"(H) Notwithstanding subparagraph (A) of this paragraph, if the first month for which an individual is entitled to a widow's or widower's insurance benefit is a month for which such individual is also entitled to an old-age insurance benefit to which such individual was first entitled for a month before she or he became entitled to a widow's or widower's benefit, the reduction in such widow's or widower's insurance benefit shall be determined under paragraph (1)."

And the Senate agree to the same.

Amendment numbered 52: That the House recede from its disagreement to the amendment of the Senate numbered 52, 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: "1969, and 1972 (and by Public Law 92–5)"; and the Senate agree to the same.

Amendment numbered 61: That the House recede from its disagreement to the amendment of the Senate numbered 61, and agree to the same with an amendment as follows:

Strike out the matter proposed to be stricken out by the Senate amendment; and on page 59, lines 3 and 4, of the House engrossed bill, strike out "and section 3121(a)(9) of the Internal Revenue Code of 1954"; and the Senate agree to the same.

Amendment numbered 63: That the House recede from its disagreement to the amendment of the Senate numbered 63, and agree to the same with an amendment as follows:

Strike out the matter proposed to be stricken out by the Senate amendment, and on page 59, lines 8 and 9, of the House engrossed bill, strike out "and section 3121(a)(9) of the Internal Revenue Code of 1954"; and the Senate agree to the same.

Amendment numbered 67: That the House recede from its disagreement to the amendment of the Senate numbered 67, 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: "$175".

And the Senate agree to the same.

Amendment numbered 68: That the House recede from its disagreement to the amendment of the Senate numbered 68, 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: "$175".

And the Senate agree to the same.

Amendment numbered 69: That the House recede from its disagreement to the amendment of the Senate numbered 69, 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: "$175"; and the Senate agree to the same.

Amendment numbered 128: That the House recede from its disagreement to the amendment of the Senate numbered 128, and agree to the same with amendments as follows:

Restore the matter proposed to be stricken out by the Senate amendment, and omit the matter proposed to be inserted by the Senate amendment.

On page 98, line 22, of the House engrossed bill, strike out "123" and insert the following: "117"

On page 100, line 10, of the House engrossed bill, strike out "1972" and insert the following "1973".

And the Senate agree to the same.

Amendment numbered 184: That the

House recede from its disagreement to the amendment of the Senate numbered 184, and agree to the same with an amendment as follows:

On page 34, line 17, of the Senate engrossed amendments, strike out "insurance" and insert the following: "insurance)".

And the Senate agree to the same.

Amendment numbered 189: That the House recede from its disagreement to the amendment of the Senate numbered 189, 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: "4.85".

And the Senate agree to the same.

Amendment numbered 191: That the House recede from its disagreement to the amendment of the Senate numbered 191, 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: "4.80".

And the Senate agree to the same.

Amendment numbered 193: That the House recede from its disagreement to the amendment of the Senate numbered 193, 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: "5.85".

And the Senate agree to the same.

Amendment numbered 198: That the House recede from its disagreement to the amendment of the Senate numbered 198, 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: "4:85".

And the Senate agree to the same.

Amendment numbered 200: That the House recede from its disagreement to the amendment of the Senate numbered 200, 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: "4.80".

And the Senate agree to the same.

Amendment numbered 202: That the House recede from its disagreement to the amendment of the Senate numbered 202, 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: "5.85".

And the Senate agree to the same.

Amendment numbered 203: That the House recede from its disagreement to the amendment of the Senate numbered 203, and agree to the same with amendments as follows:

On page 36, line 16, of the Senate engrossed amendments, strike out "1.1" and insert the following: "1.0".

On page 36, line 20, of the Senate engrossed amendments, strike out "1.3" and insert the following: "1.25".

On page 37, line 1, of the Senate engrossed amendments, strike out "1993" and insert the following: "1986".

On page 37, line 2, of the Senate engrossed amendments, strike out "1.5" and insert the following: "1.35".

On page 37, line 5, of the Senate engrossed amendments, strike out "1992" and insert the following: "1985".

On page 37, line 5, of the Senate engrossed amendments, strike out "1.6" and insert the following: "1.45".

And the Senate agree to the same.

Amendment numbered 204: That the House recede from its disagreement to the amendment of the Senate numbered 204, and agree to the same with amendments as follows:

On page 37, line 13, of the Senate engrossed amendments, strike out "1.1" and insert the following: "1.0".

On page 37, line 16, of the Senate engrossed amendments, strike out "1.3" and insert the following: "1.25".

On page 37 of the Senate engrossed amendments, strike out lines 17 through 22 and insert the following:

"(4) with respect to wages received during the calendar years 1981, 1982, 1983, 1984, and 1985, the rate shall be 1.35 percent; and

"(5) with respect to wages received after December 31, 1985, the rate shall be 1.45 percent."

And the Senate agree to the same.

Amendment numbered 205: That the House recede from its disagreement to the amendment of the Senate numbered 205, and agree to the same with amendments as follows: In lieu of the matter proposed to be inserted by the Senate amendment, insert the following:

On page 38, line 5, of the Senate engrossed amendments, strike out "1.1" and insert the following: "1.0".

On page 38, line 7, of the Senate engrossed amendments, strike out "1.3" and insert the following: "1.25".

On page 38 of the Senate engrossed amendments, strike out lines 9 through 14, and insert the following:

"(4) with respect to wages paid during the calendar years 1981, 1982, 1983, 1984, and 1985, the rate shall be 1.35 percent; and

"(5) with respect to wages paid after December 31, 1985, the rate shall be 1.45 percent."

And the Senate agree to the same.

Amendment numbered 208: That the House recede from its disagreement to the amendment of the Senate numbered 208, and agree to the same with amendments as follows:

On page 38, line 22, of the Senate engrossed amendments, strike out "1.15" and insert the following: "1.1".

On page 38, line 24, of the Senate engrossed amendments, strike out "1.40" and insert the following: "1.15".

On page 39, line 2, of the Senate engrossed amendments, strike out "1.60" and insert the following: "1.5".

On page 39, line 5, of the Senate engrossed amendments, strike out "0.83" and insert the following: "0.795".

On page 39, line 7, of the Senate engrossed amendments, strike out "1.00" and insert the following: "0.84".

On page 39, line 9, of the Senate engrossed amendments, strike out "0.935" and insert the following: "0.895".

And the Senate agree to the same.

Amendment numbered 209: That the House recede from its disagreement to the amendment of the Senate numbered 209, 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:

METHOD OF ASSISTANCE OF SOCIAL SECURITY ACCOUNT NUMBERS

SEC. 137. (a) Section 205(c)(2) of the Social Security Act is amended—

(1) by inserting "(A)" immediately after "(2)"; and

(2) by adding at the end thereof the following new subparagraph:

"(B)(i) In carrying out his duties under subparagraph (A), the Secretary shall take affirmative measures to assure that social security account numbers will, to the maximum extent practicable, be assigned to all members of appropriate groups or categories of individuals by assigning such numbers (or ascertaining that such numbers have already been assigned):

"(I) to aliens at the time of their lawful admission to the United States either for permanent residence or under other authority of law permitting them to engage in employment in the United States and to other aliens at such time as their status is so changed as to make it lawful for them to engage in such employment;

"(II) to any individual who is an applicant for or recipient of benefits under any program financed in whole or in part from Federal funds including any child on whose behalf such benefits are claimed by another person; and

"(III) to any other individual when it appears that he could have been but was not assigned an account number under the provisions of subclauses (I) or (II) but only after such investigation as is necessary to establish to the satisfaction of the Secretary, the identity of such individual, the fact that an account number has not already been assigned to such individual, and the fact that such individual is a citizen or a noncitizen who is not, because of his alien status, prohibited from engaging in employment;

and, in carrying out such duties, the Secretary is authorized to take affirmative measures to assure the issuance of social security numbers:

"(IV) to or on behalf of children who are below school age at the request of their parents or guardians; and

"(V) to children of school age at the time of their first enrollment in school.

"(ii) The Secretary shall require of applicants for social security account numbers such evidence as may be necessary to establish the age, citizenship, or alien status, and true identity of such applicants, and to determine which (if any) social security account number has previously been assigned to such individual.

"(iii) In carrying out the requirements of this subparagraph, the Secretary shall enter into such agreements as may be necessary with the Attorney General and other officials and with State and local welfare agencies and school authorities (including non-public school authorities)."

And the Senate agree to the same.

Amendment numbered 212: That the House recede from its disagreement to the amendment of the Senate numbered 212, and agree to the same with amendments as follows:

On page 53, line 24, of the Senate engrossed amendments, strike out "140" and insert the following: "138".

On page 53, line 25, of the Senate engrossed amendments, strike out "128(a)" and insert the following: "122(a)".

On page 54, line 14, of the Senate engrossed amendments, strike out "128(b)" and insert the following: "122(b)".

On page 55, line 2, of the Senate engrossed amendments, strike out "during" and insert the following: "for"; and the Senate agree to the same.

Amendment numbered 216: That the House recede from its disagreement to the amendment of the Senate numbered 216, and agree to the same with an amendment as follows:

On page 57, line 4, of the Senate engrossed amendments, strike out "144" and insert the following: "139"; and the Senate agree to the same.

Amendment numbered 217: That the House recede from its disagreement to the amendment of the Senate numbered 217, and agree to the same with amendments as follows:

On page 57, line 21, of the Senate engrossed amendments, strike out "145" and insert the following: "140".

On page 58, line 9, of the Senate engrossed amendments, strike out "code" and insert the following: "Code".

And the Senate agree to the same.

Amendment numbered 218: That the House recede from its disagreement to the amendment of the Senate numbered 218, and agree to the same with an amendment as follows:

On page 59, line 5, of the Senate engrossed amendments, strike out "146" and insert the following: "141".

And the Senate agree to the same.

Amendment numbered 219: That the

House recede from its disagreement to the amendment of the Senate numbered 219, and agree to the same with amendments as follows:

On page 60, line 13, of the Senate engrossed amendments, strike out "147" and insert the following: "142".

On page 60, after line 15, of the Senate engrossed amendments, insert the following:

"BENEFITS IN CASE OF CERTAIN INDIVIDUALS INTERNED DURING WORLD WAR II"

On page 62, line 1, of the Senate engrossed amendments, strike out "computation" and insert the following: "commutation".

And the Senate agree to the same.

Amendment numbered 220: That the House recede from its disagreement to the amendment of the Senate numbered 220, and agree to the same with an amendment, as follows:

On page 65, line 5, of the Senate engrossed amendments, strike out "148" and insert the following: "143".

And the Senate agree to the same.

Amendment numbered 222: That the House recede from its disagreement to the amendment of the Senate numbered 222, and agree to the same with amendments, as follows:

On page 69, line 16, of the Senate engrossed amendments, strike out "150" and insert the following: "144".

On page 70, line 7, of the Senate engrossed amendments, strike out "203" and insert the following: "230".

And the Senate agree to the same.

Amendment numbered 226: That the House recede from its disagreement to the amendment of the Senate numbered 226, and agree to the same with amendments, as follows:

On page 80, line 18, of the Senate engrossed amendments, strike out "154" and insert the following: "145".

And the Senate agree to the same.

Amendment numbered 229: That the House recede from its disagreement to the amendment of the Senate numbered 229, and agree to the same with amendments as follows:

Strike out the matter proposed to be stricken out by the Senate amendment and insert the matter proposed to be inserted by the Senate amendment.

On page 137, lines 22 and 23, of the House engrossed bill, strike out "paragraph (2) of subsection (a)" and insert the following: "subsection (b)".

On page 138, line 12, of the House engrossed bill, strike out "(a)(2)" and insert the following: "(b)".

On page 138, lines 13 and 14, of the House engrossed bill, strike out "subparagraph (B)(iii)" and insert the following: "paragraph (2)(A)(iii)".

And the Senate agree to the same.

Amendment numbered 253: That the House recede from its disagreement to the amendment of the Senate numbered 253, and agree to the same with amendments as follows:

On page 84, line 7, of the Senate engrossed amendments, strike out "therefor" and insert the following: "for such hospital insurance benefits".

On page 84, lines 8 and 9, of the Senate engrossed amendments, strike out "at the time she filed for mother's insurance benefits".

And the Senate agree to the same.

Amendment numbered 293: That the House recede from its disagreement to the amendment of the Senate numbered 293, and agree to the same with amendments as follows:

Restore the matter proposed to be stricken out by the Senate amendment, and on page 152, line 23, of the House engrossed bill, strike out "1971" and insert the following: "1972".

On page 153, line 2, of the House engrossed bill, strike out "1971" and insert the following: "1972".

And the Senate agree to the same.

Amendment numbered 294: That the House recede from its disagreement to the amendment of the Senate numbered 294, and agree to the same with an amendment as follows:

Strike out the matter proposed to be stricken out by the Senate amendment, and omit the matter proposed to be inserted by the Senate amendment; and the Senate agree to the same.

Amendment numbered 310: That the House recede from its disagreement to the amendment of the Senate numbered 310, and agree to the same with an amendment as follows:

Restore the matter proposed to be stricken out by the Senate amendment

And the Senate agree to the same.

Amendment numbered 312: That the House recede from its disagreement to the amendment of the Senate numbered 312, and agree to the same with an amendment as follows:

On page 93 of the Senate engrossed amendments strike out "and" on line 8 and all that follows down to the period on line 11

And the Senate agree to the same.

Amendment numbered 314: That the House recede from its disagreement to the amendment of the Senate numbered 314, and agree to the same with amendments as follows:

On page 93, lines 16 and 17, of the Senate engrossed amendments, strike out "AND NEWLY ELIGIBLE ADULT WELFARE RECIPIENTS".

On page 93 of the Senate engrossed amendments, strike out line 21 and all that follows over to and including line 12 on page 95, and insert the following:

"(e) Notwithstanding any other provision of this title, effective January 1, 1974, each State plan approved under this title must provide that each family which was eligible for assistance pursuant to part A of title IV in at least 3 of the 6 months immediately preceding the month in which such family became ineligible for such assistance because of increased income from employment, shall, while a member of such family is employed, remain eligible for such assistance for 4 calendar months following the month in which such family would otherwise be determined to be ineligible for such assistance because of the income and resources limitations contained in such plan."

On page 95, line 13, of the Senate engrossed amendments, strike out "(c)" and insert the following "(b)".

On page 95, line 19, of the Senate engrossed amendments, strike out "as defined in" and insert the following: "within the meaning of".

On page 96, line 10, of the Senate engrossed amendments, strike out "1973" and insert the following: "1974".

And the Senate agree to the same.

Amendment numbered 326: That the House recede from its disagreement to the amendment of the Senate numbered 326, and agree to the same with an amendment as follows:

On page 102 of the Senate engrossed amendments, strike out "filed" in line 2 and all that follows down through the end of line 16, and insert the following: "filed with respect to items or services furnished after the date of the enactment of this Act."

And the Senate agree to the same.

Amendment numbered 347: That the House recede from its disagreement to the amendment of the Senate numbered 347, and agree to the same with amendments as follows:

On page 139, line 6, of the Senate engrossed amendments, after "establish;", insert the following: "and".

On page 139 of the Senate engrossed amendments, strike out line 7 and all that follows down through page 140, line 11.

On page 140, line 12, of the Senate engrossed amendments, strike out "(L)" and insert the following: "(I)".

And the Senate agree to the same.

Amendment numbered 361: That the House recede from its disagreement to the amendment of the Senate numbered 361, and agree to the same with an amendment as follows:

On page 142, line 3, of the Senate engrossed amendments, strike out "lower" and insert the following: "lowest".

And the Senate agree to the same.

Amendment numbered 365: That the House recede from its disagreement to the amendment of the Senate numbered 365, and agree to the same with amendments as follows:

Restore the matter proposed to be stricken out by the Senate amendment.

On page 201, line 12, of the House engrossed bill, strike out "1971" and insert the following: "1972".

On page 201, line 23, of the House engrossed bill, strike out "1971" and insert the following: "1972".

On page 202, line 14, of the House engrossed bill, after "directly" insert the following: "from cost increases which the Secretary determines are attributable to the upgrading of services and facilities required by this Act or".

On page 202, line 17, of the House engrossed bill, strike out "1971" and insert the following: "1972".

And the Senate agree to the same.

Amendment numbered 367: That the House recede from its disagreement to the amendment of the Senate numbered 367, and agree to the same with amendments as follows:

On page 143, line 5, of the Senate engrossed amendments, strike out "(iv)" and insert the following: "(iii)".

On page 144, line 15, of the Senate engrossed amendments, strike out "10" and insert the following: "20".

On page 144, line 16, of the Senate engrossed amendments, strike out "costs" and insert the following: "cost".

On page 144 of the Senate engrossed amendments, strike out lines 19 through 21.

On page 144, line 22, of the Senate engrossed amendments, strike out "(III)" and insert the following: "(II)".

On page 145 of the Senate engrossed amendments, strike out lines 5 through 23 and insert the following: "cost of providing such services, the resulting difference (hereinafter referred to as 'losses'), shall be absorbed by such organization, and shall be carried forward and offset from savings realized in later years, with the apportionment of savings being proportional to the losses absorbed and not yet offset;"

On page 145, line 24, of the Senate engrossed amendments, strike out "(iv)" and insert the following: "(iii)"

On page 146, line 5, of the Senate engrossed amendments, strike out "or losses".

On page 147, line 5, of the Senate engrossed amendments, strike out "(v)" and insert the following: "(iv)".

And the Senate agree to the same.

Amendment numbered 371: That the House recede from its disagreement to the amendment of the Senate numbered 371, and agree to the same with an amendment as follows:

On page 150, lines 4 and 5, of the Senate engrossed amendments, strike out "generally".

And the Senate agree to the same.

Amendment numbered 392: That the House recede from its disagreement to the amendment of the Senate numbered 392, and agree to the same with amendments as follows:

On page 153, line 15, of the Senate engrossed amendments, strike out "and losses".

On page 154, line 9, of the Senate en-

grossed amendments, strike out "its proportionate share of" and insert the following: "the".

And the Senate agree to the same.

Amendment numbered 397: That the House recede from its disagreement to the amendment of the Senate numbered 397, and agree to the same with an amendment as follows:

On page 156, line 2, of the Senate engrossed amendments, strike out "(iv)" and insert the following: "(iii)".

And the Senate agree to the same.

Amendment numbered 402: That the House recede from its disagreement to the amendment of the Senate numbered 402, and agree to the same with amendments as follows:

On page 157, line 20, of the Senate engrossed amendments, strike out "or losses (as the case may be)".

On page 157, line 21, of the Senate engrossed amendments, after "Trust Funds" insert the following: ", or the resulting losses shall be absorbed by such organization,".

And the Senate agree to the same.

Amendment numbered 407: That the House recede from its disagreement to the amendment of the Senate numbered 407, and agree to the same with an amendment as follows:

On page 159, line 3, of the Senate engrossed amendments, strike out "extended care" and insert the following: "skilled nursing".

And the Senate agree to the same.

Amendment numbered 413: That the House recede from its disagreement to the amendment of the Senate numbered 413, and agree to the same with amendments as follows:

Restore the matter proposed to be stricken out by the Senate amendment, and on page 231, lines 16 and 17, of the House engrossed bill, strike out "and included in the plan" and insert the following: "and reviewed and approved by the Secretary and (after notice of approval by the Secretary) included in the plan"; and the Senate agree to the same.

Amendment numbered 420: That the House recede from its disagreement to the amendment of the Senate numbered 420, and agree to the same with amendments as follows:

Restore the matter proposed to be stricken out by the Senate amendment, strike out the matter proposed to be inserted by the Senate amendment, and on page 241, line 1, of the House engrossed bill, after "systems" insert the following: "(whether such systems are operated directly by the State or by another person under a contract with the State)"; and the Senate agree to the same.

Amendment numbered 451: That the House recede from its disagreement to the amendment of the Senate numbered 451, and agree to the same with an amendment as follows:

Strike out the matter proposed to be stricken out by the Senate amendment, insert the matter proposed to be inserted by the Senate amendment, and on page 255, line 22, of the House engrossed bill strike out "povider" and insert the following: "provider".

And the Senate agree to the same.

Amendment numbered 453: That the House recede from its disagreement to the amendment of the Senate numbered 453, and agree to the same with an amendment as follows:

On page 166, line 3, of the Senate engrossed amendments, strike out "$10,000" and insert the following: "$50,000"; and the Senate agree to the same.

Amendment numbered 457: That the House recede from its disagreement to the amendment of the Senate numbered 457, 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: "or regulations of the Secretary"; and the Senate agree to the same.

Amendment numbered 467: That the House recede from its disagreement to the amendment of the Senate numbered 467, and agree to the same with amendments as follows:

On page 172, line 17, of the Senate engrossed amendments, strike out "(16)" and insert the following: "(15)".

On page 172, line 22, of the Senate engrossed amendments, after "person" insert the following: "who".

On page 172, line 23, of the Senate engrossed amendments, strike out "1" and insert the following: "10".

On page 174, line 3, of the Senate engrossed amendments, strike out "homes;" and insert the following: "facilities; and".

On page 174 of the Senate engrossed amendments, strike out line 4 and all that follows down through line 11.

On page 174, line 12, of the Senate engrossed amendments, strike out "(16)" and insert the following: "(15)".

On page 174, line 13, of the Senate engrossed amendments, strike out "(3)" and insert the following: "(2)".

And the Senate agree to the same.

Amendment numbered 470: That the House recede from its disagreement to the amendment of the Senate numbered 470, and agree to the same with amendments as follows:

On page 177, line 4, of the Senate engrossed amendments, strike out "HOMES".

On page 177, line 13, of the Senate engrossed amendments, strike out "1974" and insert the following: 1976.

On page 177, line 14, of the Senate engrossed amendments, strike out "skilled nursing home" and insert the following: "skilled nursing facility".

And the Senate agree to the same.

Amendment numbered 471: That the House recede from its disagreement to the amendment of the Senate numbered 471, and agree to the same with an amendment as follows:

On page 179 of the Senate engrossed amendments beginning with line 5, strike out down through page 181 and insert the following:

MEDICAID CERTIFICATION AND APPROVAL OF SKILLED NURSING FACILITIES

SEC. 249A. (a) Title XIX of the Social Security Act is amended by adding at the end thereof (after the new section added by this Act) the following new section:

"CERTIFICATION AND APPROVAL OF SKILLED NURSING FACILITIES

"SEC. 1910. (a) Whenever the Secretary certifies an institution in a State to be qualified as a skilled nursing facility under title XVIII, such institution shall be deemed to meet the standards for certification as a skilled nursing facility for purposes of section 1902(a)(28).

"(b) The Secretary shall notify the State agency administering the medical assistance plan of his approval or disapproval of any institution which has applied for certification by him as a qualified skilled nursing facility."

(b) Section 1866(a)(1) of the Social Security Act is amended by adding at the end thereof the following sentence: "An agreement under this paragraph with an extended care facility shall be for a term of not exceeding 12 months, except that the Secretary may extend such term for a period not exceeding 2 months, where the health and safety of patients will not be jeopardized thereby, if he finds that such extension is necessary to prevent irreparable harm to such facility or hardship to the individuals being furnished items or services by such facility or if he finds it impracticable within such 12-month period to determine whether such facility is complying with the provisions of this title and regulations thereunder."

(c) Section 1866(b) of such Act is amended by—

(1) striking out, in the material which precedes clause (1), "terminated—" and inserting in lieu thereof "terminated (and in the case of an extended care facility, prior to the end of the term specified in subsection (a)(1)—"; and

(2) by striking out all of clause (3) appearing after the phrase "Any termination shall be applicable—" and inserting in lieu thereof the following:

"(3) in the case of inpatient hospital services (including tuberculosis hospital services and inpatient psychiatric hospital services) or post-hospital extended care services, with respect to services furnished after the effective date of such termination, except that payment may be made for up to thirty days with respect to inpatient institutional services furnished to any eligible individual who was admitted to such institution prior to the effective date of such termination,".

(d) Section 1866(c) of such Act is amended by inserting "(1)" after "(c)" and by adding at the end thereof the following new paragraph:

"(2) In the case of a skilled nursing facility participating in the programs established by this title and title XIX, the Secretary may enter into an agreement under this section only if such facility has been approved pursuant to section 1910, and the term of any such agreement shall be in accordance with the period of approval of eligibility specified by the Secretary pursuant to such section."

(e) The provisions of this section shall be effective with respect to agreements filed with the Secretary under section 1866 of the Social Security Act by skilled nursing facilities (as defined in section 1861(j) of such Act) before, on, or after the date of enactment of this Act, but accepted by him on or after such date.

(f) Notwithstanding any other provision of law, any agreement, filed by a skilled nursing facility (as defined in section 1861(j) of the Social Security Act) with the Secretary under section 1866 of such Act and accepted by him prior to the date of enactment of this Act, which was in effect on such date shall be deemed to be for a specified term ending on December 31, 1973.

And the Senate agree to the same.

Amendment numbered 472: That the House recede from its disagreement to the amendment of the Senate numbered 472, and agree to the same with an amendment as follows:

On page 184, line 17, of the Senate engrossed amendments, strike out "effective January 1, 1972" and insert the following: "effective for the period beginning October 1, 1972, and ending June 30, 1974".

And the Senate agree to the same.

Amendment numbered 474: That the House recede from its disagreement to the amendment of the Senate numbered 474, 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:

LIMITATION ON INSTITUTIONAL CARE

SEC. 249D. Section 121(b) of the Social Security Amendments of 1965 is amended by adding at the end thereof the following new sentence: "After the date of enactment of the Social Security Amendments of 1972, Federal matching shall not be available for any portion of any payment by any State under title I, X, XIV, or XVI, or part A of title IV, of the Social Security Act for or on account of any medical or any other type of remedial care provided by an institution to any individual as an inpatient thereof, in the case of any State which has a plan approved under title XIX of such Act, if such care is (or could be) provided under a State plan

approved under title XIX of such Act by an institution certified under such title XIX.".

And the Senate agree to the same.

Amendment numbered 475: That the House recede from its disagreement to the amendment of the Senate numbered 475, and agree to the same with an amendment as follows:

On page 188, line 6, of the Senate engrossed amendments, after "thereafter" insert the following: "prior to October 1974".

And the Senate agree to the same.

Amendment numbered 476: That the House recede from its disagreement to the amendment of the Senate numbered 476, and agree to the same with amendments as follows:

On page 192, line 8, of the Senate engrossed amendments, strike out "unless" and insert the following: "prior to January 1, 1976, nor after such date, unless".

On page 194, between lines 7 and 8, of the Senate engrossed amendments, insert the following:

"(f) (1) In the case of agreements entered into prior to January 1, 1976, under this part under which any organization is designated as the Professional Standards Review Organization for any area, the Secretary shall, prior to entering into any such agreement with any organization for any area, inform (under regulations of the Secretary) the doctors of medicine or osteopathy who are in active practice in such area of the Secretary's intention to enter into such an agreement with such organization.

"(2) If, within a reasonable period of time following the serving of such notice, more than 10 per centum of such doctors object to the Secretary's entering into such an agreement with such organization on the ground that such organization is not representative of doctors in such area, the Secretary shall conduct a poll of such doctors to determine whether or not such organization is representative of such doctors in such area. If more than 50 per centum of the doctors responding to such poll indicate that such organization is not representative of such doctors in such area the Secretary shall not enter into such an agreement with such organization.

On page 196, line 12, of the Senate engrossed amendments, after the word "shall" insert the following: "(subject to the provisions of subsection (g))".

On page 203, between lines 9 and 10, of the Senate engrossed amendments, insert the following:

"(g) Notwithstanding any other provision of this part, the responsibility for review of health care services of any Professional Standards Review Organization shall be the review of health care services provided by or in institutions, unless such Organization shall have made a request to the Secretary that it be charged with the duty and function of reviewing other health care services and the Secretary shall have approved such request.

And the Senate agree to the same.

Amendment numbered 495: That the House recede from its disagreement to the amendment of the Senate numbered 495, 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: "July 1, 1973".

And the Senate agree to the same.

Amendment numbered 505: That the House recede from its disagreement to the amendment of the Senate numbered 505, 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: "or part A pursuant to section 1818"; and the Senate agree to the same.

Amendment numbered 513: That the House recede from its disagreement to the amendment of the Senate numbered 513, and agree to the same with an amendment as follows:

Strike out the matter proposed to be stricken out by the Senate amendment; and on page 278, line 7, of the House engrossed bill, strike out "(as amended by section 544(11) of this Act)".

And the Senate agree to the same.

Amendment numbered 514: That the House recede from its disagreement to the amendment of the Senate numbered 514, 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: "(31), and (33),".

And the Senate agree to the same.

Amendment numbered 522: That the House recede from its disagreement to the amendment of the Senate numbered 522, and agree to the same with an amendment as follows:

On page 234, line 21, of the Senate engrossed amendments, after "spine" insert the following: "(to correct a subluxation demonstrated by X-ray to exist)".

And the Senate agree to the same.

Amendment numbered 526: That the House recede from its disagreement to the amendment of the Senate numbered 526, and agree to the same with amendments as follows:

On page 237, lines 6 and 7, of the Senate engrossed amendments, strike out "the terms 'extended care facility' and 'skilled nursing home' " and insert the following: "the terms 'extended care facility', 'extended care facilities', 'skilled nursing home', and 'skilled nursing homes' ".

On page 237, line 9, of the Senate engrossed amendments, strike out "facility,' " and insert the following: "facility' "or 'skilled nursing facilities', as the case may be,".

On page 238, line 10, of the Senate engrossed amendments, strike out "and".

On page 238, line 11, of the Senate engrossed amendments, strike out the period and insert the following: "; and".

On page 238 of the Senate engrossed amendments, after line 11, insert the following:

"(24) section 1121."

On page 238, lines 14 and 15, of the Senate engrossed amendments, strike out "the terms 'extended care facility' and 'skilled nursing home' " and insert the following "the terms 'extended care facility', 'extended care facilities', 'skilled nursing home', and 'skilled nursing homes' ".

On page 238, line 17, of the Senate engrossed amendments, strike out "ity,' " and insert the following: "ity' or 'skilled nursing facilities', as the case may be,".

On page 238, line 18, of the Senate engrossed amendments, after "1903(g)" insert the following: "and (h)".

On page 239, line 22, of the Senate engrossed amendments, strike out "and".

On page 239, line 24, of the Senate engrossed amendments, strike out the period and insert the following: "; and".

On page 239 of the Senate engrossed amendments, after line 24, add the following:

"(16) section 1903(j) of such Act as added by section 225 of this Act;

"(17) section 1814(h) of such Act as added by section 228(a) of this Act; and

"(18) section 1866(a)(1) of such Act as amended by section 249A of this Act."

And the Senate agree to the same.

Amendment numbered 531: That the House recede from its disagreement to the amendment of the Senate numbered 531 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:

COVERAGE OF OUTPATIENT SPECIAL PATHOLOGY SERVICES UNDER MEDICARE

SEC. 283. (a) Section 1861(p) of the Social Security Act is amended by adding at the end thereof the following new sentence: "The term 'outpatient physical therapy services' also includes speech pathology services furnished by a provider of services, a clinic, rehabilitation agency (including a single service rehabilitation facility), or by a public health agency, or by others under an arrangement with, and under the supervision of, such provider, clinic, rehabilitation agency, or public health agency to an individual as an outpatient, subject to the conditions prescribed in this subsection; except that the terms 'speech pathology' and 'speech pathologists' shall be substituted for the terms 'physical therapy' and 'physical therapists' as used therein, and for the purposes of this sentence the term 'single service rehabilitation facility' means a facility in which only speech pathology shall be required to be provided.".

(b) The provisions of this section shall apply with respect to services rendered after December 31, 1972.

And the Senate agree to the same.

Amendment numbered 542: That the House recede from its disagreement to the amendment of the Senate numbered 542, and agree to the same with an amendment as follows:

On page 265, line 21, of the Senate engrossed amendments, strike out "REHABILITATIVE" and insert the following: "REHABILITATION"; and the Senate agree to the same.

Amendment numbered 545: That the House recede from its disagreement to the amendment of the Senate numbered 545, and agree to the same with an amendment as follows:

On page 267, line 14, of the Senate engrossed amendments, strike out "1971" and insert the following: "1972"; and the Senate agree to the same.

Amendment numbered 548: That the House recede from its disagreement to the amendment of the Senate numbered 548, and agree to the same with amendments as follows:

On page 268, line 20, of the Senate engrossed amendments, strike out "AND COSTS OF".

On page 268, line 23, of the Senate engrossed amendments, strike out "249D,".

On page 269, line 2, of the Senate engrossed amendments, strike out "(34)" and insert the following: "(33)".

On page 269, line 4, of the Senate engrossed amendments, strike out "(35)" and insert the following: "(34)".

On page 269, line 5, of the Senate engrossed amendments, strike out "(35)" and insert the following: "(34)".

On page 269, line 6, of the Senate engrossed amendments, strike out "paragraphs" and insert the following: "paragraph".

On page 269, line 7, of the Senate engrossed amendments, strike out "(36)" and insert the following: "(35)".

On page 269 of the Senate engrossed amendments, strike out line 19 and all that follows down through page 270, line 11, and insert the following: "supplied." ".

And the Senate agree to the same.

Amendment numbered 549: That the House recede from its disagreement to the amendment of the Senate numbered 549, and agree to the same with amendments as follows:

On page 271 of the Senate engrossed amendments, strike out lines 13 through 16, and insert the following:

"(B) inpatient services which, in the case of any individual, involves active treatment (i) which meets such standards as may be prescribed pursuant to title XVIII in regulations by the Secretary, and (ii) which a team, consisting of physicians and other personnel qualified to make determinations with respect to mental health conditions and the treatment thereof, has determined are necessary on an inpatient basis and can reasonably be expected to improve the condition, by reason of which such services are necessary, to the extent that eventually such services will no longer be necessary; and

Beginning on page 272, line 17, of the Senate engrossed amendments, strike out all through page 273, line 2, of such engrossed amendments; and the Senate agree to the same.

Amendment numbered 550: That the House recede from its disagreement to the amendment of the Senate numbered 550, and agree to the same with an amendment as follows:

On page 273, line 22, of the Senate engrossed amendments, strike out "249D,".

And the Senate agree to the same.

Amendment numbered 551: That the House recede from its disagreement to the amendment of the Senate numbered 551, and agree to the same with amendments as follows:

On page 275, line 9, of the Senate engrossed amendments, strike out "100" and insert the following: "90".

On page 276, lines 6 and 7, of the Senate engrossed amendments, strike out "(but only if title IV of such Act does not already so provide)".

On page 276, line 16, of the Senate engrossed amendments, strike out "100" and insert the following: "90".

On page 276, line 22, of the Senate engrossed amendments, strike out "2 per centum" and insert the following: "1 per centum".

And the Senate agree to the same.

Amendment numbered 552: That the House recede from its disagreement to the amendment of the Senate numbered 552, and agree to the same with amendments as follows:

On page 277, lines 17 and 18, of the Senate engrossed amendments, strike out "(but only if title IV of such Act does not already so provide)".

On page 277, line 22, of the Senate engrossed amendments, strike out "2 per centum" and insert the following: "1 per centum".

And the Senate agree to the same.

Amendment Numbered 555: That the House recede from its disagreement to the amendment of the Senate numbered 555, and agree to the same with amendments, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

On page 293 of the Senate engrossed amendments, strike out lines 18 and 19 and insert the following:

SEC. 299I. Effective with respect to services provided on and after July 1, 1973, section 226 of the Social Security Act (as amended by section 201(b)(5) of this Act) is amended by redesignating subsection (e) as subsection (f), and by inserting after subsection (d) the following new subsection:

On page 293, line 20, of the Senate engrossed amendments, strike out "the" and insert the following: "this".

On page 294, lines 11 and 12, of the Senate engrossed amendments, strike out "deductible premium and copayment provision" and insert the following: "deductible, premium, and copayment provisions".

On page 294, lines 14 and 15, of the Senate engrossed amendments, strike out "would begin with the sixth month after the month of onset of chronic kidney failure" and insert the following: "shall begin with the third month after the month in which a course of renal dialysis is initiated".

On page 294, line 17, of the Senate engrossed amendments, strike out "transplant." and insert the following: "transplant or such course of dialysis is terminated."

On page 294, line 23, of the Senate engrossed amendments, strike out "procedure" and insert the following: "procedures".

And the Senate agree to the same.

Amendment numbered 558: That the House recede from its disagreement to the amendment of the Senate numbered 558, 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:

CERTIFICATION OF INTERMEDIATE CARE FACILITIES AND SKILLED NURSING FACILITIES LOCATED ON AN INDIAN RESERVATION

SEC. 299L. (a) Section 1905(c) of the Social Security Act, as added by Public Law 92-223, is amended by adding after the penultimate sentence thereof the following: "The term 'intermediate care facility' also includes any institution which is located in a State on an Indian reservation and is certified by the Secretary as meeting the requirements of clauses (2) and (3) of this subsection and providing the care and services required under clause (1).".

(b) Section 1905 of the Social Security Act, as amended by this Act, is amended by adding at the end thereof the following new subsection:

"(h) For purposes of this title, the term 'skilled nursing facility' also includes any institution which is located in a State on an Indian reservation and is certified by the Secretary as being a qualified skilled nursing facility by meeting the requirements of section 1861(j)."

And the Senate agree to the same.

Amendment numbered 564: That the House recede from its disagreement to the amendment of the Senate numbered 564, and agree to the same with amendments as follows:

On page 306, line 20, of the Senate engrossed amendments strike out "$2,500," and insert the following: "(i) in case such individual has a spouse with whom he is living, $2,250, or (ii) in case such individual has no spouse with whom he is living, $1,500,".

On page 307, line 6, of the Senate engrossed amendments, strike out "$2,500," and insert the following: "$2,250,".

On page 314, line 5, of the Senate engrossed amendments, strike out "$600" and insert the following: "$240".

On page 314, line 24, of the Senate engrossed amendments, strike out "$1,020" and insert the following: "$780".

On page 315, line 14, of the Senate engrossed amendments, strike out "1,020" and insert the following: "$780".

On page 315, line 24, of the Senate engrossed amendments, strike out "$1,020" and insert the following: "$780".

On page 312, lines 20 and 21, of the Senate engrossed amendments, strike out "18 years of age or older and".

On page 319, lines 18 and 19, of the Senate engrossed amendments, strike out "18 years of age or older and".

On page 319, line 23, of the Senate engrossed amendments, immediately before the period insert the following: "(or, in the case of a child under the age of 18, if he suffers from any medically determinable physical or mental impairment of comparable severity)".

On page 323, lines 7 and 8, of the Senate engrossed amendments, strike out "twenty-one" and insert the following: "twenty-two".

On page 333, line 17, of the Senate engrossed amendments, strike out "to the maximum extent feasible"

On page 311, after line 23, of the Senate engrossed amendments, insert the following:

"CERTAIN INDIVIDUALS DEEMED TO MEET INCOME TEST

"(h) In determining eligibility for, and the amount of, benefits payable under this section in the case of any individual or any individual and his spouse (as the case may be) who is blind (as that term is defined under a State plan approved under title X or XVI as in effect in October 1972) and who for the month of December 1973 was a recipient of aid or assistance under a State plan approved under title X or XVI, there shall be disregarded an amount equal to the greater of the amounts determined as follows—

"(1) the maximum amount of any earned or unearned income which could have been disregarded under the State plan (above referred to, and as in effect in October 1972), or

"(2) the amount which would be required to be disregarded under section 1612 without application of this subsection.

On page 310 of the Senate engrossed amendments, strike out lines 1 through 19, and insert the following:

"(3)(A) No person who is an aged, blind, or disabled individual solely by reason of disability (as determined under section 1614(a)(3)) shall be an eligible individual or eligible spouse for purposes of this title with respect to any month if such individual is medically determined to be a drug addict or an alcoholic unless such individual is undergoing any treatment that may be appropriate for his condition as a drug addict or alcoholic (as the case may be) at an institution or facility approved for purposes of this paragraph by the Secretary (so long as such treatment is available) and demonstrates that he is complying with the terms, conditions, and requirements of such treatment and with requirements imposed by the Secretary under subparagraph (B).

"(B) The Secretary shall provide for the monitoring and testing of all individuals who are receiving benefits under this title and who as a condition of such benefits are required to be undergoing treatment and complying with the terms, conditions, and requirements thereof as described in subparagraph (A), in order to assure such compliance and to determine the extent to which the imposition of such requirement is contributing to the achievement of the purposes of this title. The Secretary shall annually submit to the Congress a full and complete report on his activities under this paragraph.

On page 311, after line 23 of the Senate engrossed amendments insert the following:

CERTAIN INDIVIDUALS DEEMED TO MEET THE INCOME TEST

"(h) In determining eligibility under this section in the case of any individual or any individual and his spouse (as the case may be) who is blind (as that term is defined under the State plan approved under title X or XVI) and who for the month of December 1973 was a recipient of aid or assistance under a State plan approved under title X or XVI, the amount of any earned or unearned income required as permitted to be disregarded under the State plan (above referred to, and as in effect in October 1972) shall be disregarded in computing the income of such individual or such individual and his spouse under this section.

On page 327, line 7, of the Senate engrossed amendments, after "(c)" insert the following: (1)

On page 327, after line 14, of the Senate engrossed amendments, insert the following:

(2) Any State (or political subdivision), in determining the eligibility of any individual for supplementary payments described in subsection (a), may disregard amounts of earned and unearned income in addition to other amounts which it is required or permitted to disregard under this section in determining such eligibility, and shall include a provision specifying the amount of any such income that will be disregarded, if any.

On page 351, line 19, of the Senate engrossed amendments, strike out "Effective January 1, 1974, section" and insert the following: "Section".

On page 353, after line 16, of the Senate engrossed amendments insert the following:

(c) The provisions of this section shall become effective on the date of enactment of this Act.

Amendment numbered 565: That the House recede from its disagreement with the Senate numbered 565, 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:

DISREGARDING OF INCOME OF OASDI RECIPIENTS IN DETERMINING NEED FOR PUBLIC ASSISTANCE

SEC. 306. In addition to the requirements imposed by law as a condition of approval of a State plan to provide aid or assistance in the form of money payments to individuals under title I, X, XIV, or XVI of the Social Security Act, there is hereby imposed the requirement (and the plan shall be deemed to require) that, in the case of any individual receiving aid or assistance for any month after October 1972, or, at the option of the State, September 1972, and before January 1974 who also receives in such month a monthly insurance benefit under title II of such Act which was increased as a result of the enactment of Public Law 92-336, the sum of the aid or assistance received by him for such month, plus the monthly insurance benefit received by him in such month (not including any part of such benefit which is disregarded under such plan), shall exceed the sum of the aid or assistance which would have been received by him for such month under such plan as in effect for October 1972, plus the monthly insurance benefit which would have been received by him in such month, by an amount equal to $4 or (if less) to such increase in his monthly insurance benefit under such title II (whether such excess is brought about by disregarding a portion of such monthly insurance benefit or otherwise).

Amendment numbered 567: That the House recede from its disagreement to the amendment of the Senate numbered 567, with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment, insert the following:

TITLE IV—MISCELLANEOUS

LIMITATION ON FISCAL LIABILITY OF STATES FOR OPTIONAL STATE SUPPLEMENTATION

SEC. 401. (a)(1) The amount payable to the Secretary by a State for any fiscal year pursuant to its agreement or agreements under section 1616 of the Social Security Act shall not exceed the non-Federal share of expenditures as aid or assistance for quarters in the calendar year 1972 under the plans of the State approved under titles I, X, XIV, and XVI of the Social Security Act (as defined in subsection (c) of this section).

(2) Paragraph (1) of this subsection shall only apply with respect to that portion of the supplementary payments made by the Secretary on behalf of the State under such agreements in any fiscal year which does not exceed in the case of any individual the difference between—

(A) the adjusted payment level under the appropriate approved plan of such State as in effect for January 1972 (as defined in subsection (b) of this section), and

(B) the benefits under title XVI of the Social Security Act, plus income not excluded under section 1612(b) of such Act in determining such benefits, paid to such individual in such fiscal year, and shall not apply with respect to supplementary payments to any individual who (i) is not required by section 1616 of such Act to be included in any such agreement administered by the Secretary and (ii) would have been ineligible (for reasons other than income) for payments under the appropriate approved State plan as in effect for January 1972.

(b)(1) For purposes of subsection (a), the term "adjusted payment level under the appropriate approved plan of a State as in effect for January 1972" means the amount of the money payment which an individual with no other income would have received under the plan of such State approved under title, I, X, XIV, or XVI of the Social Security Act, as may be appropriate, and in effect for January 1972; except that the State may, at its option, increase such payment level with respect to any such plan by an amount which does not exceed the sum of—

(A) a payment level modification (as defined in paragraph (2) of this subsection) with respect to such plan, and

(B) the bonus value of food stamps in such State for January 1972 (as defined in paragraph (3) of this subsection).

(2) For purposes of paragraph (1), the term "payment level modification" with respect to any State plan means that amount by which a State which for January 1972 made money payments under such plan to individuals with no other income which were less than 100 per centum of its standard of need could have increased such money payments without increasing (if it reduced its standard of need under such plan so that such increased money payments equaled 100 per centum of such standard of need) the non-Federal share of expenditures as aid or assistance for quarters in calendar year 1972 under the plans of such State approved under titles I, X, XIV, and XVI of the Social Security Act.

(3) For purposes of paragraph (1), the term "bonus value of food stamps in a State for January 1972" (with respect to an individual means—

(A) the face value of the coupon allotment which would have been provided to such an individual under the Food stamp Act of 1964 for January 1972, reduced by

(B) the charge which such an individual would have paid for such coupon allotment, if the income of such individual, for purposes of determining the charge it would have paid for its coupon allotment, had been equal to the adjusted payment level under the State plan (including any payment level modification with respect to the plan adopted pursuant to paragraph (2) (but not including any amount under this paragraph)). The total face value of food stamps and the cost thereof in January 1972 shall be determined in accordance with rules prescribed by the Secretary of Agriculture in effect in such month.

(c) For purposes of this section, the term "non-Federal share of expenditures as aid or assistance for quarters in the calendar year 1972 under the plans of a State approved under titles I, X, XIV, and XVI of the Social Security Act" means the difference between—

(1) the total expenditures in such quarters under such plans for aid or assistance expenditures authorized under section 1119 of such Act for repairing the home of an individual who was receiving aid or assistance under one of such plans, (as such section was in effect prior to the enactment of this Act)), and

(2) the total of the amounts determined under sections 3, 1003, 1403, and 1603 of the Social Security Act, under section 1118 of such Act, and under section 9 of the Act of April 19, 1950, for such State with respect to such expenditures in such quarters.

TRANSITIONAL ADMINISTRATIVE PROVISIONS

SEC. 402. In order for a State to be eligible for any payments pursuant to title IV, V, XVI, or XIX of the Social Security Act with respect to expenditures for any quarter in the fiscal year ending June 30, 1975, and for the purpose of providing an orderly transition from State to Federal administration of the Supplemental Security Income Program, such State shall enter into an agreement with the Secretary of Health, Education, and Welfare under which the State agencies responsible for administering or for supervising the administration of the plans approved under titles I, X, XIV, and XVI of the Social Security Act will, on behalf of the Secretary, administer all or such part or parts of the program established by section 301 of this Act, during such portion of the fiscal year ending June 30, 1975, as may be provided in such agreement.

SAVINGS PROVISION REGARDING CERTAIN EXPENDITURES FOR SOCIAL SERVICES

SEC. 403. In the administration of section 1130 of the Social Security Act, the allotment of each State (as determined under subsection (b) of such section) for the fiscal year ending June 30, 1973, shall (notwithstanding any provision of such section 1130) be adjusted so that the amount of such allotment for such year consists of the sum of the following:

(1) the amount of the total expenditures, not to exceed $50,000,000, incurred by the State for services (of the type, and under the programs to which the allotment, as determined under such subsection (b), is applicable) for the calendar quarter commencing July 1, 1972, plus

(2) an amount equal to three-fourth of the amount the allotment of such State (as determined under subsection (b), but without application of the provisions of this section): *Provided, however,* That no State shall receive less under this section than the amount to which it would have been entitled otherwise under section 1130 of the Social Security Act.

CHANGE IN EXECUTIVE SCHEDULE—COMMISSIONER OF SOCIAL SECURITY

SEC. 404. (a) Section 5316 of title 5, United States Code (relating to positions at level V of the Executive Schedule), is amended by striking out:

"(51) Commissioner of Social Security, Department of Health, Education, and Welfare.".

(b) Section 5315 of title 5, United States Code (relating to positions at level IV of the Executive Schedule), is amended by adding at the end thereof the following:

"(97) Commissioner of Social Security, Department of Health, Education, and Welfare.".

(c) The amendments made by the preceding provisions of this section shall take effect on the first day of the first pay period of the Commissioner of Social Security, Department of Health, Education, and Welfare, which commences on or after the first day of the month which follows the month in which this Act is enacted.

SEPARATION OF SOCIAL SERVICES NOT REQUIRED

SEC. 405. (a) Section 2(a)(10)(C) of the Social Security Act is amended by inserting "(using whatever internal organizational arrangement it finds appropriate for this purpose)" immediately after "provide a description of the services (if any) which the State agency makes available".

(b) Section 1002(a)(13) of such Act is amended by inserting "(using whatever internal organizational arrangement it finds appropriate for this purpose)" immediately after "provide a description of the services (if any) which the State agency makes available".

(c) Section 1402(a)(12) of such Act is amended by inserting "(using whatever internal organizational arrangement it finds appropriate for this purpose)" immediately after "provide a description of the services (if any) which the State agency makes available".

(d) Section 1602(a)(10) of such Act is amended by inserting "(using whatever internal organizational arrangement it finds appropriate for this purpose)" immediately after "provide a description of the services (if any) which the State agency makes available".

MANUALS AND POLICY ISSUANCES NOT REQUIRED WITHOUT CHARGE

SEC. 406. (a) Section 2(b) of the Social Security Act is amended by adding at the end thereof the following new sentence: "At the option of the State, the plan may provide that manuals and other policy issuances will be furnished to persons without charge for the reasonable cost of such materials, but such provision shall not be required by the Secretary as a condition for the approval of such plan under this title."

(b) Section 1002(b) of such Act is amended by adding immediately after the first sentence thereof the following new sentence: "At the option of the State, the plan

may provide that manuals and other policy issuances will be furnished to persons without charge for the reasonable cost of such materials, but such provision shall not be required by the Secretary as a condition for approval of such plan under this title."

(c) Section 1402(b) of such Act is amended by adding at the end thereof the following new sentence: "At the option of the State, the plan may provide that manuals and other policy issuances will be furnished to persons without charge for the reasonable cost of such materials, but such provision shall not be required by the Secretary as a condition for the approval of such plan under this title."

(d) Section 1602(b) of such Act is amended by adding immediately after the first sentence thereof the following new sentence: "At the option of the State, the plan may provide that manuals and other policy issuances will be furnished to persons without charge for the reasonable cost of such materials, but such provision shall not be required by the Secretary as a condition for the approval of such plan under this title."

EFFECTIVE DATE OF FAIR HEARING DECISION

SEC. 407. (a) Section 2(a)(4) is amended by—

(1) deleting "provide" and inserting in lieu thereof "provide (A)", and

(2) inserting immediately before the semicolon at the end thereof the following: ", and (B) that if the State plan is administered in each of the political subdivisions of the State by a local agency and such local agency provides a hearing at which evidence may be presented prior to a hearing before the State agency, such local agency may put into effect immediately upon issuance its decision upon the matter considered at such hearing".

(b) Section 1002(a)(4) is amended by—

(1) deleting "provide" and inserting in lieu thereof "provide (A)", and

(2) inserting immediately before the semicolon at the end thereof the following: ", and (B) that if the State plan is administered in each of the political subdivisions of the State by a local agency and such local agency provides a hearing at which evidence may be presented prior to a hearing before the State agency, such local agency may put into effect immediately upon issuance its decision upon the matter considered at such hearing".

(c) Section 1402(a)(4) is amended by—

(1) deleting "provide" and inserting in lieu thereof "provide (A)", and

(2) inserting immediately before the semicolon at the end thereof the following: ", and (B) that if the State plan is administered in each of the political subdivisions of the State by a local agency and such local agency provides a hearing at which evidence may be presented prior to a hearing before the State agency, such local agency may put into effect immediately upon issuance its decision upon the matter considered at such hearing".

(d) Section 1602(a)(4) is amended by—

(1) deleting "provide" and inserting in lieu thereof "provide (A)", and

(2) inserting immediately before the semicolon at the end thereof the following: ", and (B) that if the State plan is administered in each of the political subdivisions of the State by a local agency and such local agency provides a hearing at which evidence may be presented prior to a hearing before the State agency, such local agency may put into effect immediately upon issuance its decision upon the matter considered at such hearing".

ABSENCE FROM STATE FOR MORE THAN 90 DAYS

SEC. 408. (a) Section 6(a) of the Social Security Act is amended by adding at the end thereof the following new sentence: "At the option of a State (if its plan approved under this title so provides), such term need not include money payments to an individual who has been absent from such State for a period in excess of 90 consecutive days (regardless of whether he has maintained his residence in such State during such period) until he has been present in such State for 30 consecutive days in the case of such an individual who has maintained his residence in such State during such period or 90 consecutive days in the case of any other such individual."

(b) Section 1006 of such Act is amended by adding at the end thereof the following new sentence: "At the option of a State (if its plan approved under this title so provides), such term need not include money payments to an individual who has been absent from such State for a period in excess of 90 consecutive days (regardless of whether he has maintained his residence in such State during such period) until he has been present in such State for 30 consecutive days in the case of such an individual who has maintained his residence in such State during such period or 90 consecutive days in the case of any other such individual."

(c) Section 1405 of such Act is amended by adding at the end thereof the following new sentence: "At the option of a State (if its plan approved under this title so provides), such term need not include money payments to an individual who has been absent from such State for a period in excess of ninety consecutive days (regardless of whether he has maintained his residence in such State during such period) until he has been present in such State for thirty consecutive days in the case of such an individual who has maintained his residence in such State during such period or ninety consecutive days in the case of any other such individual."

(d) Section 1605(a) of such Act is amended by adding at the end thereof the following new sentence: "At the option of a State (if its plan approved under this title so provides), such term need not include money payments to an individual who has been absent from such State for a period in excess of ninety consecutive days (regardless of whether he has maintained his residence in such State during such period) until he has been present in such State for thirty consecutive days in the case of such an individual who has maintained his residence in such State during such period or ninety consecutive days in the case of any other such individual."

RENT PAYMENTS TO PUBLIC HOUSING AGENCY

SEC. 409. (a) Section 6(a) of the Social Security Act (as amended by section 554(a) of this Act) is further amended by—

(1) striking out "such term" in the last sentence thereof and inserting in lieu thereof "such term (i)", and

(2) adding immediately before the period at the end of such sentence the following: ", and (ii) may include rent payments made directly to a public housing agency on behalf of a recipient or a group or groups of recipients of assistance under such plan".

(b) Section 1006 of such Act (as amended by section 554(b) of this Act) is further amended by—

(1) striking out "such term" in the last sentence thereof and inserting in lieu thereof "such term (i)", and

(2) adding immediately before the period at the end of such sentence the following: ", and (ii) may include rent payments made directly to a public housing agency on behalf of a recipient or a group or groups of recipients of aid under such plan".

(c) Section 1405 of such Act (as amended by section 554(c) of this Act) is further amended by—

(1) striking out "such term" in the last sentence thereof and inserting in lieu thereof "such term (i)", and

(2) adding immediately before the period at the end of such sentence the following: ", and (ii) may include rent payments made directly to a public housing agency on behalf of a recipient or a group or groups of recipients of aid under such plan".

(d) Section 1605(a) of such Act (as amended by section 554(d) of this Act) is further amended by—

(1) striking out "such term" in the last sentence thereof and inserting in lieu thereof "such term (i)", and

(2) adding immediately before the period at the end of such sentence the following: ", and (ii) may include rent payments made directly to a public housing agency on behalf of a recipient or a group or groups of recipients of aid under such plan".

STATEWIDENESS NOT REQUIRED FOR SERVICES

SEC. 410. (a) Section 2(a) of the Social Security Act is amended by inserting "except to the extent permitted by the Secretary with respect to services," before "provide" at the beginning of paragraph (1).

(b) Section 1002(a) of such Act is amended by inserting "except of the extent permitted by the Secretary with respect to services," before "provide" at the beginning of clause (1).

(c) Section 1402(a) of such Act is amended by inserting "except to the extent permitted by the Secretary with respect to services," before "provide" at the beginning of clause (1).

(d) Section 1602(a) of such Act is amended by inserting "except to the extent permitted by the Secretary with respect to services," before "provide" at the beginning of paragraph (1).

PROHIBITION AGAINST PARTICIPATION IN FOOD STAMP OR SURPLUS COMMODITIES PROGRAM BY PERSONS ELIGIBLE TO PARTICIPATE IN EMPLOYMENT OR ASSISTANCE PROGRAMS

SEC. 411. (a) Effective January 1, 1974, section 3(e) of the Food Stamp Act of 1964 is amended by adding at the end thereof the following new sentence: "No person who is eligible (or upon application would be eligible) to receive supplemental security income benefits under title XVI of such Act shall be considered to be a member of a household or an elderly person for purposes of this Act."

(b) Section 3(h) of such Act is amended to read as follows:

"(h) The term 'State agency', with respect to any State, means the agency of State government which is designated by the Secretary for purposes of carrying out this Act in such State."

(c) Section 10(c) of such Act is amended by striking out the first sentence.

(d) Clause (2) of the second sentence of section 10(e) of such Act is amended by striking out "used by them in the certification of applicants for benefits under the federally aided public assistance programs" and inserting in lieu thereof the following: "prescribed by the Secretary in the regulations issued pursuant to this Act".

(e) Section 10(e) of such Act is further amended by striking out the third sentence.

(f) Section 14 of such Act is amended by striking out subsection (e).

(g) Effective January 1, 1974, section 416 of the Act of October 31, 1949, is amended by adding at the end thereof the following new sentence: "No person who is eligible (or upon application would be eligible) to receive supplemental security income under title XVI of such Act shall be eligible to participate in any program conducted under this section (other than nonprofit child feeding programs or programs under which commodities are distributed on an emergency or temporary basis and eligibility for participation therein is not based upon the income or resources of the individual or family)."

(h) Except as otherwise provided in this section, the amendments made by this section shall take effect on January 1, 1973.

Amendment numbered 568: That the House recede from its disagreement to the amendment of the Senate numbered 568, and agree to the same with an amendment as follows:

Strike out the matter proposed to be stricken by the Senate amendment, and omit the matter proposed to be inserted by the Senate amendment.

And the Senate agree to the same.

Amendment to title: That the House recede from its disagreement to the amendment of the Senate to the title of the bill.

W. D. MILLS,
AL ULLMAN,
JAMES A. BURKE,
Mrs. GRIFFITHS,
JOHN W. BYRNES,
JACKSON E. BETTS,
H. T. SCHNEEBELI,
Managers on the Part of the House.

RUSSELL B. LONG,
CLINTON P. ANDERSON,
HERMAN TALMADGE,
WALLACE F. BENNETT,
CARL CURTIS,
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. 1) to amend the Social Security Act to increase benefits and improve eligibility and computation methods under the OASDI program, to make improvements in the medicare, medicaid, and maternal and child health programs with emphasis on improvements in their operating effectiveness, to replace the existing Federal-State public assistance programs with a Federal program of adult assistance and a Federal program of benefits to low-income families with children with incentives and requirements for employment and training to improve the capacity for employment of members of such families, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

BENEFIT INCREASES; AUTOMATIC ADJUSTMENTS

Amendment No. 3: The House bill contained provisions for a 5-percent social security benefit increase effective June 1972 and provisions for automatic increases in benefits and the taxable wage base.

The Senate amendment deleted these provisions from the bill in view of the fact that Public Law 92-336 enacted a 20-percent social security benefit increase effective September 1972 and provisions substantially the same as the House bill relating to automatic increases in benefits and the taxable wage base.

The House recedes.

SPECIAL MINIMUM PIA

Amendment Nos. 4-22: The House bill provided a special minimum benefit equal to $5 multiplied by a worker's number of years of covered employment up to 30 years, or $150 a month ($225 for a couple).

The Senate amendments provided a special minimum benefit equal to $10 multiplied by a worker's number of years of covered employment in excess of 10 years, up to a maximum of 30 years or $200 a month ($300 for a couple).

The House recedes with an amendment providing a special minimum benefit equal to $8.50 multiplied by a worker's number of years of covered employment in excess of 10 years, up to a maximum of 30 years or $170 a month ($255 for a couple).

INCREASED WIDOWS' AND WIDOWERS' BENEFITS

Amendment Nos. 23-38: The House bill increased benefits for widows and widowers who have attained age 65 when they make application to 100 percent of the deceased spouse's benefit.

The Senate amendments added provisions to permit the Social Security Administration to simplify the method of computing these benefits in cases in which certain information is not available in computerized form.

The House recedes with technical amendments.

INCREASE IN EARNINGS BASE

Amendment No. 39: The House bill contained provisions to increase the limitation on earnings for benefit computations and tax purposes to $10,200 per year beginning with 1972.

The Senate amendment deleted these provisions which were replaced by provisions in Public Law 92-336 increasing the limitation to $10,800 for 1973 and $12,000 for 1974.

The House recedes.

DELAYED RETIREMENT CREDIT

Amendment Nos. 40-49: The House bill provided a worker's old-age benefit would be increased by 1 percent for each year (1/12 of 1 percent for each month) in which a worker between ages 65 and 72 does not receive benefits under the retirement test because of his earnings. The House provision would take account of months after 1970 for which benefits were not paid because of earnings.

The Senate amendments would take account of months after 1939 for which benefits were not paid because of earnings.

The House recedes with an amendment which would make this provision applicable only to months of earnings after 1971.

PROVISIONS ELIMINATED FROM THE HOUSE BILL

Amendment No. 64: The House bill contained the following three sections:

1. *Additional Drop-Out Years*—Provided that one year of low earnings (in addition to the 5 years provided under present law) for each 15 years of covered work would be dropped in computing benefits. Applicable to persons who reach age 62 or die or become disabled after 1971.

2. *Actuarial Reduction Not Applicable to Subsequent Benefit*—Provided that when a person applied for a subsequent different benefit (e.g., a spouse's benefit), it would not be reduced because the person had earlier applied for a benefit (e.g., a worker's benefit) that was actuarially reduced.

3. *Combined Earnings for Working Couples*—Provided that a married couple each of whom were age 62 and had at least 20 years of covered earnings after marriage could have their earnings combined for each year up to the maximum taxable wage base as an alternative method of computing benefits.

The Senate amendment deleted these provisions from the House bill.

The House recedes.

LIBERALIZATION OF THE EARNINGS TEST

Amendment Nos. 65-72: The House bill increased the annual exempt amount under the earnings test from $1680 to $2000 per year with proportionate increases in the monthly measure of retirement and provided that social security benefits be reduce at the rate of $1 of benefits for each $2 of earnings over that amount.

The Senate amendments increased the annual exempt amount to $3,000 with proportionate increases in the monthly measure of retirement and provided that social security benefits be reduced at the same rate as in the House bill.

The House recedes with an amendment increasing the annual exempt amount to $2,100 with proportionate in the monthly measure and providing that the benefits be reduced as in the House bill.

CHILD'S BENEFITS BASED ON MORE THAN ONE WAGE RECORD

Amendment No. 95: The House bill contained provisions which permit a person who is entitled to a child's benefit on the wage records of more than one worker to obtain the child's benefit which is highest in amount.

The Senate amendment redrafted these provisions without substantively changing them to eliminate technical problems.

The House recedes.

CHILD'S BENEFITS ON GRANDPARENTS' EARNINGS

Amendment Nos. 100-101: The House bill provided for benefits to grandchildren not adopted by their grandparents if their parents have died and if other conditions are met (e.g., the child must have been living with the grandparent before reaching age 18 and before the grandparent qualified for benefits).

The Senate amendment broadened the provision to include a child whose parents are totally disabled.

The House recedes.

REDUCTION OF WAITING PERIOD FOR DISABILITY BENEFITS

Amendment Nos. 116-127: The House bill reduced the waiting period for disability benefits from 6 months to 5 months.

The Senate amendments reduced the waiting period to 4 months.

The Senate recedes.

DISABILITY BENEFITS FOR THE BLIND

Amendment No. 128: The House bill eliminated the special disability work requirement (20 out of 40 quarters) for blind persons.

The Senate amendment provided for paying disability insurance benefits for blind people who have at least 6 quarters of social security coverage. The benefits would be paid regardless of the amount of an individual's earnings both before and after age 65 or his ability to work. The Senate amendment also excluded blind persons from the requirements of present law that disability benefits be suspended for any months during which a beneficiary refuses without good cause to accept vocational rehabilitation services.

The Senate recedes.

OPTIONAL DETERMINATION OF SELF-EMPLOYMENT EARNINGS

Amendment Nos. 139-148: The House bill provided that a person could use a new optional method of determining his self-employment earnings if his net earnings (farm and nonfarm) are $1,600 or more.

The Senate amendments provided that a person could use the new optional method if his nonfarm net earnings are $1600 or more.

The House recedes.

PENALTIES FOR FURNISHING FALSE INFORMATION

Amendment Nos. 162-166: The House bill established criminal penalties for a person who furnishes false information in applying for a social security number with intent to deceive as to his true identity.

The Senate amendments added further provisions to establish criminal penalties for obtaining benefits under any Federal program to which a person is not entitled by willfully using a social security number obtained on the basis of false information or by representing a number to be that of a person to whom it was not issued.

The House recedes.

GUARANTEE OF NO DECREASE IN FAMILY BENEFITS

Amendment No. 167: The House bill contained provisions to guarantee that the benefits of a family would not be reduced by reason of a social security benefit increase.

The Senate amendment deleted these provisions which were included in Public Law 92-336.

The House recedes.

CHANGES IN TAX SCHEDULES

Amendment Nos. 177-207: The House bill contained changes in the social security tax

schedule necessary to finance the social security system as modified by the House bill.

The Senate amendments changed these provisions to finance the social security system as modified by the Senate bill.

The House recedes with an amendment providing a new schedule of taxes to finance the system as modified by the Conference agreement.

ALLOCATION TO DISABILITY INSURANCE TRUST FUND

Amendment No. 208: The House bill contained provisions changing the allocation of social security revenues to the disability insurance trust fund at the rates necessary to finance disability benefits as modified by the House bill.

The Senate amendment changed the allocation rates to finance disability benefits as modified by Public Law 92–336 and the Senate bill.

The Conference report modifies the realocation rates to finance the disability insurance program as modified by the Conference agreement.

ISSUANCE OF SOCIAL SECURITY ACCOUNT NUMBERS

Amendment No. 209: The Senate amendment added to the House bill a new provision which provides instructions to the Secretary of Health, Education, and Welfare as to the method of issuing social security account numbers. Under the amendment, numbers in the future generally will be issued when a person enters the first grade; in the case of a non-citizen, at the time he enters this country if at that time he may legally work; if he may not legally work at the time he enters the country, the number would be issued when his employment status changes. In addition, numbers would be issued to people who do not have them when they apply for benefits under any Federal program.

The conference report retains the provisions of the Senate bill relating to non-citizens and to people who apply for Federal benefits but deletes the provision that social security account numbers be issued mandatorily when a person enters the first grade and substitutes a provision authorizing the Secretary to issue numbers to persons at such time. The managers urge and direct the Secretary to utilize this authority to the fullest practical extent and to report to the Congress by January 1, 1975, concerning the feasibility of establishing a system requiring the issuance of social security account numbers to persons entering first grade or earlier.

SISTERS AND BROTHERS INSURANCE BENEFITS

Amendment No. 210: The Senate amendment added to the House bill a provision to provide benefits to dependent sisters who have attained age 62 and to dependent sisters and brothers who were disabled before age 22.

The Senate recedes.

REFUND OF SOCIAL SECURITY TAXES TO MEMBERS OF CERTAIN RELIGIOUS GROUPS

Amendment No. 211: The Senate amendment added to the House bill a provision to provide members of certain religious sects that are conscientiously opposed to insurance a refund of their social security employee contributions.

The Senate recedes.

PAYMENTS BY EMPLOYER TO DISABLED FORMER EMPLOYEE

Amendment No. 212: The Senate amendment added to the House bill a new provision which would provide that payments made by an employer to a former disabled employee will not be counted for social security benefit or tax purposes if the payment is made after the calendar year in which the former employee became entitled to social security disability insurance benefits.

The House recedes.

LUMP-SUM DEATH PAYMENT TO COVER MEMORIAL SERVICES

Amendment No. 213: The Senate amendment added to the House bill a new provision which would apply retroactively to 1960 the provisions of Public Law 92–223. That law authorized the payment of the lump-sum death payment as reimbursement for expenses in connection with memorial services for people whose bodies are not available for burial provided that the death occurred after 1970.

The Senate recedes.

UNDERPAYMENTS

Amendment No. 214: The Senate amendment added to the House bill a new provision which provides that if there are no surviving children, spouses or parents and no legal representative of the estate, cash benefits due a deceased beneficiary could be paid to any other relative determined by regulation of the Secretary.

The Senate recedes.

DISREGARD OF INCOME FROM THE SALE OF CERTAIN ARTISTIC ITEMS FOR EARNINGS TEST PURPOSES

Amendment No. 215: The Senate amendment added to the House bill a new provision which would provide for the exclusion from income, for retirement test purposes, the proceeds from the sale of certain literary or artistic items which were created before age 65.

The Senate recedes.

TERMINATION OF REGISTRAR COVERAGE IN LOUISIANA

Amendment No. 216: The Senate amendment added to the House bill a new provision which would permit voter registrars in Louisiana, and their employees, to terminate their social security coverage without affecting the coverage of other State and local employees in the States as a group. The registrars and their employees would have to decide to terminate coverage by December 31, 1973, and the termination would be effective after December, 1975.

The House recedes.

COMPUTATION OF MINISTER'S INCOME OUTSIDE UNITED STATES

Amendment No. 217: The Senate amendment added to the House bill a new provision which would provide that all American clergymen serving foreign congregations outside the U.S. would compute their self-employment income for social security purposes without regard to the $20,000 exclusion of income earned abroad.

The House recedes.

MODIFICATION OF STATE AGREEMENTS WITH RESPECT TO CERTAIN STUDENTS AND PART-TIME EMPLOYEES

Amendment No. 218: The Senate amendment added to the House bill a new provision which would permit the States to modify their social security coverage agreements for State and local employees so as to remove from coverage services of students employed by the public school or college they are attending, and the services of part-time employees.

The House recedes.

BENEFITS FOR CERTAIN WORLD WAR II INTERNEES

Amendment No. 219: The Senate amendment added to the House bill a new provision which would provide non-contributory social security credits for U.S. citizens of Japanese ancestry who were interned by the U.S. Government during World War II. In order to qualify for the wage credits an individual must have been age 18 or older at the time he was interned and the credits will be determined on the basis of the then prevailing minimum wage or the individual's prior earnings, whichever is larger.

The House recedes with a technical amendment.

MODIFICATION OF AGREEMENT WITH WEST VIRGINIA TO COVER CERTAIN POLICEMEN AND FIREMEN

Amendment No. 220: The Senate amendment added to the House bill a new provision which would permit the State of West Virginia to modify its social security coverage agreement to provide retroactive and prospective coverage for certain policemen and firemen who erroneously thought they were covered under social security and have paid social security taxes.

The House recedes.

TERMINATION OF COVERAGE FOR POLICEMEN OR FIREMEN

Amendment No. 221: The Senate amendment added to the House bill a new provision which would permit the States to modify their social security coverage agreements so as to terminate the coverage of policemen and firemen without affecting the coverage of other members of the same coverage group. In addition, it would permit the modification of coverage agreements which were terminated to exclude policemen and firemen so as to reinstate the coverage of other employees.

The Senate recedes.

TWENTY-PERCENT INCREASE PERFECTING AMENDMENTS

Amendment No. 222: The Senate amendment added to the House bill certain technical amendments relating to the 20-percent benefit increase enacted by Public Law 92–336.

The House recedes with a technical amendment.

REDUCTION IN AGE OF ELIGIBILITY FOR ACTUARIALLY REDUCED BENEFITS

Amendment No. 223: The Senate amendment added to the House bill a new provision which would permit the payment of actuarially reduced benefits for workers at age 60.

The Senate recedes.

AGE 55 COMPUTATION POINT FOR WIDOWS

Amendment No. 224: The Senate amendment added to the House bill a new provision which would permit the payment of actuarially reduced benefits to widows at age 55.

The Senate recedes.

STUDY OF EARNINGS TEST

Amendment No. 225: The Senate amendment added to the House bill a new provision which would require the Secretary of Health, Education, and Welfare to conduct a study to determine the feasibility of eliminating or extensively revising the Social Security earnings test.

The Senate recedes.

ELIMINATION OF DURATION-OF-RELATIONSHIP REQUIREMENTS

Amendment No. 226: The Senate amendment added to the House bill a new provision amending the provision of present law which reduces from 9 months to 3 months the duration-of-relationship requirement when death is accidental or in line of duty in the Armed Forces so that there would be no duration-of-relationship requirement in such cases if it is reasonable to expect that the deceased would have lived for at least 9 months.

The House recedes.

COVERAGE FOR DISABILITY BENEFICIARIES UNDER MEDICARE

Amendment Nos. 228–254: The House bill extended medicare coverage to individuals who had been receiving social security benefits on the basis of disability effective with July 1, 1973. The medicare coverage ended with the month in which the disability ceases.

The Senate amendments modified the House bill to extend medicare to women age 50 or older, entitled to mother's benefits who, for 24 months prior to the first month

they would be entitled to medicare, met all requirements for disability benefits, except for the actual filing of a disability claim. The amendments also modified the House bill to continue medicare coverage through the month following the month in which notice of termination of disability benefits is mailed, rather than the month in which the disability ceases, as in the House bill.

The House recedes.

HOSPITAL INSURANCE BENEFITS FOR UNINSURED INDIVIDUALS NOT OTHERWISE ELIGIBLE

Amendment Nos. 255–271: The House bill permitted individuals who are uninsured for Part A medicare benefits to enroll for those benefits by paying a premium of $31 per month, rising as hospital costs rise.

The Senate amendments modified the House bill (1) to make this provision effective July 1, 1973, instead of January 1, 1972; (2) to change Part A premium amount from $31 to $33 a month; and (3) to add a requirement that persons electing to enroll in Part A must also enroll for Part B. Termination of enrollment in Part B would automatically result in termination of coverage under Part A as well.

The House recedes.

CHANGE IN SUPPLEMENTARY MEDICAL INSURANCE DEDUCTIBLE

Amendment No. 293: The House bill contained a provision increasing the Part B annual deductible from $50 to $60.

The Senate amendment deleted the provision.

The Senate recedes.

INCREASE IN LIFETIME RESERVE DAYS AND CHANGE IN HOSPITAL INSURANCE COINSURANCE AMOUNT UNDER MEDICARE

Amendment No. 294: The House bill increased the number of lifetime hospital reserve days from 60 to 120 and added coinsurance equal to ⅛ of the inpatient deductible for each day beginning with the 31st day through the 60th day of hospitalization.

The Senate amendment deleted the House provisions and instead reduced the amount of coinsurance for each lifetime reserve day from the present ½ to ¼ of the current inpatient hospital deductible; effective after December 31, 1972.

The conference agreement would eliminate the House provisions and the Senate provisions with the result that no change would be made in present law.

AUTOMATIC ENROLLMENT FOR SUPPLEMENTARY MEDICAL INSURANCE

Amendment Nos. 295–298: The House bill provided that people reaching age 65 would be automatically enrolled under Part B unless they chose not to so enroll.

The Senate amendment modified the provision by excluding from its application those eligible Americans living outside the United States and Puerto Rico.

The House recedes.

CHANGES IN MEDICAID MATCHING PERCENTAGE IN CERTAIN CASES

Amendment Nos. 299–307: Section 207 of the House bill provided that there would be:

(1) an increase of 25 percent (up to a maximum of 95 percent) in the Federal medicaid matching percentage to States under contract with HMO's or other comprehensive health facilities;

(2) a decrease in the Federal medical assistance percentage by one-third after the first 60 days of care in a general or TB hospital;

(3) a reduction in the Federal percentage by one-third after the first 60 days of care in a skilled nursing home unless the State establishes that it has an effective utilization review program;

(4) a decrease in Federal matching by one-third after 90 days of care in a mental hospital and provision for no Federal matching after 275 additional days of such care during an individual's lifetime except that the 90-day period may be extended for an additional 30 days if the State shows that the patient will benefit therapeutically from such an additional period of hospitalization; and

(5) authority for the Secretary to compute a reasonable cost differential for reimbursement between skilled nursing homes and intermediate care facilities.

The Senate amendments provided:

Item (1) the increase in Federal matching for Health Maintenance Organizations and comprehensive health facilities is eliminated; Items (2), and (4) would not apply where a State makes a satisfactory showing to the Secretary that it has an effective program of control over the utilization of hospital and mental hospital care and conducts the independent professional audit of patients as required under present law. In addition, intermediate care facilities would be brought under this provision.

Item (5) was retained unchanged.

The House recedes.

COST SHARING UNDER MEDICAID

Amendment Nos. 308–313: The House bill required States which cover the medically indigent to impose premium charges on the medically indigent. The premium would be graduated by income in accordance with standards prescribed by the Secretary. In addition, States could at their option require payment by the medically indigent of deductibles and copayment amounts which would not have to vary by level of income. Finally, with respect to cash assistance recipients, nominal deductible and copayment requirements, while prohibited for the six mandatory services, would be permitted with respect to optional medicaid services.

The Senate amendments would, as the House bill, require the States to impose income-related premium charges on the medically indigent. However, non-income-related deductibles and copayments could be imposed on the medically indigent only for patient-initiated services and no deductibles or cost sharing devices could be imposed on cash assistance recipients.

The House recedes with an amendment restoring the House bill provision except that any deductibles and copayments which would be applied to the medically indigent must be nominal.

MEDICAID NOTCH PROVISIONS

Amendment No. 314: The House bill provided that States without a medically indigent program would be required to provide AFDC families with a deductible equal to one-third of all earnings over $720 a year. The deductible amount is identical to the amount of earnings which families under the Family Assistance provisions of the House bill are allowed to retain as an incentive to work. In those States with programs for the medically indigent, a family assistance recipient would not have to pay the deductible until his retained earnings exceeded the difference between a State's cash assistance level and its medically indigent level. At this point, however, his medicaid deductible would increase dollar for dollar with his retained earnings. The House bill would also not have required States to cover adult assistance recipients who are made newly eligible by the adult assistance provisions in the House bill.

The Senate amendment modified the House bill by retaining this latter provision but the other House provisions would be dropped and the following changes substituted:

(1) When a welfare family loses eligibility for any cash assistance because of increases in earnings, medicaid eligibility would be continued for a period of 12 months after cash assistance is stopped.

(2) After the 12-month period such a family could continue medicaid protection by paying a premium equal to 20 percent of family income in excess of $2,400 a year. The Federal government would cover any costs which were not paid for by the premiums collected.

The House recedes with an amendment, which would (1) continue medicaid for four months, rather than 12 months, after cash assistance is stopped, and (2) eliminate the Senate provision which permits medicaid eligibility to continue beyond 12 months on an optional basis.

MEDICARE SERVICES OUTSIDE THE UNITED STATES

Amendment Nos. 323–324: The House bill provided, for payment of medicare benefits for inpatient hospital services furnished outside the United States if the beneficiary is a resident of the United States and the foreign hospital is closer to, or substantially more accessible from his residence, than the nearest hospital in the United States which is suitable and available for his treatment. For such beneficiaries, benefits would be payable without regard to whether an emergency existed or where the illness or accident occurred. Only patient services furnished by a hospital which has been accredited by the Joint Commission on Accreditation of Hospitals or by a hospital-approval program having essentially comparable standards would be covered.

The House bill also provided for coverage under the medical insurance program of medically necessary physicians' services and ambulance services furnished in conjunction with covered foreign inpatient hospital services.

The Senate amendment retains all of the House provisions but added a new provision which would cover emergency hospital services furnished in Canada to U.S. residents traveling without unreasonable delay by the most direct route between Alaska and another State.

The House recedes.

OPTOMETRISTS' SERVICES UNDER MEDICAID

Amendment No. 325: The Senate amendment added a new provision to the House bill under which a State which once covered optometrists' services under its medicaid program and now specifically covers eye care provided by physicians which an optometrist is authorized to provide must cover such services whether rendered by a physician or an optometrist.

The House recedes.

WAIVER OF MEDICARE BENEFICIARY LIABILITY IN CERTAIN CASES

Amendment No. 326: The Senate amendment added a new provision to the House bill under which an overpayment under medicare could be waived in certain circumstances where a medicare claim was disallowed. The liability for the overpayment would shift to the provider of the health care where it did not exercise due care in avoiding overpayment and the beneficiary exercised due care, the government would assume the liability. The provision is effective for claims for services furnished after June 30, 1971.

The House recedes with an amendment changing the effective date to apply to claims for services provided after the date of enactment of the bill.

MEDICARE COVERAGE FOR CERTAIN INDIVIDUALS AGE 60–64

Amendment No. 327: The Senate amendment added a new provision to the House bill which would permit people age 60 to 64 who are the spouses of medicare beneficiaries, or who are themselves eligible for cash social security benefits, to enroll under both Parts A and B of medicare at cost.

The Senate recedes.

DRUGS UNDER MEDICARE

Amendment No. 328: The Senate amendment added a new section 215 to the House

bill amending Part A of medicare to cover the costs of certain specified drugs, purchased on an outpatient basis, which are necessary in the treatment of the most common, crippling or life-threatening chronic disease conditions of the aged. Beneficiaries would be liable for $1.00 of the cost of each prescription of a drug included in the reasonable cost range plus any cost in excess of the top of the reasonable cost range.

Under the provision, the drugs covered are those within specified therapeutic categories which are necessary in the treatment of the following conditions:

Diabetes; high blood pressure; chronic cardiovascular disease; chronic respiratory disease; chronic kidney disease; arthritis and rheumatism; gout; tuberculosis; glaucoma; thyroid disease; cancer; epilepsy; parkinsonism; myasthenia gravis.

The amendment would exclude drugs not requiring a physician's prescription (except for insulin), drugs such as antibiotics which are generally used for a short period of time and drugs such as tranquilizers and sedatives which may be used not only by beneficiaries suffering from serious chronic illnesses, but also by many other persons as well.

The amendment is designed to assure that funds are being targeted toward the most necessary drug entities within each covered therapeutic category, through establishment of a Medicare Formulary.

The Formulary would be compiled by a committee consisting of five members, a majority of whom would be physicians. Members would include the Commissioner of Food and Drugs and four individuals of recognized professional standing and distinction in the fields of medicine, pharmacology or pharmacy who are not otherwise employed by the Federal Government and who do not have a direct or indirect financial interest in the economic aspects of the committee's decisions.

The Formulary Committee's primary responsibility would be to compile a Medicare Formulary which would contain a listing of the drug entities within the therapeutic categories covered by the program which, based upon its professional judgment, the committee finds necessary for proper patient care.

Participating pharmacies would file either their usual and customary markups or professional fee schedules as of June 1, 1972, which would then be applied to the estimated acquisition cost (usually average wholesale price) of the drug product. The usual and customary charge, including mark-up or professional fee, for purposes of program payments and allowances, could not exceed the 75th percentile of charges by comparable vendors in an area.

The Senate recedes.

COVERAGES OF EYEGLASSES, HEARING AIDS, DENTURES, AND PODIATRY UNDER MEDICARE

Amendment No. 329: The Senate amendment added a new section to the House bill which would include under Part B of Medicare the costs of eyeglasses, dentures, hearing aids, and podiatric services to members of families with annual incomes of $5000 or less and to individuals with annual incomes of less than $3000.

The Senate recedes.

INSPECTOR GENERAL FOR HEALTH ADMINISTRATION

Amendment No. 330: The Senate amendment added a new section to the House bill creating an Office of Inspector General for Health Administration within the Department of Health, Education, and Welfare. The Inspector General would be appointed by the President, would report to the Secretary, and would be responsible for reviewing and auditing the Social Security health programs on a continuing and comprehensive basis to determine their efficiency, economy and consonance with the Statute and Congressional intent.

The Inspector General would have authority to suspend (upon at least 30 days' notice to the Secretary) any regulation, practice, or procedure employed in the administration of any of the health care programs if he determines (as a result of any study, investigation, review, or audit) that the suspension will promote efficiency and economy in the administration of the program, or that the regulation, practice, or procedure involved is contrary to or does not carry out the objectives and purposes of applicable provisions of law. Any suspension would remain in effect until an order of reinstatement was issued by the Inspector General except that the Secretary might, at any time prior to or after any such suspension by the Inspector General, issue an order revoking the suspension.

When the Inspector General issued any order of suspension or reinstatement, he would promptly notify the Committee on Ways and Means of the House of Representatives, the Committee on Finance of the Senate and, in the case of an order relating to a State medicaid plan, the Governor or other chief executive officer of the State, of the order, and submit to them information explaining the reasons for suspension or lifting of suspension. Where the Secretary terminates an order of suspension issued by the Inspector General, he is required also to submit an explanation of his reasons to the two committees.

The Inspector General could submit to the Committees on Ways and Means and Finance such reports relating to his activities as he deemed appropriate. He would, upon request of either committee for information, study, or investigation relating to, or within his responsibilities, cause such information to be furnished and such study or investigation to be undertaken.

The Senate recedes.

LIMITATION ON FEDERAL PARTICIPATION FOR DISAPPROVED CAPITAL EXPENDITURES

Amendment Nos. 332–334: The House bill precluded Medicare and Medicaid payments toward the capital costs of health facilities disapproved by health facilities planning agencies.

The Senate amendments modified the House bill by making the provision inapplicable to construction toward which preliminary expenditures of $100,000 or more had been made in the 3-year period ending December 17, 1970.

The House recedes.

DEMONSTRATIONS, EXPERIMENTS, AND REPORTS ON VARIOUS SUBJECTS

Amendment Nos. 335–350: The House bill provided that the Secretary of Health, Education, and Welfare would be required to develop experiments and demonstration projects designed to test various methods of making payment to providers of services on a prospective basis under the medicare, medicaid, and maternal and child health programs.

The Senate amendments added a provision requiring submission of information on such projects in advance to Finance Committee and Ways and Means Committee.

The House recedes.

The Senate amendments modified the House bill to authorize the Secretary to specifically permit experimentation with reimbursement to ambulatory surgical centers.

The House recedes.

Peer Review—The House bill authorized the Secretary to experiment with areawide or community-wide peer review, utilization review and medical review mechanisms.

The Senate bill removed this provision.

The House recedes. (See Amendment No. 476 for related provision.)

Extended Care: Under the House bill, the Secretary is to experiment with eliminating or reducing the present 3-day prior hospitalization requirement for eligibility to extended care benefits.

The Senate amendments made this provision more specific.

The House recedes.

Intermediate Care and Homemaker Services—The Senate amendments authorized the Secretary to experiment with the use of institutional and homemaker services as alternatives to more costly, covered post-hospital services. Authority would include: (a) substituting Intermediate Care Facility care days for Extended Care Facility care days, and (b) covering homemaker services for up to 3 weeks.

The House recedes.

Physicians' Assistants Under Medicare—The Senate amendments authorized the Secretary to engage in experiments and demonstration projects to determine the most appropriate and equitable method of paying for the services of physicians' assistants under medicare.

The House recedes.

Miscellaneous experiments—The Senate amendments authorized experiments to provide day-care services to persons entitled to Part B of medicare and medicaid, to subsidize families who care for aged dependents who would otherwise be institutionalized, to determine whether payments for psychological and psychiatric care provided residents of skilled nursing facilities and ICF's under medicaid are adequate, and to develop methods to improve the rehabilitation of long-term patients and appropriate alternatives to long-term institutional care.

The House recedes with an amendment which would strike all of the Senate amendment except the provision for experiments with day care.

The Senate amendments added a provision to the House bill authorizing the Secretary to study whether the services of clinical psychologists may be made more generally available under medicare and medicaid.

The House recedes.

LIMITATION ON COSTS UNDER MEDICARE

Amendment Nos. 351–357: The House bill provided that provider costs which were found to be excessive would not be reimbursed under medicare and that beneficiaries could be charged for such expenses.

The Senate amendments modified the House provisions to authorize disallowance of provider costs which are "substantially" in excess, rather than, as under the House bill, simply "in excess of", or more expensive than the items or services determined to be necessary in the efficient delivery of needed health services; and modified the House provision authorizing the collection of costs in excess of medicare ceilings from beneficiaries by excluding emergncy care.

The House recedes with the amendment striking out the provision inserting the word "substantially".

REASONABLE CHARGES FOR MEDICAL SUPPLIES AND EQUIPMENT

Amendment Nos. 358–364: The House bill provided that the reimbursement amounts for medical services, supplies, and equipment cannot generally "exceed the lowest charge levels at which such services, supplies and equipment are widely available in a locality."

The Senate amendments modified the House bill by changing these words to "exceed the lower charge levels at which such services, supplies and equipment are widely and consistently available in a locality."

The House recedes with an amendment striking the provision which inserts the word "lower" in lieu of "lowest". The conferees intend that the term "medical services" not include services defined as physicians' services under medicare.

LIMITS ON PAYMENTS TO NURSING HOMES UNDER MEDICAID

Amendment No. 365: The House bill contained a provision which limits the average per diem costs for skilled nursing facilities and Intermediate Care Facilities countable for Federal matching to 105 percent of such costs a year earlier.

The Senate amendment deleted the provision.

The House recedes with an amendment restoring the House provision except that costs resulting from increases in patient services shall be exempted from the computation of average per diem costs for the current year.

HEALTH MAINTENANCE ORGANIZATIONS

Amendment Nos. 366–405: The House bill established an alternative method of reimbursing organizations defined as health maintenance organizations (HMO's) under the medicare program as follows:

Health Maintenance Organizations.—The House bill requires HMO's to provide all services and benefits covered under both Parts A and B. The Senate amendments require provision of all such services which are generally available to persons residing in the area served.

The House bill exempts from annual open enrollment requirement HMO's with more than 50 percent of enrollees age 65 or older. The Senate amendments permit HMO's to limit enrollment from any age group to prevent its membership from becoming nonrepresentative of the population in the area it serves.

The House bill would reimburse HMO's at a rate equal to 95 percent of the estimated amount (with appropriate adjustments) otherwise payable if covered services were furnished by sources other than HMO's. To the extent that medicare reimbursement would yield a higher rate of return for medicare enrollees than for regular enrollees the HMO would provide additional services to its medicare enrollees. Under the Senate bill, HMO's entitled to incentive reimbursement would share in savings (or losses) with the Government in accordance with a prescribed formula. The maximum gain or loss could not exceed 7½ percent of the amount by which actual experience is more or less than the adjusted per capita costs of services provided outside of the HMO. Prior loss amounts could be applied against future savings. The House bill establishes no minimum size or experience requirements for HMO's.

The Senate amendments provide that incentive reimbursement would be available to substantial established HMO's (a) with reasonable standards for quality of care at least equal to standards prevailing in the HMO area and (b) which have sufficient operating history and enrollment to permit evaluation of their capacity to provide appropriate care and to establish capitation rates. Established HMO's would have (1) a minimum enrollment of 25,000 not more than half of whom are 65 or older and (2) have been in operation for at least 2 years. Exception to the size requirement is provided for HMO's in small communities or sparsely populated areas (5,000 members and 3 years of operation).

The Senate bill also added a provision requiring the Secretary to report to Congress annually regarding experience under the HMO provision.

The House recedes with two amendments. The first amendment deleting the word "generally" from the Senate version of the bill. The conferees expect that HMO's will make available, either directly or under other arrangements, such services covered under Part A and B that would otherwise be available to beneficiaries in an area in the absence of HMO's.

The second amendment would authorize incentive payments to qualified Health Maintenance Organizations equal to one-half of the difference between the organization's adjusted costs and adjusted average per capita costs for beneficiaries not enrolled in the HMO. Such incentive payments could not exceed, in any year, 10 percent of, adjusted average per capita costs. There would be no sharing in any losses incurred by the HMO. Types of costs recognized for purposes of calculating allowable costs within and without HMO's shall be those types otherwise allowable to non-HMO providers and practitioners.

REDUCTION OF MEDICAID SERVICES

Amendment No. 412: Under present law a State cannot reduce its expenditures for the State share of medicaid from one year to the next. If a State wishes to modify its State plan so as to reduce the extent of care and services provided or to terminate any of its programs, the Governor must certify to the Secretary that (a) the State share of medicaid expenditures will not be reduced, (b) the State is complying with the provisions in its plan relating to utilization and costs of services, and (c) the modification is not made for the purpose of increasing the standard or other formula for determining payments.

The House bill modified this provision by permitting a State to cut back the extent of coverage of optional services provided that it maintained its total dollar expenditure levels.

The Senate amendment modified the House by repealing the provisions of present law.

The House recedes.

HOSPITAL COST DETERMINATION UNDER MEDICAID

Amendment No. 413: The House bill allowed States, generally, to develop their own methods of reasonable reimbursement of hospitals rather than being required to follow the medicare regulations.

The Senate amendment deleted the House provision.

The House recedes with an amendment restoring the House provision except that the methods used by the States would be subject to approval by the Secretary.

FEDERAL MATCHING FOR MEDICAID ADMINISTRATION

Amendment Nos. 419–420: The House bill provided for Federal matching for the cost of designing, developing, and installing mechanized claims of processing and information retrieval systems at a rate of 90 percent and 75 percent for the operation of such systems.

The Senate amendments deleted the House provisions.

The Senate recedes with a technical amendment making it clear that the 75 percent matching funds would also include expenses incurred in any contracting for operating the system.

INSTITUTIONAL UTILIZATION REVIEW IN MEDICAID

Amendment Nos. 426–431: The House bill provided that hospitals and skilled nursing homes participating under medicaid must meet the same utilization committee requirements which now apply in the medicare program.

The Senate amendments modified the House bill by providing that the provision could be waived where an alternative system has been approved by the Secretary.

The House recedes.

QUALIFICATIONS OF CERTAIN HEALTH CARE PERSONNEL

Amendment Nos. 437–441: The House bill contained a provision which would require the Secretary to explore, develop, and apply appropriate means of determining the proficiency of health personnel disqualified or limited in responsibility under present medicare regulations.

The Senate amendments modified the House bill by setting a time—December 31, 1977—after which determinations of proficiency would not apply with respect to persons initially licensed by a State or seeking initial qualifications as a health care person. The Senate amendments also specified that cytotechnologists are included among the types of personnel to which the provision would apply.

The House recedes.

FALSE REPORTING AND FRAUDULENT ACTS UNDER MEDICARE AND MEDICAID

Amendment Nos. 442–449: The House bill contained a provision defining certain actions under the medicare and medicaid programs to be fraud and setting penalties therefor.

The Senate amendments substituted for "Any provider . . . or other person . . ." the word "Whoever" when discussing fraudulent acts performed in any application for payments or certifications under Medicare of Medicaid and defines the term "whoever" to include individuals and business entities such as corporations, associations, firms, partnerships, societies, and joint stock companies, as well as individuals.

The Senate recedes.

PROVIDER REIMBURSEMENT APPEALS

Amendment Nos. 450–464: Under present law a fiscal intermediary determines the amount of reasonable cost to be paid to a provider of services. There is no specific legislative provision for an appeal by the provider of the intermediary's final reasonable cost determinations.

The House bill provided for the establishment of a Provider Reimbursement Review Board which would review cases involving medicare providers of services where the amount in controversy is $10,000 or more.

The Senate amendment modified the House bill by including two additional situations which could serve as a basis for provider appeals. The first provision would enable groups of providers to appeal adverse final decisions of the fiscal intermediary to the Board where the amount at issue aggregates $10,000 or more. The second modification enables any provider which believes that its fiscal intermediary has failed to make a timely cost determination on an acceptable supplemental filing where the initial filing was deficient, to appeal to the Board where the amount in controversy is $10,000 or more.

The House recedes with an amendment to the Senate provision in the case of groups of providers by increasing the amount which must be at issue from $10,000 to $50,000.

ROLE OF THE JOINT COMMISSION ON ACCREDITATION OF HOSPITALS IN MEDICARE

Amendment No. 465: The Senate amendment added a new section to the House bill which would authorize the Secretary to enter into an agreement with any State under which the State certifying agency would survey hospitals accredited by the Joint Commission on Accreditation of Hospitals on a limited basis, or a specific hospital, where, an allegation has been made that a condition exists in the hospital which is adverse to the health and safety of patients.

The House recedes.

DURABLE MEDICAL EQUIPMENT

Amendment No. 466: The Senate amendment added a new section to the House bill which would authorize the Secretary of Health, Education, and Welfare to experiment with reimbursement approaches for durable medical equipment (in various geographic areas) which are intended to avoid situations where total rentals exceed the purchase price, and to implement without further legislation any purchase approach found to be workable, desirable, and economical.

The House recedes.

UNIFORM STANDARDS FOR SKILLED NURSING FACILITIES—MEDICARE AND MEDICAID

Amendment No. 467: The Senate amendment added a new section to the House bill

which provided for a single definition of and a single set of requirements for a skilled nursing home under medicaid and extended care facility under medicare. The definition would be the present medicare definition plus the following items:

(1) complete information on the identity of each person with an interest (direct or indirect) of 1 percent or more in the facility would have to be made public,

(2) the facility would have to cooperate with a program of independent medical audit of its patients; and

(3) the facility would have to meet the provisions of the Life Safety Code of the National Fire Protection Association (1967 Edition) except that the Secretary would have limited waiver authority.

In addition, the Senate amendment would require facilities to submit certified statements of their costs within 120 days of close of each fiscal year.

The House recedes with amendments as follows: (1) the amount of the interest in a facility requiring identification would be 10 percent rather than 1 percent; and (2) the provision requiring submission of cost statements is deleted.

SINGLE DEFINITION OF COVERED CARE IN NURSING HOMES FOR MEDICARE AND MEDICAID

Amendment No. 468: The Senate amendment added a new section to the House bill which would establish a single definition of covered care in a skilled nursing home which would apply to both medicare and medicaid. Services covered would be those services provided directly by, or requiring the supervision of, skilled nursing personnel, or skilled rehabilitation services, which the patient needs on a daily basis, and which as a practical matter can only be provided in a skilled nursing facility on an inpatient basis.

The House recedes.

FOURTEEN-DAY EXTENDED CARE FACILITY TRANSFER REQUIREMENT

Amendment No. 469: The Senate amendment added a new section to the House bill which would amend existing law to permit an interval of longer than 14 days between discharge from a hospital and admission to a skilled care facility under certain conditions; when, following discharge, the patient's condition does not permit the immediate provision of skilled nursing or rehabilitation services, or rehabilitation services, or the nonavailability of space prevents admission for not longer than 2 weeks beyond the 14 days.

The House recedes.

REIMBURSEMENT OF SKILLED NURSING HOMES AND INTERMEDIATE CARE FACILITIES UNDER MEDICAID

Amendment No. 470: The Senate amendment added a new section to the House bill which would require States to reimburse skilled nursing and intermediate care facilities on a reasonable cost-related basis by July 1, 1974.

The States would be able to use acceptable cost-finding techniques (not necessarily those utilized for medicare purposes) to determine reasonable reimbursement and apply to the results appropriate methodologies for determining payment.

The new Senate section further provided that cost reimbursement methods which the Secretary would find acceptable for a State medicaid program could also be adopted, with appropriate adjustments, in the State for purposes of medicare reimbursement. The Secretary would be permitted to adjust a rate upward, where appropriate. Where a skilled nursing facility is a distinct part of, or directly operated by a hospital, reimbursement would be made for care in such facilities in the same manner as is applicable to the hospital's costs. Where a skilled nursing facility functions in a close formal medical satellite relationship with a hospital (which would be defined in regulations of the Secretary) reimbursement would be made on the basis of costs not to exceed 150 percent of the adjusted medicaid rate of payment (if the Secretary applies such rates to medicare facilities in that State) for care in that facility (or comparable facility).

The House recedes with an amendment changing the effective date to July 1, 1976.

COMMON CERTIFICATION PROCESS FOR SKILLED NURSING HOMES UNDER MEDICARE AND MEDICAID

Amendment No. 471: The Senate amendment added a new section to the House bill which provides that determination of basic eligibility of skilled nursing homes under medicaid would be made by the Secretary (rather than by the State).

The appropriate State health agency would survey facilities wishing to participate in either (or both) medicare or medicaid and report its findings and recommendations to the Secretary. The Secretary would base his action on the State-supplied information.

The House recedes with an amendment under which the Secretary would act as the certifying agent for medicaid only with respect to facilities which have also requested to be certified under medicare.

INCREASE IN FEDERAL FINANCING OF MEDICAID NURSING HOME CERTIFICATIONS

Amendment No. 472: The Senate amendment added a new section to the House bill which would increase from 75 to 100 percent the Federal share of the costs of certifying and inspecting skilled nursing homes under the medicaid system.

The House recedes with an amendment authorizing such increased matching only from October 1, 1972, to July 1, 1974.

DISCLOSURE OF INFORMATION ON PERFORMANCE OF MEDICARE CONTRACTORS

Amendment No. 473: The Senate amendment added a new section to the House bill which would require that the Secretary make public the following types of evaluations and reports dealing with the operation of the medicare and medicaid programs:

(1) individual contractor performance reviews and other formal evaluations of the performance of carriers, intermediaries, and State agencies, including the reports of follow-up reviews;

(2) comparative evaluations of the performance of contractors—including comparisons of either overall performance or of any particular contract or operation;

(3) program validation survey reports—with the names of individuals deleted.

Public disclosure of evaluations and reports would not be required to be made until the contractor, State agency, or facility was given suitable opportunity—not to exceed 60 days—for comments as to the accuracy of the findings and conclusions of the evaluation or report with such comments being made part of the report where the portions originally objected to have not been modified in line with the comment. The reports would not be required to contain information concerning those deficiencies which are known by the Secretary to have been fully corrected within 60 days of the date they were initially brought to the attention of the contractor or provider of services.

The House recedes.

LIMITATION ON INSTITUTIONAL CARE UNDER MEDICAID

Amendment No. 474: The Senate amendment added a new section to the House bill precluding Federal matching for that portion of any money payment which is related institutional, medical, or other type of remedial care provided by an institution which is (or could be) included under the medicaid program.

The House recedes.

ELIGIBILITY FOR MEDICAID OF SOCIAL SECURITY BENEFICIARIES

Amendment No. 475: The Senate amendment added a new provision to the House bill which would require that in those States which limit medicaid coverage to categorically needy persons (recipients of cash assistance or persons who would be eligible for cash payments except that they reside in an institution), no person who was medicaid-eligible in August 1972 could be deemed ineligible for medicaid solely because of the increase in income resulting from the 20% increase in social security benefits voted by the Congress in June 1972. In such cases States would have the option of requiring a person who leaves the cash rolls because of the social security increases to incur medical expenses in the amount of the excess income resulting from the benefit change before he receives medicaid coverage (in effect, instituting for these persons a spend-down similar to that applied in States with programs for the medically needy). Alternatively, a State may simply disregard that amount of the social security benefit increase by which income exceeds the standard for purposes of determining medicaid eligibility. Such a disregard would not be applicable for purposes of the cash assistance program.

The House receded with an amendment which strikes the Senate amendment substituting in lieu thereof a provision requiring that an individual eligible for medicaid and for cash public assistance in September 1972 not be made ineligible for medicaid from October 1972 through September 1973 solely because of the 20 percent social security benefit increase first paid on October 3, 1972.

PROFESSIONAL STANDARDS REVIEW ORGANIZATION

Amendment No. 476: The Senate amendment added a new section to the House bill which provides for the establishment of Professional Standards Review organizations consisting of substantial numbers of practicing physicians (usually 300 or more) in local areas to assume responsibility for comprehensive and on-going review of services covered under the medicare and medicaid programs. The PSRO would be responsible for assuring that services were (1) medically necessary and (2) provided in accordance with professional standards. PSRO's would not be involved with reasonable charge determinations. The provision is designed to assure proper utilization of care and services provided in medicare and medicaid utilizing a formal professional mechanism representing the broadest possible cross-section of practicing physicians in an area. Safeguards are included, designed to protect the public interest, including appeals procedures, and to prevent pro forma assumption in carrying out review responsibilities. The provision requires recognition of and use by the PSRO of utilization review committees in hospitals and medical organizations to the extent determined effective.

The House recedes with the following amendment:

(1) Until January 1, 1976, the Secretary would be able to make an agreement only with a qualified organization which represents a substantial proportion of the physicians in the geographical area designated by the Secretary.

(2) A professional standards review organization would not be required to review other than institutional care and services unless such organization chooses to include the review of other services and the Secretary agrees.

(3) Until January 1, 1976, at the request of 10 percent or more of the practicing physicians in a geographical area designated by the Secretary, the Secretary would be required to poll the practicing physicians in the area as to whether or not an organization of physicians which has requested to conclude an agreement with the Secretary to estab-

lish a professional standards review organization in that area substantially represents the practicing physicians in that area.

If more than 50 percent of the practicing physicians in the area responding to the poll indicate that the organization does not substantially represent the practicing physicians in the area, the Secretary could not enter into an agreement with that organization.

COVERAGE OF PHYSICAL THERAPISTS UNDER MEDICARE

Amendment Nos. 478–499: The House bill contained a provision which (1) provided coverage under Part B of medicare for up to $100 per calendar year of physical therapy services furnished by a licensed physical therapist in his office (or in the patient's home) under a physician's plan and (2) modified the reimbursement methods for physical therapists and other health-related personnel when providing services under an arrangement with a provider of services.

The Senate amendment deleted that portion of the House provision authorizing reimbursement for up to $100 annually for physical therapy services in a therapist's office, and modified the House provision limiting reimbursement of therapists to authorize the Secretary, where the services of a therapist are required on a part-time or intermittent basis, to make payment on the basis of a reasonable rate per unit of service greater per unit of time than salary equivalent amounts where such payments, in the aggregate, are less than would have resulted, if the therapist was employed by the provider on a full or part-time salaried basis.

The House recedes with an amendment restoring the first item—coverage of physical therapy in a therapist's office.

COVERAGE OF PTOSIS BARS UNDER MEDICARE

Amendment No. 500: The House bill contained a provision which would cover ptosis bars under Part B of medicare.

The Senate amendment deleted the House provision.

The House recedes.

WAIVER OF ENROLLMENT PERIOD REQUIREMENTS UNDER MEDICARE

Amendment Nos. 505–506: The House bill contained a section which permits waiver of certain enrollment requirements where the beneficiary was given erroneous information.

The Senate amendments modified the House provision by defining the prejudicial action as caused by an employee or agent of the Federal government rather than of HEW as in the House bill.

The House recedes.

SELECTION OF PART B CARRIERS FOR RAILROAD RETIREMENT BENEFICIARIES

Amendment Nos. 507–508: The House bill contained a provision which provided that the Railroad Retirement Board would be authorized to contract with a carrier or carriers for purposes of servicing its beneficiaries with respect to part B benefits, an arrangement presently in effect as a result of the Commissioner of Social Security having delegated his authority to do this to the Railroad Retirement Board.

The Senate amendments deleted the House provision.

The Senate recedes.

PROFESSIONAL SOCIAL WORKERS IN EXTENDED CARE FACILITIES UNDER MEDICARE

Amendment No. 509: The House bill contained a provision which would prohibit the Secretary of Health, Education, and Welfare from requiring that extended care facilities obtain the services of a professional social worker.

The Senate amendment deleted the House provision.

The Senate recedes.

ELIMINATION OF COINSURANCE FOR HOME HEALTH SERVICES

Amendment No. 557: The Senate amendment added a new section to the House bill which would remove the 20-percent coinsurance feature with respect to home health services under Part B of medicare.

The House recedes.

AND SKILLED NURSING INTERMEDIATE CARE FACILITIES ON INDIAN RESERVATIONS

Amendment No. 558: The Senate amendment added a new section to the House bill which would include as intermediate care facilities and skilled nursing facilities under medicaid long-term care institutions on Indian reservations.

The House recedes.

GRANTS FOR NURSES AND TRAINING

Amendment No. 559: The Senate amendment added a new section to the House bill which would establish a grant program for training nurses' aides and orderlies.

The Senate recedes.

MEDICAID SPEND-DOWN LEVEL

Amendment No. 560: The Senate amendment added a new section to the House bill which would provide that any State which extends Title XIX services to the medically needy must provide for a medical assistance standard which is no lower than the payment standard for the related cash assistance program. The limitation under current law, whereby Federal matching is only available for services provided to persons whose income (after medical expenses) is no higher than 133 percent of the AFDS payment, adjusted for family size, would be overridden but only in those cases where the cash assistance standard for the appropriate recipient category exceeded 133 percent of the adjusted AFDC level.

The Senate recedes.

CLARIFICATION OF MEDICARE APPEAL PROCEDURES

Amendment No. 561: The Senate amendment added a new section to the House bill which would make clear that there is no authorization for an appeal to the Secretary or for judicial review on matters solely involving amounts of benefits under Part B, and that insofar as Part A amounts are concerned, appeal is authorized only if the amount in controversy is $100 or more and judicial review only if the amount in controversy is $1,000 or more.

The House recedes.

MEDICARE COVERAGE OF MINERS RECEIVING BLACK LUNG BENEFITS

Amendment No. 562: The Senate amendment added a new section to the House bill which would extend medicare coverage for individuals receiving black lung benefits under medicare.

The Senate recedes.

OCCUPATIONAL THERAPY UNDER MEDICARE

Amendment No. 563: The Senate amendment added a new section to the House bill which would modify the medicare home health provisions by providing that the need for occupational therapy would be added to the list of needs which can qualify an individual for home health services.

The Senate recedes.

LIMITATIONS ON RECOVERY OF OVERPAYMENTS

Amendment No. 529: The Senate amendment added a new section to the House bill which would limit medicare's right of recovery of overpayments to a 3-year period (or less, but not less than one year) from the date of payment, where the provider of services or the beneficiary involved acted in good faith; would enable the Secretary to specify a reasonable period of time (of not less than one year or more than 3 years) after which medicare would not be required to accept claims for underpayment or nonpayment.

The House recedes.

INCREASE IN FEDERAL MATCHING FOR MEDICAL PERSONNEL UNDER CONTRACT UNDER MEDICAID

Amendment No. 530: The Senate amendment added a new section to the House bill which would permit 75-percent Federal matching for the reasonable costs of paying for the services of professional medical personnel under contract with a State to help perform medicaid functions. Present law limits the 75-percent rate to such professionals employed by State agencies.

The Senate recedes.

OUTPATIENT SPEECH PATHOLOGY UNDER MEDICARE

Amendment No. 531: The Senate amendment added a new section to the House bill which would provide additional coverage of speech therapy services under Part B when furnished by an organized health agency, clinic, or public health agency. The "clinic" could be composed of a single speech pathologist. The services must be furnished under a plan of care prepared by a physician.

The House recedes with an amendment revising the provision to cover speech pathology services furnished by an organization now eligible to furnish covered physical therapy services.

SERVICES OF CLINICAL PSYCHOLOGISTS UNDER MEDICARE

Amendment No. 532: The Senate amendment added a new section to the House bill which would remove the Part B requirement that the services of clinical psychologists now covered under medicare be provided under the direct supervision of a physician.

The Senate recedes.

OUTPATIENT REHABILITATION SERVICES UNDER MEDICARE

Amendment No. 533: The Senate amendment added a new section to the House bill which would establish a new benefit category under Part B for outpatient rehabilitation in outpatient settings. The organization providing such services would have to meet standards similar to those applied now to providers of outpatient physical therapy services.

The Senate recedes.

ASSIGNMENT OF FISCAL INTERMEDIARIES BY THE SECRETARY OF HEALTH, EDUCATION, AND WELFARE, UNDER MEDICARE

Amendment No. 534: The Senate amendment added a new section to the House bill which would authorize the Secretary to assign or reassign providers to available intermediaries wherever such assignment or reassignment would result in more efficient administration. In making an assignment, the Secretary would be required to take the provider's choice of intermediary into consideration but he would not be bound by the provider's choice.

The Senate recedes.

TERMINATION OF MEDICAL ASSISTANCE ADVISORY COUNCIL

Amendment No. 535: The Senate amendment added a new section to the House bill which would terminate the present Medical Assistance Advisory Council which advises the Secretary on matters related to the medicaid program.

The House recedes.

CHANGE IN ROLE OF HEALTH INSURANCE BENEFITS ADVISORY COUNCIL

Amendment No. 536: The Senate amendment added a new section to the House bill which would modify the function of the Health Insurance Benefits Advisory Council so that its role would be to provide recommendations on matters of general policy with respect to Medicare and Medicaid. The Council would only meet as often as the Secretary deems necessary, but not less than annually.

The House recedes.

ADMINISTRATION OF OATHS IN MEDICARE PROCEEDINGS

Amendment No. 537: The Senate amendment added a new provision to the House bill which would permit the Secretary to administer oaths and affirmations in medicare proceedings in the same way and to the same extent he is now permitted in cash social security benefit proceedings under Title II of the Social Security Act.

The House recedes.

WITHHOLDING MEDICAID PAYMENTS WHEN A PROVIDER OWES THE MEDICARE PROGRAM

Amendment No. 538: The Senate amendment added a new section to the House bill which would authorize the Secretary of Health, Education, and Welfare to withhold future Federal financial participation in State medicaid payments to institutions which have withdrawn from medicare without refunding monies which they owe medicare or without filing final cost reports with medicare unless they enter into settlement negotiations with the Secretary.

The House recedes.

MATERNAL AND CHILD HEALTH

Amendment No. 539: The Senate amendment added a new section to the House bill which would extend for an additional year (through June 30, 1974) the present direct Federal grants part of the maternal and child health program.

The Senate recedes.

PERMITTING INTERMEDIATE CARE PROGRAMS IN STATES WITHOUT MEDICAID

Amendment No. 540: The Senate amendment added a new section to the House bill which would allow Federal matching for intermediate care in States which, on January 1, 1972, did not have a medicaid program.

The House recedes.

APPOINTMENT AND CONFIRMATION OF ADMINISTRATOR OF SOCIAL AND REHABILITATION SERVICE

Amendment No. 542: The Senate amendment added a new section to the House bill which would make appointments to the Office of Administrator of the Social and Rehabilitation Service subject to Presidential approval and Senate confirmation.

The House recedes.

DELEGATION OF MAINTENANCE OF EFFORT REQUIREMENT FOR MENTAL PATIENTS UNDER MEDICAID

Amendment No. 543: The Senate amendment deleted the maintenance of effort requirement for care of people 65 and over in mental hospitals under the medicaid program

The House recedes.

GRANTS FOR TRAINING OF INTERMEDIATE CARE FACILITY ADMINISTRATORS

Amendment No. 544: The Senate amendment added a new section to the House bill which would authorize expenditures for fiscal years 1973 and 1974 for the training of Intermediate Care Facility administrators who cannot meet Federal standards.

The Senate recedes.

INTERMEDIATE CARE FACILITIES AS MENTAL HEALTH INSTITUTIONS UNDER MEDICARE

Amendment No. 545: The Senate amendment added a new section to the House bill which provided that when a State chooses to cover individuals age 65 and over in institutions for tuberculosis or mental diseases it must cover such care in intermediate care facilities as well as in hospitals and skilled nursing homes. The provision would be effective after December 31, 1971.

The House recedes with an amendment making the effective date after December 31, 1972.

INDEPENDENT MEDICAL REVIEW IN INTERMEDIATE CARE FACILITIES

Amendment No. 546: The Senate amendment added a new section to the House bill which would require that inpatients of all intermediate care facilities be subject to independent medical audit, not as under present law, just the inpatients of intermediate care facilities which furnish a minimum level of health care.

The House recedes.

MODIFICATION OF MAINTENANCE OF EFFORT PROVISION WITH RESPECT TO PUBLIC INTERMEDIATE CARE FACILITIES

Amendment No. 547: The Senate amendment added a new section to the House bill which would modify the maintenance of effort provision in present law (enacted as part of Public Law 92-223) with respect to public institutions for the mentally retarded by (1) providing for a base year consisting of the four calendar quarters immediately preceding the quarter in which such services were covered and (2) providing that the provisions will expire on January 1, 1975.

The House recedes.

DISCLOSURE OF OWNERSHIP OF INTERMEDIATE CARE FACILITIES

Amendment No. 548: The Senate amendment added a new section to the House bill which would require: (1) the disclosure of the name and address of each person having a 10-percent interest (direct or indirect) in an intermediate care facility; and (2) that intermediate care facilities submit a cost report to the State medicaid agency within 120 days after the close of the fiscal year.

The House recedes with an amendment striking out item 2.

MEDICAID COVERAGE OF MENTALLY ILL CHILDREN

Amendment No. 549: The Senate amendment added a provision to the House bill which would authorize Federal matching for medicaid eligible children under age 21 who are inpatients in institutions for mental diseases. The new section also authorizes the Secretary of Health, Education, and Welfare to conduct, through contracts with State agencies, a limited number of demonstration projects to determine the feasibility of extending medicaid mental hospital coverage to mentally ill persons who are otherwise eligible for medicaid and who are between the ages of 21 and 65.

The House recedes with amendments as follows: (1) by providing that Federal matching would not be available with respect to any otherwise eligible individual unless such individual is formally certified to be in need of the institutional care and services authorized under the Senate amendment by an independent review team consisting of medical and other personnel qualified to make such determination; the review must also include a finding that the active care and treatment to be provided can reasonably be expected to result in significant improvement in the mental condition of such individual leading to the eventual discharge from the institution, and (b) by striking out the provisions authorizing demonstration projects for mentally ill persons between age 21 and 65.

DISCLOSURE OF SURVEY INFORMATION ABOUT HEALTH FACILITIES UNDER MEDICARE AND MEDICAID

Amendment No. 550: The Senate amendment added a new section to the House bill which would require the Secretary of Health, Education, and Welfare to identify, and make available to the public, information derived from a survey of a health facility or organization on the absence or presence of significant deficiencies in that facility or organization.

The House recedes.

CHANGES IN FAMILY PLANNING REQUIREMENTS

Amendment No. 551: The Senate amendment added a new section to the House bill which (1) would increase Federal matching for family planning services to 100 percent and make family planning a mandated service under medicaid, and; (2) would reduce Federal matching for regular AFDC cash payments by 2 percent in any year the State did not inform AFDC adults of the availability of family planning counseling and related medical care.

The House recedes with amendments which (1) would set the matching rate for family planning services at 90 percent and (2) would reduce the 2 percent figure to 1 percent for reductions in AFDC payments for failure to inform or supply recipients with requested family planning services.

PENALTY FOR FAILURE TO SCREEN AND CARE FOR CHILDREN UNDER MEDICAID

Amendment No. 552: The Senate amendment added a new section to the House bill which specifies that the Federal share of AFDC matching funds would be reduced by 2 percent beginning in fiscal year 1975 if a State in the prior year (a) has failed to inform AFDC families of the availability of child health screening services for children of ages eligible for such services; or (b) failed to actually provide for or arrange for such services; or (c) failed to arrange for or refer to appropriate corrective treatment children disclosed by such screening as suffering illness or impairment.

The House recedes with an amendment which would decrease the 2 percent figure to 1 percent.

TITLE XV, AID TO DISABLED NARCOTIC AND ALCOHOLIC ADDICTS, EFFECTIVE JANUARY 1, 1973

Amendment Nos. 553-554: The Senate amendments added a new section to the House bill which: (a) precludes eligibility of medically determined alcoholics and addicts for welfare under AFDC and for benefits, on the basis of disability, under the Supplemental Security Income program, and (b) establishes a program under the new title, Title XV of the Social Security Act designed to require appropriate professional care and treatment of alcoholics and addicts utilizing existing agencies and mechanisms. Maintenance payments could be made only as part of a treatment and rehabilitation program. Matching funds under this title would be at the rates otherwise provided for the type of payments made (medical care and treatment would be matched at medicaid rates and cash payments and defined social services matched at the rates applicable to the category under which the person would otherwise be aided).

The Senate recedes (see related provisions in amendments of programs for the aged, blind, and disabled).

CHRONIC RENAL DISEASE COVERAGE UNDER MEDICARE

Amendment No. 555: The Senate amendment added a new section to the House bill which provided that fully or currently insured workers, and their dependents, with chronic renal disease would be deemed disabled for purposes of coverage under medicare. Coverage would begin 6 months after the onset of the condition providing that such individuals require hemodialysis or renal transplantation.

The House recedes with an amendment which would modify the Senate provision by providing that coverage would begin with the fourth month after the individual first receives hemodialysis services.

W. D. MILLS,
AL ULLMAN,
JAMES A. BURKE,
Mrs. GRIFFITHS,
JOHN W. BYRNES,
JACKSON E. BETTS,
H. T. SCHNEEBELI,
Managers on the Part of the House.

RUSSELL B. LONG,
CLINTON P. ANDERSON,
HERMAN TALMADGE,
WALLACE F. BENNETT,
CARL CURTIS,
Managers on the Part of the Senate.

PERMISSION TO FILE CONFERENCE REPORT ON H.R. 6180, DEBT CEILING, AND REQUEST FOR PERMISSION TO FILE CONFERENCE REPORT ON H.R. 4167, AMERICAN SAMOA TAX BILL

Mr. MILLS of Arkansas. Mr. Speaker, I ask unanimous consent, in the event there is not a quorum tonight, that the managers have until midnight Sunday night to file conference reports to accompany two bills, H.R. 6180 and H.R. 4167.

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

Mr. HALL. Mr. Speaker, reserving the right to object, first we need to know what the bills are.

Mr. MILLS of Arkansas. Oh. I am sorry. One has to do with the debt ceiling, H.R. 6180, and the other one is H.R. 4167, which is the bill that passed the House unanimously, to which an amendment was added. I think we accepted two amendments from the State. It is a bill that was introduced by Mrs. MINK, relating to American Samoa.

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

Mr. BURTON. Mr. Speaker, reserving the right to object, may I ask again what the number of the bill on American Samoa is?

Mr. MILLS of Arkansas. Will the gentleman yield?

Mr. BURTON. I yield to the gentleman.

Mr. MILLS of Arkansas. H.R. 4167 is the one relating to the American Samoa tax bill.

Mr. BURTON. Mr. Speaker, as to that part of the unanimous-consent request, I object.

The SPEAKER. Does the gentleman withdraw that part of his unanimous consent request?

Mr. MILLS of Arkansas. Yes. Mr. Speaker, I withdraw the request on H.R. 4167, if there is a question about it.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas on the remaining part of his request?

Mr. HALL. Mr. Speaker, reserving the right to object, may I ask if there is some urgency for this unanimous consent request, since we are adjourning here?

Mr. MILLS of Arkansas. Will the gentleman yield?

Mr. HALL. I yield to the gentleman.

Mr. MILLS of Arkansas. Yes, very much so, because I would want to have it available and have the action taken, if we do not have a quorum tonight, so I will be able to get it over here and submit it for printing in the RECORD. We have worked these people to death trying to get these matters together in an attempt to accommodate the wishes of the House.

Mr. Speaker, if we can have until Sunday night to file this report, and if we do not have a quorum tonight, then the managers will have Monday to work, and we can bring it up for Tuesday. Otherwise I cannot file it until some time Tuesday afternoon.

Mr. HALL. Is the work of the conference completed?

Mr. MILLS of Arkansas. The work of the conference is completed, and the conference report is almost if not already completed. It is just a precautionary measure I am taking.

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

Mr. VANIK. Mr. Speaker, reserving the right to object, with respect to the bill relating to the Samoan question, the Samoan tax bill, am I correct in understanding that language was added in the other body that would provide for an abatement of taxes in the State of West Virginia or providing for a deduction, a special deduction, for gasoline taxes in the State of West Virginia and also another provision on vacation pay?

Mr. MILLS of Arkansas. Will the gentleman yield?

Mr. VANIK. I yield to the gentleman.

Mr. MILLS of Arkansas. Mr. Speaker, the gentleman is correct. One of the amendments has to do with a problem that concerns West Virginia, that exists in West Virginia, I believe. They have two levels of sales or use taxes, a tax applicable to automobiles which is higher or lower than the legal sales tax, and because of that fact they cannot deduct the tax in the State of West Virginia that is deductible in every other State of the Union from income tax. There is no objection on the part of the Treasury whatsoever.

Mr. VANIK. Is there also an amendment submitted by the other body that relates to the minimum tax?

Mr. MILLS of Arkansas. That was not agreed to in conference; neither was the one involving insurance companies. We did agree to a provision that passed in the Committee on Ways and Means unanimously having to do with vacation pay.

That is with respect to the Mink bill.

Mr. VANIK. That is correct.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas with respect to filing the conference report on the debt ceiling bill H.R. 16180 by Sunday night?

Mr. MILLS of Arkansas. That is the debt ceiling bill. I withdrew the other.

The SPEAKER. Is there objection to that request?

There was no objection.

CONFERENCE REPORT ON H.R. 16810

Mr. MILLS of Arkansas submitted the following conference report and statement on the bill (H.R. 16810) to provide for a temporary increase in the public debt limitation, and to place a limitation on expenditures and net lending for the fiscal year ending June 30, 1973:

CONFERENCE REPORT (H. REPT. No. 92-1606)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 16810) to provide for a temporary increase in the public debt limitation, and to place a limitation on expenditures and net lending for the fiscal year ending June 30, 1973, having met after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 2, 9, and 11.

That the House recede from its disagreement to the amendments of the Senate numbered 3, 4, 5, 6, and 7, and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

(b) (1) Notwithstanding the provisions of any other law, the President shall, in accordance with paragraphs (2) and (3), reserve from expenditures and net lending, from appropriations or other obligational authority heretofore or hereafter made available, such amounts as may be necessary to effectuate the provisions of subsection (a).

(2) In carrying out the provisions of paragraph (1), the President shall reserve amounts from appropriations or other obligational authority available for any program or activity, except for expenditures and net lending for—

(A) veterans' compensation, pension benefits, and hospital care;

(B) benefits from social insurance trust funds;

(C) medicaid;

(D) public assistance maintenance grants;

(E) military retirement pay, civil service annuities, and railroad retirement annuities and pensions; and

(F) judicial salaries.

Nothing in this paragraph shall preclude the reservation of amounts for administrative costs or construction.

(3) Under the authority of this Act, no amount of any budgetary outlay for any numerical functional category set forth in table 15 (relating to budget outlays by function and agency) of part 7 of The Budget of the United States Government, 1973, (page 526 and following) may be reduced by more than 20 per centum of the revised budget estimate for such outlay. For purposes of the preceding sentence, the following numerical functional categories may be consolidated and the resulting consolidation may be treated as one numerical functional category:

(A) 058 and 059,
(B) 251, 252, 253, 254, and 259,
(C) 352, 354, and 355,
(D) 402 and 403,
(E) 405 and 409,
(F) 506, 507, and 508.
(G) 552 and 555,
(H) 603, 604, and 605,
(I) 802 and 803,
(J) 903 and 904,
(K) 905 and 906, and
(L) 909 and 910.

And the Senate agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment, as follows:

On page 5, line 7, of the Senate engrossed amendments, after "Sec." insert: 203.

And the Senate agree to the same.

W. D. MILLS,
AL ULLMAN,
Mrs. GRIFFITHS,
JOHN W. BYRNES,
JACKSON E. BETTS,
H. T. SCHNEEBELI,
Managers on the Part of the House.

RUSSELL B. LONG,
HERMAN TALMADGE,
WALLACE BENNETT,
JACK MILLER,
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. 16180) to provide for a temporary increase in the public debt limitation, and to place a limitation on expenditures and net lending for the fiscal year ending June 30, 1973, 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:

Amendment Numbered 1: The bill as passed by the House establishes a ceiling of $250,000,000,000 on expenditures and net lending during the fiscal year ending June 30, 1973, and directs the President to reserve from expenditures and net lending, from appropriations or other obligational authority heretofore or hereafter made available, such amounts as may be necessary to keep expenditures and net lending during fiscal year 1973 within this ceiling.

Senate amendment numbered 1 also directed the President to reserve such amounts as may be necessary to keep expenditures and net lending within the $250 billion ceiling, but provided that, with certain exceptions, such amounts were to be reserved proportionately from appropriations or other obligational authority available for all programs or activities. The program and activities from which no reservations were to be made were—

(1) interest,
(2) veterans' benefits and services,
(3) payments from social insurance trust funds,
(4) medicaid,
(5) public assistance maintenance grants,
(6) social services grants under title IV of the Social Security Act,
(7) food stamps,
(8) military retirement pay, and
(9) judicial salaries.

Senate amendment numbered 1 also provided that no amount specified in any appropriation, or any activity, program, or item within such appropriation, could be reduced by more than 10 percent.

The conference substitute directs the President to reserve such amounts as may be necessary to keep expenditures and net lending within the $250 billion ceiling, but provides that no reservations shall be made (for other than administrative and construction costs) from appropriations or other obligational authority for

(A) veterans' compensation, pension benefits, and hospital care;
(B) benefits from social insurance trust funds;
(C) medicaid;
(D) public assistance maintenance grants;
(E) military retirement pay, civil service annuities, and railroad retirement annuities and pensions; and
(F) judicial salaries.

The conference substitute also provides that the President may not reserve more than 20 percent from appropriations or other obligational authority for any function listed by numerical category in table 15, part 7, The Budget of the United States Government, 1973, or from certain combinations of such categories.

Amendment Numbered 2: Senate amendment numbered 2 provided that the amounts proportionately reserved by the President pursuant to Senate amendment numbered 1 were not to include appropriations or other obligational authority available for fiscal year 1973 to which another statutory spending limitation of 10 percent or more applies. The Senate recedes.

Amendment Numbered 3: The bill as passed by the House establishes a temporary joint committee to review operations of the expenditure ceiling established by title II of the bill, and to recommend procedures for improving congressional control of budgetary outlay and receipt totals, including procedures for establishing and maintaining an overall view of each year's budgetary outlays which is fully coordinated with an overall view of the anticipated revenues for that year. Under the bill passed by the House, the joint committee consisted of 30 members as follows:

(1) Seven members from the Committee on Ways and Means of the House and seven members from the Committee on Appropriations of the House, appointed by the Speaker.
(2) One additional member of the House appointed by the Speaker.
(3) Seven members from the Committee on Finance of the Senate and seven members from the Committee on Appropriations of the Senate, appointed by the President pro tempore.
(4) One additional member of the Senate appointed by the President pro tempore.

Senate amendment numbered 3 increases the membership of the joint committee to 32 members, and provides that (in addition to the 7 members of the House chosen from the Committee on Ways and Means and the Committee on Appropriations and the 7 members of the Senate chosen from the Committee on Finance and the Committee on Appropriations) each House would have two additional members on the joint committee, one from the majority party and one from the minority party, to be appointed by the Speaker and the President pro tempore, respectively.

The House recedes.

Amendment Numbered 4: Senate amendment numbered 4 provides that no person appointed by reason of his membership on the House and Senate committees referred to shall continue as a member of the joint committee after he has ceased to be a member of the committee from which he was chosen. However, the members of the joint committee chosen from the House committees who have been reelected to the House may continue to serve as members of the joint committee notwithstanding the expiration of the Congress.

Senate amendment numbered 4 also provides that a vacancy in the joint committee shall not affect the power of the remaining members to execute the functions of the joint committee and shall be filled in the same manner as the original selection.

The House recedes.

Amendment Numbered 5: Senate amendment numbered 5 provides that the expenses of the joint committee shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the joint committee, and authorizes expenditures of not to exceed $100,000 through February 28, 1973. The House recedes.

Amendment Numbered 6: This is a clerical amendment. The House recedes.

Amendment Numbered 7: Senate amendment numbered 7 provides that, for purposes of paragraph (6) of Rule XXV of the Standing Rules of the Senate (which limits the number of committee assignments and committee chairmanships of Senators), service of a Senator as a member of the joint committee, or as chairman of the joint committee, shall not be taken into account. The House recedes.

Amendment Numbered 8: Senate amendment numbered 8 adds a new title IV to the bill which added a new section to title II of the Budget and Accounting Procedures Act of 1950. Under the new section, whenever the President impounds any appropriated funds, he is to transmit promptly to the Congress and to the Comptroller General of the United States a report containing specified information with respect to the funds impounded. All such reports are to be published in the Federal Register.

The House recedes with a clerical amendment.

Amendment Numbered 9: Senate amendment numbered 9 added a new title V to the bill containing three amendments to the Legislative Reorganization Act of 1970. Section 501 added a new section to the 1970 Act which established a permanent Joint Committee on the Budget to review all matters relating to the annual budget and information relating to Government expenditures and revenues, and to make reports and recommendations to the appropriate committees of the Congress concerning Government efficiency, spending ceilings, fiscal year estimates of program and project costs, and deviations from basic authorizations of law and appropriations inconsistent with those authorizations. Section 502 amended the 1970 Act to require each Federal agency responsible for carrying out a proposed bill or joint resolution, being reported by a Congressional committee (with certain exceptions), to furnish the committee with cost estimates of the proposed legislation. The Joint Committee on the Budget was to maintain a compilation of, and print, those estimates. Section 503 further amended the 1970 Act by authorizing the Joint Committee to recommend to the Appropriations Committees of the two Houses of the Congress to hold joint hearings.

The Senate recedes.

Amendment numbered 10: This amendment added a new title VI to the bill providing that section 203(e)(2) of the Federal-State Extended Unemployment Compensation Act of 1970 is amended so that, effective with respect to compensation for weeks of unemployment beginning before July 1, 1973, the State may by law provide that the determination of whether there has been a State "on" indicator or a State "off" indicator beginning or ending any extended benefit period is to be determined without regard to the 120-percent requirement contained in section 203(e)(1)(A) of such Act and without regard to the requirement of a 13-week waiting period between extended benefit periods contained in section 203(b)(1)(B) of such Act.

This amendment is reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in Senate amendment numbered 10 with the following amendment:

In lieu of the matter proposed to be inserted by the Senate amendment, insert the following:

TITLE V—MISCELLANEOUS PROVISIONS

AMENDMENT TO FEDERAL-STATE EXTENDED UNEMPLOYMENT COMPENSATION ACT OF 1970

SEC. 501. Section 203(e)(2) of the Federal-State Extended Unemployment Compensation Act of 1970 is amended by adding at the end thereof the following new sentence: "Effective with respect to compensation for weeks of unemployment beginning before July 1, 1973, and beginning after the date of the enactment of this sentence (or, if later, the date established pursuant to State law), the State may by law provide that the determination of whether there has been a State 'off' indicator ending any extended benefit period shall be made under this subsection as if paragraph (1) did not contain subparagraph (A) thereof."

Amendment Numbered 11: Senate amendment numbered 11 added a new title VII to the bill relating to the income tax treatment of unmarried individuals. In general, this amendment provided that all individuals, other than married individuals filing separate returns, would be subject to the same rates of tax on their taxable incomes.

The Senate recedes.

W. D. MILLS,
AL ULLMAN,
MARTHA W. GRIFFITHS,
JOHN W. BYRNES,
JACKSON E. BETTS,
H. T. SCHNEEBELI,
Managers on the Part of the House.

RUSSELL B. LONG,
HERMAN TALMADGE,
WALLACE F. BENNETT,
JACK MILLER,
Managers on the Part of the Senate.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legis-

lative program and any special orders heretofore entered, was granted to:

Mr. McCLORY, for 5 minutes, today, to revise and extend his remarks and include extraneous material.

(The following Members (at the request of Mr. CARLSON) to revise and extend their remarks and include extrane- 15 minutes, today.

Mr. HALPERN, for 20 minutes, today.

Mrs. HECKLER of Massachusetts, for 15 minutes, today

Mr. KYL, for 1 hour, today.

Mr. DERWINSKI, for 10 minutes, today.

Mr. RUPPE, for 10 minutes, today.

Mr. MILLER of Ohio, for 1 hour, October 17.

Mr. FINDLEY, for 5 minutes, today.

Mr. WILLIAMS, for 10 minutes, today.

Mr. BUCHANAN, for 5 minutes, today.

Mr. KEMP, for 15 minutes, today.

(The following Members (at the request of Mr. MAZZOLI) to revise and extend their remarks and include extraneous material:)

Mr. SMITH of Iowa, for 10 minutes, today.

Mr. GONZALEZ, for 5 minutes, today.

Mrs. GRIFFITHS, for 15 minutes, today.

Mr. EILBERG, for 5 minutes, today.

Mr. O'HARA, for 20 minutes, today.

Mr. ROONEY of Pennsylvania, for 5 minutes, today.

(The following Member (at the request of Mr. BREAUX) and to revise and extend his remarks and include extraneous matter:)

Mr. BURTON, for 60 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. ZABLOCKI, in two instances, and to revise and extend his remarks and include extraneous matter.

Mr. GERALD R. FORD (at the request of Mr. KYL) to extend his remarks in the body of the RECORD.

Mr. MILLER of California, in 5 instances.

(The following Members (at the request of Mr. CARLSON) and to include extraneous material:)

Mrs. HECKLER of Massachusetts.

Mr. JONAS.

Mr. DENNIS.

Mr. WYMAN in two instances.

Mr. SEBELIUS in two instances.

Mr. GROVER.

Mr. HOSMER in three instances.

Mr. HARVEY.

Mr. LANDGREBE in two instances.

Mr. GUBSER in the five instances.

Mr. TERRY.

Mr. BOB WILSON in three instances.

Mr. KEITH.

Mrs. DWYER.

Mr. MIZELL in 10 instances.

Mr. RAILSBACK in three instances.

Mr. WYATT.

Mr. BUCHANAN in five instances.

Mr. SPRINGER.

(The following Members (at the request of Mr. MAZZOLI) and to include extraneous material:)

Mr. SIKES in five instances.

Mr. SMITH of Iowa in five instances.

Mr. FASCELL in three instances.

Mr. JOHNSON of California in two instances.

Mr. ICHORD in three instances.

Mr. ANDERSON of California in four instances.

Mr. BINGHAM in five instances.

Mrs. GRASSO in five instances.

Mr. FLOWERS.

Mr. BEGICH in three instances.

Mr. DANIELS of New Jersey in 10 instances.

Mr. GONZALEZ in three instances.

Mr. SISK.

Mr. RARICK in eight instances.

Mr. KLUCZYNSKI.

Mr. COLMER in two instances.

Mr. O'NEILL.

Mr. FLOOD in two instances.

Mr. MCFALL.

Mr. HELSTOSKI in two instances.

Mr. BRINKLEY in two instances.

Mr. VANIK in three instances.

Mr. ADAMS in three instances.

Mr. GAYDOS in three instances.

Mr. HAGAN in three instances.

Mr. WILLIAM D. FORD in seven instances.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 4039. An act to amend Public Law 90–553 concerning an international center for sites for chanceries for foreign embassies; to the Committee on Public Works.

ENROLLED BILLS SIGNED

Mr. HAYS, from the Committee on House Administration, reported that the committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 8756. An act to provide for the establishment of the Hohokam Pima National Monument in the vicinity of the Snaketown archeological site, Arizona, and for other purposes;

H.R. 9727. An act to regulate the transportation for dumping, and the dumping, of material into ocean waters, and for other purposes.

H.R. 10556. An act to authorize the Secretary of the Interior to sell reserved mineral interests of the United States in certain land in Georgia to Thomas A. Buiso, the record owner of the surface thereof.

H.R. 14128. An act for the relief of Jorge Ortuzar-Varas and Maria Pabla de Ortuzar;

H.R. 14370. An act to provide fiscal assistance to State and local governments, to authorize Federal collection of State individual income taxes, and for other purposes;

H.R. 14424. An act to amend the Public Health Service Act to provide for the establishment of a National Institute on Aging;

H.R. 14542. An act to amend the act of September 26, 1966, Public Law 89–606, to extend for 4 years the period during which the authorized numbers for the grades of major, lieutenant colonel, and colonel in the Air Force may be increased, and for other purposes;

H.R. 14989. An act making appropriations for the Departments of State, Justice, and Commerce, the Judiciary, and related agencies for the fiscal year ending June 30, 1973, and for other purposes;

H.R. 15280. An act to amend the act of August 16, 1971, which established the National Advisory Committee on Oceans and Atmosphere, to increase the appropriation authorization thereunder;

H.R. 16444. An act to establish the Golden Gate National Recreation Area in the State of California, and for other purposes;

H.R. 16593. An act making appropriations for the Department of Defense for the fiscal year ending June 30, 1973, and for other purposes;

H.R. 16754. An act making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1973, and for other purposes; and

H.R. 16987. An act to amend the act to authorize appropriations for the fiscal year 1973 for certain maritime programs of the Department of Commerce.

SENATE ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

The SPEAKER announced his signature to enrolled bills and joint resolutions of the Senate of the following titles:

S. 216. An act to permit suits to adjudicate certain real property quiet title actions;

S. 1852. An act to establish the Gateway National Recreation Area in the States of New York and New Jersey, and for other purposes;

S. 1973. An act to provide for the establishment of the Thaddeus Kosciuszko Home National Historic Site in the State of Pennsylvania, and for other purposes;

S. 1928. An act to amend the Wild and Scenic Act by designating a segment of the St. Croix River, Minnesota and Wisconsin, as a component of the national wild and scenic rivers system;

S. 2411. An act to establish the Chamberland Island National Seashore in the State of Georgia, and for other purposes;

S. 2454. An act to amend the Youth Conservation Corps Act of 1970 (Public Law 91–378, 84 Stat. 794) to expand the Youth Conservation Corps pilot program and for other purposes;

S. 2674. An act to remove a cloud on the title to certain lands located in the State of New Mexico;

S. 2741. An act to amend the Act of September 7, 1957, authorizing aircraft loan guarantees, in order to expand the program pursuant to such act;

S. 3310. An act to amend title 10, United States Code, to establish the authorized strength of the Naval Reserve in officers in the Judge Advocate General's Corps in the grade of rear admiral, and for other purposes;

S. 3337. An act to amend the Small Business Investment Act of 1958, and for other purposes;

S. 3507. An act to establish a national policy and develop a national program for the management, beneficial use, protection, and development of the land and water resources of the Nation's coastal zones, and for other purposes;

S. 3755. An act to amend the Airport and Airway Development Act of 1970, as amended, to increase the United States share of allowable project costs under such act; to amend the Federal Aviation Act of 1958, as amended, to prohibit certain State taxation of persons in air commerce, and for other purposes;

S. 4018. An act authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes;

S.J. Res. 199. Joint resolution to recognize Thomas Jefferson University, Philadelphia, Pa., as the first university in the United States to bear the full name of the third President of the United States;

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

S.J. Res. 236. Joint resolution to authorize and request the President to proclaim the week beginning October 15, 1972, as "National Drug Abuse Prevention Week"; and

S.J. Res. 251. Joint resolution to designate the week which begins on the first Sunday in March 1973 as "National Beta Club Week."

REQUEST FOR CONSIDERATION OF CONFERENCE REPORT ON H.R. 1, SOCIAL SECURITY AMENDMENTS

Mr. MILLS of Arkansas. Mr. Speaker, I ask unanimous consent—and it does take unanimous consent—for the immediate consideration of the conference report to accompany H.R. 1 and ask unanimous consent that the statement of the managers be read in lieu of the conference report.

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

CALL OF THE HOUSE

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

The SPEAKER. Evidently a quorum is not present.

Mr. BOGGS. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

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

[Roll No. 453]

Abbitt	Delaney	Horton
Abernethy	Dellums	Howard
Abourezk	Denholm	Hull
Abzug	Derwinski	Hungate
Alexander	Devine	Hunt
Anderson, Calif.	Dickinson	Ichord
	Diggs	Jarman
Anderson, Ill.	Dingell	Johnson, Pa.
Anderson, Tenn.	Dow	Jones, Ala.
	Dowdy	Jones, Tenn.
Andrews, N. Dak.	Dwyer	Kazen
	Edmondson	Keating
Annunzio	Eilberg	Kee
Ashbrook	Esch	Keith
Aspin	Evans, Colo.	Kemp
Baker	Fascell	Kluczynski
Baring	Fish	Kuykendall
Begich	Fisher	Leggett
Belcher	Flowers	Lennon
Bell	Flynt	Lent
Biaggi	Foley	Link
Blackburn	Ford, Gerald R.	Lloyd
Blanton	Ford, William D.	Long, La.
Boland		McCloskey
Bolling	Fraser	McClure
Bow	Frenzel	McCormack
Brasco	Frey	McCulloch
Bray	Fulton	McDonald, Mich.
Broomfield	Fuqua	
Brotzman	Galifianakis	McKay
Burke, Fla.	Gallagher	McKevitt
Burlison, Mo.	Garmatz	McMillan
Byrne, Pa.	Giaimo	Macdonald, Mass.
Byron	Gibbons	
Cabell	Goldwater	Mailliard
Caffery	Gray	Martin
Carey, N.Y.	Green, Oreg.	Matsunaga
Celler	Griffiths	Mayne
Chappell	Gross	Meeds
Clancy	Grover	Metcalfe
Clark	Gubser	Michel
Clay	Haley	Mikva
Collins, Ill.	Hamilton	Miller, Calif.
Collins, Tex.	Hanley	Minshall
Colmer	Hanna	Mollohan
Conte	Hansen, Wash.	Monagan
Conyers	Harrington	Morgan
Corman	Harsha	Moss
Cotter	Harvey	Murphy, Ill.
Crane	Hastings	Murphy, N.Y.
Curlin	Hawkins	Nelsen
Daniels, N.J.	Hays	Nichols
Davis, S.C.	Hébert	Patman
Davis, Wis.	Hillis	Pelly
Peyser	Scherle	Terry
Pirnie	Schmitz	Thompson, Ga.
Podell	Scott	Thompson, N.J.
Price, Tex.	Seiberling	Thomson, Wis.
Pryor, Ark.	Shipley	Thone
Pucinski	Shoup	Udall
Purcell	Sisk	Van Deerlin
Quillen	Skubitz	Veysey
Railsback	Slack	Vigorito
Randall	Smith, Calif.	Waggonner
Riegle	Smith, Iowa	Waldie
Roberts	Smith, N.Y.	Whitehurst
Rogers	Snyder	Widnall
Roncalio	Springer	Wiggins
Rooney, N.Y.	Staggers	Winn
Rostenkowski	Steele	Wolff
Roush	Steiger, Ariz.	Wright
Rousselot	Stratton	Wydler
Runnels	Stuckey	Wylie
Ruppe	Symington	Zwach
Sandman	Talcott	

The SPEAKER. Two hundred and thirteen Members are present, not a quorum.

ADJOURNMENT

Mr. BOGGS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 22 minutes a.m., Sunday, October 15, 1972), the House adjourned until Tuesday, October 17, 1972, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. EVINS of Tennessee: Select Committee on Small Business. Report on small business opportunities in outdoor recreation and tourism (Rept. No. 92–1602). Referred to the Committee of the Whole House on the State of the Union.

Mr. EVINS of Tennessee: Select Committee on Small Business. Report on the future of smalltown and rural America: the impact on small business (Rept. No. 92–1603). Referred to the Committee of the Whole House on the State of the Union.

Mr. SATTERFIELD: Committee of Conference. Conference report on H.R. 15475 (Rept. 92–1604). Ordered to be printed.

Mr. MILLS of Arkansas: Committee of Conference. Conference report on H.R. 1 (Rept. No. 92–1605). Ordered to be printed.

[Pursuant to the order of the House on Oct. 15, 1972, the following report was filed on October 15, 1972]

Mr. MILLS of Arkansas: Committee of Conference. Conference report on H.R. 16810 (Rept. No. 92–1606). 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. DON H. CLAUSEN:

H.R. 17171. A bill to authorize the establishment of the Luther Burbank National Historic Site in the State of California, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. FASCELL:

H.R. 17172. A bill to establish the Fort Zachary Taylor National Historic Site, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. FINDLEY:

H.R. 17173. A bill to assure the free flow of information to the public; to the Committee on the Judiciary.

By Mr. FRASER:

H.R. 17174. A bill to establish a National Domestic Development Bank to provide an alternative source of credit to State and local governments for the purpose of financing public and quasi-public facilities of all types, and for other purposes; to the Committee on Banking and Currency.

H.R. 17175. A bill to amend the Social Security Act to provide for a system of children's allowances, and for other purposes; to the Committee on Ways and Means.

By Mr. GARMATZ (for himself and Mr. CLARK):

H.R. 17176. A bill to amend the provision of law prohibiting the transportation of passengers between U.S. ports in foreign-flag vessels to permit such transportation in the case of certain cruising voyages; to the Committee on Merchant Marine and Fisheries.

By Mr. GARMATZ:

H.R. 17177. A bill to authorize amendment of contracts relating to the exchange of certain vessels for conversion and operation in unsubsidized service between the west coast of the United States and the Territory of Guam; to the Committee on Merchant Marine and Fisheries.

By Mr. HEINZ (for himself, Mr. DELLUMS, Mr. GUDE, and Mr. HOSMER):

H.R. 17178. A bill to amend the Internal Revenue Code of 1954 to impose an excise tax on the discharge of pollutants; to the Committee on Ways and Means.

By Mr. HORTON:

H.R. 17179. A bill to amend title II of the Social Security Act to liberalize the retirement test; to the Committee on Ways and Means.

By Mr. McKINNEY:

H.R. 17180. A bill to prohibit most-favored-nation treatment and commercial and guarantee agreements with respect to any non-market-economy country which denies to its citizens the right to emigrate or which imposes more than nominal fees upon its citizens as a condition to emigration; to the Committee on Ways and Means.

By Mr. RUPPE:

H.R. 17181. A bill to designate certain lands in the Isle Royale National Park, Mich., as wilderness; to the Committee on Interior and Insular Affairs.

By Mr. SAYLOR:

H.R. 17182. A bill to designate certain lands as wilderness; to the Committee on Interior and Insular Affairs.

By Mr. SCHEUER:

H.R. 17183. A bill to amend the War Claims Act of 1948, as amended; to the Committee on Interstate and Foreign Commerce.

By Mr. SHOUP:

H.R. 17184. A bill to provide a sound program for the development and application of physical theory and operational systems for predicting damaging earthquakes in the United States; to the Committee on Science and Astronautics.

By Mr. VANIK (for himself, Mr. ARCHER and Mr. HORTON):

H.R. 17185. A bill to prohibit most-favored-nation treatment and commercial and guarantee agreements with respect to any non-market-economy country which denies to its citizens the right to emigrate or which imposes more than nominal fees upon its citizens as a condition to emigration; to the Committee on Ways and Means.

By Mr. WYMAN:

H.R. 17186. A bill to amend the Securities Act of 1933 to provide certain persons with procedures for applying to the Securities and Exchange Commission; to the Committee on Interstate and Foreign Commerce.

By Mr. BOLAND:

H.R. 17187. A bill to establish the Nantucket Sound Islands Trust, to preserve and conserve the said islands, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. CULVER (for himself and Mr. WHALEN):

H.R. 17188. A bill to establish within the Department of Labor a Trade Adjustment Assistance Administration, to transfer thereto certain functions and duties of other departments and agencies relating to trade adjustment assistance, to establish a comprehensive program of trade adjustment assistance, and for other purposes; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Mr. TIERNAN introduce a bill (H.R. 17189) for the relief of Maria D'Arpino, which was referred to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

WEEKLY REPORT TO NINTH DISTRICT CONSTITUENTS

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 13, 1972

Mr. HAMILTON. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the text of my last weekly report to Ninth District constituents on the role of the Vice President and the method by which he is nominated:

NOMINATION OF A VICE PRESIDENT

Senator Eagleton's nomination as vice-presidential candidate, and his subsequent withdrawal, has stirred a growing debate on the way we select our vice-presidents, and even on the role of the office itself. The controversy is fired by the realization that 12 of our 39 vice-presidents have become president—three of them since 1945 (Truman, Johnson and Nixon). In eight of the 12 cases, the death of the incumbent president prompted the move.

Several studies, in the Congress and elsewhere, are underway on the role of the vice-president and the method of his selection.

THE ROLE OF THE VICE PRESIDENT

The Constitution assigns the vice-president two roles, one active (to preside over the Senate), and the other potential (to serve as the president in the event of his death or disability).

The primary role of the vice-president continues to be that of being available in the event something should happen to the president. In the words of John Adams, "In this, I am nothing, but I may be everything." Few presidents have given their vice-presidents substantive roles in the administration, choosing to assign them to ceremonial tasks. The role of the vice-president is so vague that some political commentators have even proposed that the office of vice-president be abolished, and that the Speaker of the House of Representatives be made next in line to the presidency.

THE METHOD OF SELECTION

Several proposals have been made for revising the method of selecting the vice-president, among them:

1. Vice-presidential candidates should seek the office at state conventions, or run independent races in state primaries. The presidential candidate would then make his selection from among the top two or three candidates, based on primary or convention results.

2. A national primary, or series or regional primaries, should be established in which presidential and vice-presidential candidates would run. Voters would choose two candidates, and the one with the second-highest total would become the vice-presidential nominee.

3. The presidential and vice-presidential candidates should be elected separately rather than as a team, following the practice of several states in which governor and lieutenant-governor candidates are elected separately, regardless of party.

4. Candidates in presidential primaries should announce their vice-presidential choices before the race begins, then run as a team up until convention time.

5. The second-place finisher in the presidential balloting at the national convention should automatically become the vice-presidential nominee.

6. The presidential nominee should be allowed several days to pick his vice-presidential running mate, then have his choice certified to the party.

NO CHANGE, OR SLIGHT CHANGE?

Those who oppose change argue that the present system has worked well. Vice-presidents who have come to power through the death of the incumbent—Theodore Roosevelt, Coolidge, Truman, Johnson—have compared favorably with elected Chief Executives.

In addition, the present system has the advantage of giving the presidential nominee the chance to assure himself of a compatible running mate, which would not exist under most of the alternatives.

Some effort at reforming the system needs to be made. At a minimum, I support changing the convention schedule so that the presidential nominee has two days to make his selection of a running mate. This could be done by switching the presidential nomination from the third to the second night of the convention, adopting the party platform on the third night, and nominating the vice-presidential candidate on the fourth night.

This minimum reform does not rule out more substantive changes later. It would, however, diminish the chances for another agonizing "Eagleton affair."

TRIBUTE TO SAM FLOOD

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 13, 1972

Mr. ANDERSON of California. Mr. Speaker, on November 2, the many friends of Sam Flood will honor him with a testimonial dinner.

That night will offer each of us, who know him, an opportunity to pay tribute to his many accomplishments, his community spirit, and his active role in improving the quality of life for the residents of the Harbor area.

Sam Flood is truly "a man for all seasons," and as the poet Ben Jonson said—

He was not of an age, but for all time.

For, when I think of Sam, I think of the spirit which built this country.

Certainly he knows hard work. A retired shipbuilder, he knows what it is like to put the pieces together, to strain and agonize while reaching toward the perfect blend, to swell with pride for a job well done. Yes, Sam epitomizes the spirit of the early builders of America. But, there is more.

Sam Flood's involvement in community affairs is, perhaps, the highlight of his life, and again, the "man for all seasons" is reminiscent of our forefathers who molded our system with a view toward an active, vibrant, citizenry participating in the community activities.

When a job needs to be done, when a committee is being formed, when a coordinated effort is needed, when the community has a problem; Sam Flood is the first to add his name to the list of those ready, willing and able to lend a hand.

Yes, Mr. Speaker, Mr. Sam Flood is a "man for all seasons." His spirit, his congenial manner, his active quest to aid his fellowman—all are qualities which were admired in every age by every person, and are admired today by all.

Mr. Speaker, I would like to take this opportunity to commend Mr. Sam Flood, and his gracious and charming wife Regina, for their efforts on behalf of all of us, and for their untiring and unselfish deeds which have provided the impetus for the November 2 testimonial dinner.

REPORT FROM WASHINGTON

HON. EDWARD R. ROYBAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 13, 1972

Mr. ROYBAL. Mr. Speaker, I am pleased to include in the CONGRESSIONAL RECORD my October 1972 report from Washington to the residents of California's 30th District. The report highlights some of the major legislative and national issues being considered by the 92d Congress.

The report follows:

CONGRESS AND THE TAXPAYER

Over the past 4 years federal deficits have skyrocketed. Instead of a balanced budget, the Administration has piled up a deficit of $76 billion, surpassing the deficits of the last 3 Administrations combined.

It is estimated that over 50% of federal funds support military related programs, including new weaponry. While a strong defense is necessary, we should not lose sight of wasteful military spending that resulted in cost overruns exceeding $28 billion as reported in 1971. Nor should we forget that during this so-called peace economy and rapprochement with Russia and China, we will spend $80 billion for war and armaments, the same amount spent 3 years ago when this country was heavily involved in Vietnam and the arms race.

This policy appears highly questionable in light of our current economic needs. There are over 5 million workers unemployed with 15,000 in my own District. Taxes continue to rise with the brunt being carried by low- and middle-income taxpayers.

One answer to these inequities in our current policy is a fair-share tax reform that closes off profitable corporate and estate loopholes and gears our tax structure to a person's ability to pay. Another is re-evaluation of our national priorities.

While no program should be immune to Congressional scrutiny or criticism, we have set certain fundamental goals for ourselves as a Nation. They include: a full employ-