United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 93d CONGRESS, FIRST SESSION

HOUSE OF REPRESENTATIVES—*Thursday, April 19, 1973*

The House met at 10 o'clock a.m.

Father Joseph F. Thorning, pastor emeritus, St. Josephs-on-Carrollton Manor, Frederick, Md., offered the following prayer:

Heavenly Father, Author of life and of love, let the light of Thy countenance shine brightly upon the Speaker of this House and upon all the Members of the U.S. Congress.

Grant a special blessing, we beseech Thee, upon the President of the United States of America and upon those who counsel him.

Vouchsafe, dear Saviour, that the noble cause of inter-American understanding and amity be renewed and revitalized, producing better cooperation for peoples whose ideals include religious faith, personal freedoms, and a determination to improve homes, schools, and conditions of work conducive to happiness in families, communities, and nations.

Grant us the divine graces essential to realize that responsibilities flow from the enjoyment of rights and that prayer is the handmaiden of progress.

Humbly and fervently we implore these favors, spiritual and material, on this 29th congressional celebration of Pan American Day, once more seeking the help of the Christ of the Andes. Amen.

THE JOURNAL

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

Without objection, the Journal stands approved.

There was no objection.

FATHER JOSEPH F. THORNING

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

Mr. BYRON. Mr. Speaker, I am pleased that El Padre, Father Joseph F. Thorning, has joined us once more this year on Pan American Day. Last month Father Thorning, in an effort to keep abreast of developments throughout the Western Hemisphere, gave lectures in several of the leading universities of South America. In March his educational work took Father Thorning to Panama, Ecuador, Peru, Chile, Argentina, Paraguay, and Bolivia. His efforts to foster understanding and brotherhood in the Western Hemisphere have been noted before in this Chamber; however, it is clear that his energy and the dedication to his chosen task have not paled. I commend Father Thorning for these efforts, and I am proud that he is a permanent resident of the Sixth District of Maryland. I look forward to Father Thorning's annual visit with us here in the House of Representatives, and I join you, Mr. Speaker, and my colleagues in welcoming this distinguished pastor of peace to this Chamber.

RESOLUTION TO REQUIRE HOLDING OF 1974 CENSUS OF AGRICULTURE

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

Mr. EVANS of Colorado. Mr. Speaker, yesterday I introduced a joint resolution to require the Bureau of the Census to conduct a 1974 Census of Agriculture, as required by law. An identical resolution has been introduced into the Senate by Senator HUBERT HUMPHREY.

The holding of such a census every 5 years is required by section 142 of title 13 of the United States Code. The next scheduled census is to be held in 1974. However, the Nixon administration is attempting to have the census postponed until 1977. No funds for the 1974 Agricultural Census appear in the Budget of the United States.

The census of agriculture provides the only complete agricultural data available at the county level for rural America. The census provides information which is invaluable not only for farmers but also for Government decisionmakers, businesses serving agriculture, and ultimately, the average citizen intimately affected by decisions relating to the agricultural sector.

Both the Congress and the Executive need the data collected by the census in acting on future agriculture policy. But reliance on 1969 data through 1977 or 1978 is to rely on old data not fully related to the current situation. There is a great need for up-to-date data so that policymakers can be fully aware of both the economic and social conditions in America's farmland.

The estimated fiscal impact for this census is not great. The total budget for the 1974 census would be $28 million, according to the Census Bureau; $1.3 million has already been appropriated, but has been impounded by the Office of Management and Budget.

AUTHORIZING CLERK TO RECEIVE MESSAGES FROM THE SENATE AND THE SPEAKER TO SIGN ENROLLED BILLS AND JOINT RESOLUTIONS NOTWITHSTANDING ADJOURNMENT

Mr. O'NEILL. Mr. Speaker, I ask unanimous consent that notwithstanding any adjournment of the House from April 19 to April 30, 1973, the clerk be authorized to receive messages from the Senate and that the Speaker be authorized to sign any enrolled bills and joint resolutions duly passed by the two Houses and found truly enrolled.

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

There was no objection.

AUTHORIZING SPEAKER TO ACCEPT RESIGNATIONS, APPOINT COMMISSIONS, BOARDS, AND COMMITTEES AUTHORIZED BY LAW OR BY HOUSE NOTWITHSTANDING ADJOURNMENT

Mr. O'NEILL. Mr. Speaker, I ask unanimous consent that notwithstanding any adjournment of the House until April 30, 1973, the Speaker be authorized to accept resignations and to appoint commissions, boards, and committees authorized by law or by the House.

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

There was no objection.

DISPENSING WITH THE CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY, MAY 2, 1973

Mr. O'NEILL. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday, May 2, 1973.

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

There was no objection.

CALL OF THE HOUSE

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

The SPEAKER. Evidently a quorum is not present.

Mr. O'NEILL. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The call was taken by electronic de-

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

vice, and the following Members failed to respond:

[Roll No. 109]

Adams	Gray	Pepper
Anderson, Calif.	Green, Pa.	Pike
Badillo	Griffiths	Podell
Biaggi	Grover	Powell, Ohio
Burke, Calif.	Gunter	Rogers
Carney, Ohio	Hanna	Rooney, N.Y.
Casey	Hansen, Wash.	Ryan
Clark	Harvey	Smith, N.Y.
Cronin	Hays	Steele
Davis, Ga.	Hébert	Steiger, Wis.
Diggs	Johnson, Colo.	Stuckey
Dulski	Jones, Ala.	Symington
Eckhardt	King	Talcott
Evins, Tenn.	Maraziti	Teague, Tex.
Fountain	Mathias, Calif.	Tiernan
Fraser	McCormack	Udall
Gibbons	Morgan	Wilson, Bob
	Passman	Young, Ill.

The SPEAKER. On this rollcall 380 Members have recorded their presence by electronic device, a quorum.

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

GENERAL LEAVE

Mr. WRIGHT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the debate on S. 502, the Federal-Aid Highway Act of 1973.

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

There was no objection.

FEDERAL-AID HIGHWAY ACT OF 1973

Mr. WRIGHT. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (S. 502) to authorize appropriations for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes.

The SPEAKER. The question is on the motion offered by the gentleman from Texas (Mr. WRIGHT).

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill S. 502, with Mr. UDALL in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Before the committee rose on yesterday, it had agreed that title I, ending on page 133, line 18, of the committee amendment in the nature of a substitute would be considered as read and open to amendment at any point, and there was pending the amendments offered by the gentleman from California (Mr. ANDERSON).

The committee had further agreed that further debate on the amendments offered by the gentleman from California (Mr. ANDERSON) and all amendments thereto would be limited to 30 minutes, with the gentleman from California (Mr. ANDERSON); the gentleman from Illinois (Mr. ANDERSON); the gentleman from Massachusetts (Mr. BOLAND); the gentleman from Ohio (Mr. HARSHA); the gentleman from Michigan (Mr. GERALD R. FORD); and the gentleman from Texas (Mr. WRIGHT), each to be recognized for 5 minutes on the amendments.

The Chair now recognizes the author of the amendments, the gentleman from California (Mr. ANDERSON) for 5 minutes.

Mr. ANDERSON of California. Mr. Chairman, three points have been made in opposition to my amendment:

First, opponents contend that it would result in a bankrupt trust fund.

Nothing could be farther from the truth—the committee bill allocates $700 million of trust fund money to urban areas.

My amendment does not change that. My amendment merely permits the urban areas—50,000 or more people—to use those funds for bus or rail transit, as well as highway construction.

If $700 million would bankrupt the trust, then your arguments should be directed against the committee-approved bill—not my amendment.

RURAL NOT AFFECTED

Second, opponents contend that rural areas will suffer as a result of my amendment.

The fact is—this amendment affects only urban money—not rural funds—so what happens in the rural areas is not determined by your vote on my amendment. Vote "aye" and your rural-primary and secondary highways will continue to be funded with $1.1 billion trust fund money per year. Vote "nay" and they will be continued also—it makes no difference to your area—it only affects the cities of 50,000 or more.

MY AMENDMENT DOES NOT BREAK FAITH WITH THE USER

Third, opponents contend that this amendment breaks faith with the highway user.

If building police barracks, paying salaries of traffic court officials, building businesses and homes of those displaced by highway construction and purchasing ferryboats does not break the faith—then, certainly, taking steps to alleviate highway congestion, to benefit those who truly need the highway, is not breaking the faith.

CONFIDENCE IN STATE AND LOCAL OFFICIALS

Ladies and gentlemen—vote "yes" and permit the State and local officials to make the decision.

Vote "yes" and allow the State and local urban officials to meet their local urban transportation needs by building highways—if that is what they want—by buying a bus—if that is what they want—by construction of a rail system—if that is what they want—or a combination of the three.

I have confidence in the people in our State and local government—and I want to give them the opportunity to decide. I urge you to join with me and vote aye—in support of this amendment.

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

Mr. ANDERSON of California. I yield to the gentleman from Massachusetts.

Mr. CONTE. Mr. Chairman, as the ranking minority member of the Transportation Appropriations Subcommittee, I have become convinced that our urban transportation crisis cannot be solved just by building more roads. These complex and severe problems can be solved only through the proper combination of highway and mass transit capital investment. To do this, Federal assistance must be made available to help the State and local governments achieve this end.

I believe that the best way to do this is to utilize the highway trust fund. We are proposing that up to $700 million from the trust fund be made available to our major cities to use either for public mass transportation facilities or for highway construction. This would give these urban areas the opportunity to solve their urban transportation problems according to local needs.

Our cities are choked with traffic and polluted air. They are struggling to remain vibrant centers of commerce and residence. But a key element in their lifeline is breaking down.

The transportation systems of many urban areas are on the verge of collapse. Urban roadways are overburdened during peak travel periods, and most cities do not have the room or tolerance for more highways. Public roads cover as much as 50 percent of the total land area in some cities.

Meanwhile, urban mass transportation systems are deteriorating. Last year, mass transit systems in the United States lost $400 million. In the past two decades, 230 systems have collapsed and the number of riders has dropped 60 percent.

Half the vehicles in mass transit systems are over 10 years old. Equipment and service are deteriorating.

The answer to the urban transportation mess is not more highways. The answer is a program that caters to local needs and that allows flexibility in achieving a balance between urban highways and mass transit facilities.

A large segment of our urban population—the old, the handicapped, the young and the poor—are dependent upon mass transit systems for most of their movement. Our mass transit systems must be preserved, and renovated. and improved.

But this will take a large investment of money. More than $1 billion per year is now being provided for urban transportation projects. But the amounts are nowhere near adequate.

This is not to say that all cities will use any Federal funds they receive for mass transit projects. Many of them need particular highway projects before mass transit. But all of them need coordinated and balanced development of their overall transportation system.

Highways should be built where they are justified, but cities should have the option to use Federal funds that are legitimately theirs for alternate transportation systems.

Every year, there is a net increase of 5 million cars on our highways. As the auto population increases, urban traffic congestion, and air pollution, and the Nation's gasoline shortage grow worse. For our urban areas, the more effort that is expended on building new highways, the greater the problems of congestion, pollution and supply become.

It is time to adopt the Anderson-Grover amendment and open the highway trust fund.

This amendment provides a realistic, coordinated, and flexible program for the expenditure of highway trust fund moneys allocated by the committee bill for urban transportation programs.

The Anderson-Grover amendment provides that each urban area that does not want, or cannot tolerate, further highway construction could, instead, use its existing share of highway trust fund dollars on alternative modes of transportation. Thus it could coordinate and balance its various transportation needs.

The Anderson-Grover amendment is not an attempt to divert needed road funds, but it is an attempt to solve the overall transportation problems of urban areas.

We are supporting the Anderson amendment as an alternative to the so-called "Wright compromise." That proposal is not a compromise; it is a travesty. That "compromise" provides that, if an urban area wants to acquire mass transportation facilities rather than build a highway, it can refuse the trust funds and go to the General Treasury to get the money for the mass transit facilities. The highway trust funds that are refused then go back to the trust fund to build another road, heaven knows where.

This is yet one more example of "backdoor spending." This would take some $1 billion each year out of the Treasury in a manner which the Congress would not be able to control. Approximately two-thirds of the Federal budget is now uncontrollable. The Congress and the President are trying valiantly to control the size of the Federal budget, and the so-called Wright compromise would only increase this problem.

Where will all the money to support this compromise come from? What programs will we have to cut?

The highway trust fund is not sacrosanct. The trust fund was established to meet the transportation needs of the 1950's. However, it has become abundantly clear that the trust fund cannot meet the needs of the 1970's and 1980's.

The time has come for a change. The trust fund must be given the flexibility to deal with the transportation needs of today and tomorrow. The "backdoor spending" of billions of dollars to save the sacred cow status of the highway trust fund is not the way to do it. The House of Representatives must face up to its responsibilities and allow the trust fund to be used to meet today's transportation needs. We must open up the highway trust fund for urban mass transportation facilities.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan (Mr. GERALD R. FORD).

Mr. GERALD R. FORD. Mr. Chairman, in 1956 the Congress took a very important step. It said, "We are going to build a national highway system; we are going to charge the people who use the highways for the cost of building those highways." The Congress said that we will impose special user taxes for the cost of those highways. We said that there will be a trust fund established so that the money will be there for the construction of highways.

Let me say parenthetically that we have not completed the highway program and there is no real surplus in the highway trust fund.

In 1969 the Secretary of Transportation, the Honorable John Volpe, had this to say, and let me quote from his comments.

Secretary Volpe said in 1969:

I believe that the integrity of the Highway Trust Fund must be preserved without question. This was the intent of Congress and the Chief Executive in framing the Federal Aid Highway Legislation of 1956 and subsequent acts. In my opinion, to divert highway use tax revenues to purposes other than the provisions of highways would abrogate a long-standing moral commitment as well as a statutory provision.

President Eisenhower in 1956 at the time the highway trust fund was established, said the following:

A sound Federal highway program I believe can and should stand on its own feet with highway users providing the total dollars necessary for improvement and new construction.

This amendment sponsored by the gentleman from California reads in part as follows:

The construction of fixed rail facilities or the purchase of passenger equipment, including rolling stock for any mode of public mass transportation.

The proponents of this amendment seek to violate a commitment. They seek to violate the trust fund concept because rolling stock and operating equipment under no stretch of the imagination can be construed to be highways.

Let me make this observation: I challenge any one of the Members to go down to a gasoline station and stand there and ask the people who buy the gas and pay the tax as to whether they think they are going to pay that tax for rolling stock and operating equipment. They believe they are paying that tax for the construction of highways.

We will be violating the trust with these taxpayers if we now divert that tax money away from highways and into railroad operating equipment.

I said last year, and I repeat now, once the mass transit people get their nose under the tent with operating equipment, the next step is operating subsidies. Operating subsidies, we know from experience in our major metropolitan areas, are a bottomless pit. And in proof that this is the first step of that operating subsidy let me just quote from a letter I received today from the city officials of my hometown of Grand Rapids, Mich. Inadvertently, they let the cat out of the bag. Here is what they say, after pleading with me to break the trust fund and divert funds for operating equipment—and as I say, this lets the cat out of the bag:

There would also be available to the metropolitan area about $125,000 yearly that would help take some of the burden off the local areas to provide sufficient funds to operate the transit system.

Ms. ABZUG. Mr. Chairman, will the gentleman yield?

Mr. GERALD R. FORD. Not at this point. I do not have sufficient time to yield to the gentlewoman.

Mr. Chairman, again let me say that once we break faith, once we let them get their nose under the tent, the diverters go from operating equipment to operating funds and, believe me, that is a bottomless pit. We ought not break faith with the taxpayers in order to let this kind of diversion from the trust fund take place.

Mr. Chairman, I urge the Members to vote "no" on the Anderson amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois (Mr. ANDERSON).

Mr. ANDERSON of Illinois. Mr. Chairman, I have before me a letter dated the 17th of April, 1973, signed by the Secretary of Transportation, Mr. Brinegar. I shall not take the time to read the entire letter, but shall answer one point that has just been made by reading from paragraph 3 of that letter:

Does the Anderson/Grover amendment reduce the Federal commitment to complete the Interstate System?

Answer: The Anderson/Grover amendment in no way reduces the Federal commitment to complete the Interstate System. Funds authorized for the Interstate System cannot be used for any other purpose under the bill reported by the Committee. The Anderson/Grover amendment does nothing to change this.

The words "diversion" from the trust fund have become code words, suggesting that those of us who proposed the Anderson amendment are recommending a breach of trust; that we are breaking faith with the taxpayers of this country. The Anderson amendment mandates no diversion from the trust fund. It merely gives to local officials the flexibility. It extends to them the option to decide if, in their wisdom, it is better to construct those urban highway systems, or to go to mass transit.

I think, Mr. Chairman, it is of enormous significance that we consider this amendment this morning, on the day following the receipt of the President's energy message where he personally, once again, reaffirms the commitment of his administration to the adoption of the Anderson amendment.

I am told that at the joint leadership briefing on that message yesterday morning, in response to a query he said:

Yes, we must examine the role of the automobile in American society if we are really serious—if we are really serious—about developing a conservation-of-energy policy in this country.

The passage of the Anderson amendment would indicate to the Nation that Congress is aware of the problem and that we are willing to act in a decisive manner.

There are many of us who have suggested over the past few months that Congress cannot decide for the entire Nation; that we represent simply a gaggle of constituencies; that we are literally incapable of speaking with one voice on a critical national issue.

Mr. Chairman, I would say to those who have made the argument to me—and some have—that the Anderson amendment will do nothing for my congressional district. We do not have any rail transit or any mass transit. It is not going to do anything for me. I would appeal to those of that persuasion that

the problem of maintaining adequate mass transit in the cities of our land has a real and a very fundamental meaning for all of us, whether or not we live in an urbanized area.

On the point, finally, that we are somehow violating the sanctity of the trust fund and the use of this code word over and over again of "diversion," let me repeat that the crux of the issue is not diversion; it is whether or not we are going to get a balanced transportation policy in this country. When we stop to consider that, two-thirds of the highway fund is generated from gasoline taxes that were put on the books in 1932, 24 years before the Interstate System was ever started, and literally 95 percent of all of the taxes that go into the so-called trust fund were put on the statute books of this country before the passage of the Interstate Highway Act. As the Secretary has indicated to me in his letter, the adoption of this amendment is not going to take away one dime from those of us representing rural constituencies. It is not going to interfere with any of the plans that are presently laid for the completion of those highways. We are asking for an affirmative vote on this amendment so that we can begin to do now what the President suggested yesterday in the very opening paragraph of that energy message when he said: "Old problems are yielding to new initiatives." The time has come now to seek a new initiative to solve the transportation problems of this country.

I would urge the Members to vote "yes" on the amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Ohio (Mr. HARSHA).

Mr. HARSHA. Mr. Chairman, it strikes me as being very peculiar, if rail transit is going to solve all of the problems of congestion on the highways that proponents claim and mass transit is going to be the panacea for all of these ills—that the cities that already have rail transit systems are the very ones which have all of the traffic ills we hear about.

The city of Boston, the city of Philadelphia, the city of Chicago, and the city of New York all have rapid rail transit systems, and they have the highest congestion and traffic tieups in the country. Rail mass transit has not solved their problems. It is not the solution, and neither is the Abzug-Anderson amendment the solution to the problem.

Secretary Brinegar said the other day in a letter that there was only $100 billion in highway construction that could be economically justified, and 85 percent of that $100 billion would be in urban areas. He is trying to assert economic justification contrary to law. He is prohibited by the very act that created the Department of Transportation from using economic justification.

Furthermore, if he applies the same tests of economic justification for mass transit, he could not spend even $1. By no method that I know of can we economically justify the construction of mass transit systems.

We are not talking about the construction of new highways, Mr. Chairman. We are talking about the $300 billion that is for essential highway improvements. The figure that appears in the Department of Transportation report is the same figure that the Secretary admitted when he testified before the committee, and of that $300 billion, 93 percent is represented in improvements to the present system, not the construction of new highways. We are talking about upgrading our presently deteriorated highway system outside of the interstate. Seventy percent of the rural highway system of America and 50 percent of the urban highways of America were deficient as of 1970.

Now, in order to further inform the Members as to what we are talking about, most of these highways were built as long as 40 years ago. Eighty percent of them were constructed in 1930 and before, so we are not talking about building new highways but we are talking about trying to make those we have safer and improve and resurface them.

So do not be deluded by the Anderson-Abzug amendment into thinking that we are going to start constructing new highways. We are, by this amendment, jeopardizing the preservation of the present system.

I ask my Member friends to remember the fact that Amtrak is going to abandon some of its present service, the Penn-Central is going to abandon some of its present freight lines and other Northeast railroads are going to consolidate and abandon rail lines. All of that traffic will have to be diverted to the highways, onto an already deficient highway system which will further compound the problem.

Coupled with this is the fact that safety on the highways is related to improvements of the highway system and implementation of the safety program. These programs are designed to save the lives of schoolchildren of the Members and their constituents around America.

Do Members know that in over 200 years in all the wars this Nation has fought we have killed 668,000 American soldiers and wounded another 1,680,000 American soldiers, and yet, in the short span of 10 years, from 1970 to 1980, it is estimated we will kill a number in excess of that, and we will injure more than 20 million users of the highways, 12 times the number we injured in all the years of war in which this country has been involved.

We have to stop this slaughter. It seems to me it is of a much higher priority to save lives than it is to alleviate highway congestion. Any available funds should be used first to save lives and second, for the convenience of travelers. That is what we will be jeopardizing by diverting trust fund moneys away from highway safety and away from the road program.

Do not be deluded by the statement that we will not be taking anything away from the highway trust fund for rural highways. The fund has limited revenues. If we take anything away from that fund for any purpose other than highways, that reduces the availability of funds for highways. Mr. Chairman, we will be jeopardizing the lives of every American who uses the highways if we divert such moneys. We cannot get 2 quarts of milk out of a 1-quart milk bottle. We cannot use the highway trust fund to cover both programs.

One final observation: The Department of Transportation's needs report states that major shifts in funds from highways to mass transit would improve transit but would result in increased highway fatalities. Furthermore, such shifts would result in very little improvement in pollution levels. In fact, that report estimates that for the period 1968 to 1990, the diversion of large sums to rapid transit would result in higher carbon monoxide and hydrocarbon levels.

Obviously, if there is little or no change in air pollution, there will be little or no saving of fuel or energy because it is the consumption of fuel that causes air pollution.

I certainly do not want the responsibility on my head of increasing highway fatalities by diverting highway funds from safety related programs.

Do you?

I urge the defeat of the Anderson-Abzug amendment.

Mr. BOLAND. Mr. Chairman, I want to first commend the leadership, the Committee on Rules, and particularly the Public Works Committee for all joining in bringing the 1973 Federal-Aid Highway Act to the floor, with a rule that permits, an up or down vote, on the amendment offered by the gentleman from California (Mr. ANDERSON).

Mr. Chairman, let me applaud this distinguished and great Committee on Public Works for shepherding, monitoring and bringing to near completion, at this date, the Federal Interstate Highway System. I suported this program when it was recommended by President Eisenhower back in 1956. I support it today. It is the biggest public works project in the history of the world—when finished, 42,500 miles of the Federal Interstate System will lace this Nation—the most remarkable network of highways anywhere in the world.

We are coming to the end of that system, Mr. Chairman, it will be finished in a few years.

And it is time—it is past time—that this Nation turn its attention, to a balanced transportation system.

I have listened to the eloquence and the persuasiveness of the gentleman from Texas (Mr. WRIGHT)—the floor manager of this bill. I have heard him talk of the billions that are needed for additional highways—for improvement of the primary system.

I am impressed by the incredible statistics—110 million automobiles, 55,000 killed on our highways.

But, Mr. Chairman, automobiles are choking and strangling our cities—giving rise to problems of pollution, energy, mobility of people—18,000 to 19,000 of those killed by automobiles struck down on our city and town streets.

Mr. Chairman, back in 1970 the Committee on Public Works recognized these problems. In a dramatic shift of emphasis, this committee recommended a completely new Federal-aid urban system program. In this bill, it has increased that authorization sevenfold to $700 million.

And that is the nub of the question and the issue that we are talking about.

What is sought to be done by the Anderson amendment?

It would remove the constraints, presently imposed upon funds which have been earmarked under the Federal-aid urban system. It would permit the $700 million in the urban systems fund to be used for either mass transit or highways. And that is all it would do. Adoption of this amendment would not deprive rural areas of a single penny of highway funds.

The Anderson amendment applies only to urban systems funds. This amendment does not alter allocation formulas in even the slightest manner; it merely adds the option of mass transportation to those options which already exist for urban funds, and for urban funds only. Rural trust fund money will remain available for highway use only.

Furthermore, the Anderson amendment would not prevent the completion of urban highways where they are needed. This proposal is permissive, it does not compel any State to use highway funds for mass transit. It would allow a State to spend urban money apportioned to them for transit if they decide that such spending would be in the greatest interest of the urban area.

Yesterday, I listened with interest and admiration to the gentleman from Illinois (Mr. KLUCZYNSKI), the chairman of the Roads Subcommittee of this committee. I am sure that it was not an easy address to make, for in past years he has opposed the Anderson amendment. But, I am sure, Mr. Chairman, that it was an act of leadership and statesmanship.

Others have also demonstrated these characteristics, like the distinguished gentleman from Ohio (Mr. WYLIE) who opposed this amendment last year.

Mr. Chairman, the Anderson amendment is an appeal—a simple appeal to permit urban areas to use the urban systems fund for specific transit purposes or for highway purposes. Surely, nothing could be more reasonable.

And beyond that, Mr. Chairman, it is an appeal—a plea for those who do not have cars—those who are being strangled by cars. It is an appeal, for the poor, the disadvantaged, the elderly, the young—for those who must get to work—for those who seek opportunity—who desire an education.

Mr. Chairman, over half of all households with incomes under $3,000 and about half of all households whose heads are 65 years and older have no cars. It is this group—the poor, the handicapped, the old and the very young—who need mobility the most to gain access to adequate education, health care, job opportunities and other necessities of life.

All we seek to do with this amendment is to permit the urban areas to use their urban systems funds for mass transit or highways. Let us leave it up to the urban areas to make that decision. Surely, they are entitled to this judgment.

Mr. Chairman, I have received considerable mail on both sides of this issue with the weight tilted against my position in support of using a part of the highway trust fund for mass transit purposes. A reading of this mail convinces me that there is considerable confusion on what this amendment does. Let me emphasize that it does not deprive any State of any money allocated to it under the trust fund. It touches only the Federal-Aid Urban Systems. The amount carried in this bill for this system is $700 million. And I underscore again, Mr. Chairman, that the decision will be left to the local areas to determine whether to use the allocation for mass transit purposes or for highways. To make this crystal clear, let me insert at this point language from the minority views of the committee members who support the Anderson amendment and a table from page 124 of the committee report on S. 502 Federal-Aid Highway Act of 1973:

Finally, it should be abundantly clear that our amendment is not anti-highway, nor is it anti-rural America. It simply gives urban officials the option of using the highway funds they presently receive to build or purchase a mass transit system, as well as construct highways.

The following is a chart showing the effect of the mass transit amendment on the funding levels in the committee bill, and on the various sections of the law:

Highway trust fund projects	Funding committee bill	Funding Anderson amendment	Uses, committee bill	Uses, Anderson amendment
The Interstate System	$3,500,000,000 per year through fiscal year 1978	No change	No change	No change.
The primary system in rural areas	$700,000,000 per year for fiscal years 1974–75	do	do	Do.
The secondary system in rural areas	$400,000,000 per year for fiscal years 1974–75	do	do	Do.
The forest highway system	$33,000,000 per year for fiscal years 1974–75	do	do	Do.
The public lands highways system	$16,000,000 per year for fiscal years 1974–75	do	do	Do.
The economic growth center development highway	$150,000,000 per year for fiscal years 1974–75	do	do	Do.
Special urban high density traffic programs	$100,000,000 per year for fiscal years 1974–75	do	do	Do.
Priority primary system	$300,000,000 per year for fiscal years 1974–75	do	do	Do.
Urban extensions system	$400,000,000 per year for fiscal years 1974–75	do	do	Do.
Urban system	$700,000,000 per year for fiscal years 1974–75	do	do	Expanded to include purchase or construction of bus or rail rapid transit systems.

(Mr. ROSTENKOWSKI asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. ROSTENKOWSKI. Mr. Chairman, I would like to associate myself with the remarks of my colleague from Illinois (Mr. ANDERSON) and the gentleman from Massachusetts (Mr. BOLAND), in support of the Anderson amendment.

I believe that it is time that we in this Congress recognize the need for flexibility in the further development of our transportation systems. This is especially true in our urban areas where traditional problems are complicated by mounting pollution and seemingly endless congestion. The implementation of the Clean Air Act will, in the case of many cities, require drastic alteration of existing modes of transportation. Although this would transform the accustomed style of many of those who take to the highways to reach their daily employment, most would willingly switch if alternate means of transit were readily available.

A recent survey by National Opinion Research Corporation indicated 57 percent of the American people thought we should limit automobile traffic in downtown areas; 66 percent of those who live in cities of a million or more thought it a good idea. The latest Conference of Governors overwhelmingly favored mass transit alternatives to highway building in cities. Governor Sargent, of Massachusetts, has recently imposed a ban on more roadways in Boston, and is spending money instead on an improved public transportation system.

It is clear that changes have occurred in the Nation's thinking about highways since the interstate highway system and the highway trust fund were conceived, almost 20 years ago. At that time, the gap between perceived highway needs and existing roads was clear—a 20-year planning framework made sense. And, as far as intercity connections go, the interstate systems was well designed.

But the view from 1973 is distinctly different. A basic system is already substantially in place. Additions to it, new highways, must be weighed on their merits and on a link-by-link basis. Other modal alternatives must be considered. Funding for those alternatives must be flexible and unbiased, or we risk wasting vast sums of precious national resources.

The concept for a single-mode trust fund—whether for highways, airways or rail transit—is outmoded. Broadening of the highway trust fund is a necessary step from the point of view of overall national priorities, and a proper way to provide the substantially larger sums for urban mass transit which I believe to be in the best interest of the general public. For this reason, I am supporting the Anderson amendment and hope my colleagues will do likewise.

The CHAIRMAN. The Chair recognizes the gentleman from Texas (Mr. WRIGHT) to close debate on the pending amendments.

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

Mr. WRIGHT. I yield to my friend from South Carolina.

Mr. DORN. Mr. Chairman, I am opposed to this amendment.

Mr. Chairman, the highway trust fund has served our Nation well. The highway trust fund has enabled us as a nation to build the greatest transportation system in the world and has provided the greatest defense transportation system in all history.

Since the beginning of our Republic, we have sought to really unite the American people in a close union of sovereign States. This system, which connects every State Capitol in our country, has done much to bring our people together—economically, socially, and geographically.

The highway trust fund must be retained in order to complete this great highway system by 1979. The highway trust fund must be protected to improve the primary, secondary systems and our rural highways and roads.

It is necessary to maintain this fund to solve the greatest tragedy of our time, that of the ever increasing slaughter and carnage on our highways. There is a war raging on the highways of our country. This death and destruction can and must be solved. We have proven on the Interstate System, made possible by the highway trust fund, that we have less than one half as many deaths and injuries per traveled mile as compared to our other systems. This improved engineering, modern technology and design must be extended to our primary, secondary and rural road systems. We must not break faith with the highway user, the taxpayer, who made it possible to create the trust fund.

The Congress has an obligation and a duty to protect this fund which is in the interest of all the people—urban and rural alike. Should we raid this fund and set the precedent today by adopting the Anderson amendment it would be the beginning of the end. It would open the highway trust fund to every conceivable scheme of revenue sharing that the mind of man could possibly conceive. Housing, welfare, poverty programs, and even foreign aid might carve in for a share. The highway trust fund would be destroyed and all of our people—urban and rural—would be the losers.

Mr. Chairman, again in this bill, we provide $3 billion from the general revenue for mass transit in the cities of our country. I supported this in our Committee on Public Works. We have other mechanisms in this bill to help urban areas with their acute transportation problems, and I understand the needs of our urban areas. I live in downtown Washington where I can personally appreciate this problem. I pledge my continued, every effort to help the urban areas in finding a solution to the pedestrian problems, the pollution, and time wasted in traveling to employment in the cities. However, Mr. Chairman, the preservation of the highway trust fund is in the best interest of all of the American people. If we scatter this fund in the wind, it will help no one area, but will injure the Nation as a whole.

Now, Mr. Chairman, I address myself to the specific amendment proposed by the gentleman from California.

The gentleman from California has led many of our colleagues to believe that his amendment would not affect the allocation of Federal-aid funds to any State. I submit that the gentleman's amendment would have substantial effect on the distribution of Federal-aid funds to the States and even delay the date of final completion of the Interstate System.

The highway program in earlier years was primarily rural-oriented because of the need to get the farmer out of the mud, and, later, to develop a nationwide interconnected highway system. The Interstate System is now 80 percent complete, and it is just and equitable that the cities should participate more fully in the benefits of the program.

Although the lion's share of this bill is for the benefit of the cities, authorizations for the ABCD systems are meticulously balanced between urban and rural systems. This balance is based upon the results of the 1972 transportation study which indicate equal highway needs in urban and rural areas.

Balanced funding for the ABCD systems, however, is jeopardized by the amendment offered by the gentleman from California. If we opened up the "D" system for both highways and mass transit, certainly a portion of the fund would be used for mass transit. The orderly balance between rural and urban highways would be lost. In order to regain this balance and meet the legitimate highway needs of the cities, future authorization would have to be biased in favor of the urban "D" system.

The gentleman from California explained very well the consequences of biasing Federal-aid authorization in favor of the "D" system. The effect would be to drain funds away from the Interstate System and the rural systems, a situation I believe we should try to avoid.

In this bill, annual authorizations for the urban system have been increased sevenfold from $100 million to $700 million to achieve a balance between the rural and urban program. Opening up the "D" system to both highways and mass transit would destroy this balance, distort the highway program, and soon cause a redistribution of funds among the Federal-aid systems and among the States.

Mr. Chairman, this country needs both good highways and good mass transit. Under the Anderson amendment, we settle for second best. I urge my colleagues to join in voting it down.

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

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

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

Mr. Chairman, there is a growing concern in this Nation about the lack of public transportation in metropolitan areas. Nowhere is the problem so acute as in Los Angeles. Compared to any other metropolitan area in the Nation, commuter distances are greater and public transit is the least efficient. Dependence on the automobile pollutes our air, diminishes our overburdened energy supply, and imposes tremendous commuting costs to residents of Los Angeles.

Air pollution, traffic congestion and urban freeway blight must be significantly reduced with less reliance on highways and the automobile as the main means of commuter transportation. Los Angeles has a crying need for reliable public transit as soon as possible and I take no issue with this obvious and pressing public need.

I question, however, where we shall get the billions needed for capital investment and tens of millions for operating costs. It is this issue on which I wish to comment: How shall the bill be paid?

There is an unusual coalition of support to use gasoline sales tax to fund public transit. Many see the highway trust fund as the only immediate available source of funds. The President, never adverse to shifting the cost of Government to regressive taxes, sees breaking up the fund as a way to fund an expensive public facility without increasing the Federal deficit or reforming the Federal tax structure. If we do indeed have surplus moneys in the fund we should repeal the expensive, regressive gasoline tax and thereby benefit those who pay this "special" tax which strikes the middle and lower income taxpayers harder than any other group.

Using the gasoline sales tax to finance mass transit projects is an unworkable alternative. Because there is some surplus in the highway trust fund, due to Presidential impoundment, and because there is Presidential support for this proposal, there is an effort in this Congress to use this tax as the financing source for public transit systems. The gasoline sales tax is the most regressive tax collected by Government. First, it is a sales tax on a necessity and its rate is approximately 11 cents per gallon in California. This means that for every gallon of gasoline purchased 4 cents goes to the Federal Government and 7 cents to the State of California. If we add to this the cost of building public transportation and maintaining roads, we can expect the gasoline sales tax to double.

Although the gasoline sales tax is both high and regressive its virtue is that it is a user's tax. One pays for the cost of the highway in proportion to the amount he uses it. Funding a public transportation system by use of highway trust fund moneys would be the reverse of a user's tax. Those who use the roads heavily would be more heavily taxed to absorb the cost of a mass transit plan that would be available to all.

As a member of the House Ways and Means Committee I have listened to the tax experts who have confirmed my opinions of the discriminatory practices waged against the middle and lower income people under our present Federal income tax structure.

I view the effort to bust the highway trust fund as a means of further compounding the inequity in the present tax system as they would be the first to pay the price of increased gasoline taxes. Using this source of funding to finance mass transit projects would single out a special group to absorb the costs.

It should be noted that how one pays for something in no way effects how much it costs. If a transit system in Los Angeles is to cost $3 billion to provide,

that will be the cost whether it comes from gas taxes, the fare box, property or sales tax or general funds.

Funding for mass transit projects should not come from the fare box. All of the fiscal studies for Los Angeles and any other metropolitan area indicate that such financing would make the fares so high that there would be few customers. Indeed, the legislation which established the high speed rail system in San Francisco contemplated that the capital costs should essentially be paid from general tax revenue but the operating costs should be paid from fares. This means that BART had to set relatively high fares in order to cover anticipated costs. If fares are higher than low-income segments of the population can reasonably afford, the working poor will obtain no relief.

We should also reject, because the voters have consistantly rejected it, payment through property or sales taxes. In 1968 and again in 1970 the voters of Los Angeles were presented with the opportunity to build a mass transit system. The 1968 proposal, for an 89-mile system at the cost of $2.5 billion, was defeated at the polls. The main objection to this proposition was the method of financing. The proposed ½-cent sales tax was unacceptable to the people of Los Angeles.

As public transportation is a public responsibility it is imperative that the taxpayer think through the various alternatives, both as to the method of mechanically moving people and whose pocket the dollars are to come from.

We need an adequate public transit system in Los Angeles to reduce air pollution, conserve our energy supply and reduce commuters time and expenses. But it will cost billions. Those billions should be collected fairly and spent wisely. Using gasoline taxes is not fair.

Mr. WRIGHT. Mr. Chairman, let us get one thing straight again. The originator of this so-called Anderson approach was not the gentleman from California. It was not the Senator from Maine. The inventor of this approach is the Department of Transportation. For 2 long years DOT spokesmen have been trying to hard sell this Congress on the idea of taking one fund and pretending to make it serve two purposes.

In pushing that approach they are applying against the Congress an age-old technique, divide and conquer. They are throwing one bone to two dogs and trying to make us fight over it. Now, my friends in the Congress, if we fall for that trap we deserve the moniker of the biggest suckers of the year.

Any honest appraisal, including the massive appraisal of the Department of Transportation itself, will tell us that there is simply not enough money in the trust fund for either purpose, let alone for both purposes.

Completion of the Interstate System, to which some Members have referred, certainly is not going to mean the end of the need for highways in this country. There are primary needs, secondary needs, and rural road needs that have been too long deferred.

Every town in America depends directly upon highways for its lifeblood. Relatively few can benefit by rail transit. But we want to help them.

Here is the crux of the issue. Do we want to divert moneys that have been committed to the completion of the highway needs and use them for other purposes? Let me assure the Members that if they vote "aye" today on this amendment that will not be the end of it. It may be the beginning of the end for the highway program as we now know it in this country.

This diversion attempt is a plan that has been in the process of germination in the Department of Transportation for 2 years. Already the Department of Housing and Urban Development spokesmen are publicly clamoring to laddle out of the money from the highway trust fund for urban housing projects.

Where will it end?

How important are highways? Let me tell the Members this: The highways of this country are used more frequently by more Americans than any other service the society provides.

Do Members believe this is the end of highway needs? Every year we add 10 million new vehicles to the total number. Where are we going to put them all, in safety?

Some have spoken about choking the cities. Listen to this: Twelve automobiles traveling at a steady pace on a well-engineered thoroughfare emit less carbons than one automobile starting and stopping on a crowded road that needs widening.

Yes, we want to do those things necessary for mass transit and for the cities. In this bill the committee has been generously responsive to the needs of the cities of this country.

Almost three-fourths of all the authorizations contained in this bill already go to the cities, and about two-thirds of those out of the trust fund go to the cities, although the cities only contribute about half of the funds.

Do Members believe we have not been fair with the cities? This bill already provides $3 billion for mass transit authorizations. And it has an anti-impoundment feature connected with that title.

Already the bill provides the local flexibility the gentleman from California (Mr. ANDERSON) asks for. It gives the city the opportunity to substitute for a section of urban highway within the city limits a mass transit program, and it gives an equivalent dollar amount to that city out of the general revenues.

Mr. Chairman, since when is money out of the general revenues considered some kind of second-class money? That is the source through which the Congress has traditionally provided for more than 90 percent of all the needs of our country.

But here is the crux of it, and here is the basic issue: The committee bill does not violate the trust fund. Unused highway moneys for which general fund money is substituted for mass transit purposes would go back into the trust fund for redistribution to the other cities and States of this country. They have needs, too. And their needs are just as urgent to them as transit needs are to the big cities.

In the committee bill, we have made an earnest effort to be responsive to both needs, and to do so in a reasonable way.

Mr. JOHNSON of California. Mr. Chairman, I rise in opposition to the Anderson amendment.

The committee bill gives to the cities more than half of all the trust fund moneys for the next 3 years.

On top of that, it gives the cities an extra $3 billion in authorization for mass transit programs.

When you add those together, the cities already get the lion's share of the total authorization contained in this bill.

There are other parts of the United States, outside the big cities, that need help too. There are many areas of this country which desperately need highway improvements to move their citizens in safety from one place to another.

The Anderson amendment would make the entire country give up a portion of its trust fund moneys to give the big cities yet an extra slice out of the bill.

It seems to me that the committee has been more than generous with the cities. It has given them the option of flexibility that they say they want. It even gives it to them on advance obligational authority. But still they are not satisfied.

What they really appear to want is not money for mass transit—which the committee bill gives them—but to bust the trust fund.

I am perfectly willing to help them with their legitimate needs, but I am not prepared to take money out of the trust fund—which belongs to the country as a whole for highway purposes—simply to satisfy their apparently insatiable demands.

For these reasons, I will vote no on the Anderson amendment.

Mr. McCLORY. Mr. Chairman, I rise in support of the amendment offered by my colleague from California (Mr. ANDERSON) to the Federal Aid Highway Act (S. 502). Indeed, I am cosponsor of legislation which is identical to the Anderson amendment.

This amendment would permit highway funds allocated for urban use to be employed in behalf of highway congestion in our urban areas of 50,000 or more—and would authorize the appropriate use of a portion of these funds for such urban transportation purposes as are determined to be most essential by municipal or regional officials.

Mr. Chairman, in furthering the Anderson amendment, I am convinced that my position is consistent with the best interests of the highway users—those who travel by automobile and who pay the taxes for such automobile use from which the highway fund has been established.

Mr. Chairman, as chairman of the committee on highways and traffic regulations of the Illinois State Senate for 10 years before my election to the Congress, I am conscious of the need for adequate highway funds. Also, I am aware that by virtually forcing commuters and visitors to travel by automobile to the

core areas of our urban centers, we are contributing to traffic stagnation, critical air pollution, and economic detriment to the urban areas themselves. We should not continue to pursue such a policy.

By permitting highway funds to maintain existing urban mass transit services—whether public or private and whether motorized or rail service—we are relieving the highways for the benefit of the motorists who must and will continue to use the highways for their transportation.

Mr. Chairman, I am convinced also that under the Anderson amendment no part of the highway trust funds which are presently allocable to rural areas will be diverted to any urban uses. Accordingly, I am hopeful that this House of Representatives will today give its approval to the Anderson amendment and to the forward looking philosophy for urban development which it contemplates. I am certain that adoption of this amendment will be in the best interests of all of my constituents from both the urban and rural areas of the 13th District of Illinois.

Mr. FRENZEL. Mr. Chairman, the Anderson amendment to the Federal Aid Highway Act of 1973 will provide our urban communities with the necessary flexibility to plan and execute a coherent transportation plan for their area, taking into account local needs and desires. The amendment is biased neither for or against any particular mode of transit. If local elected officials prefer to depend exclusively on the automobile for their transportation needs, Federal funds would continue to support this decision. If, on the other hand, individual communities prefer to develop a more balanced transportation system, this amendment would for the first time allow them to use their urban trust funds for mass transit purposes.

My recent congressional district survey indicates strong support for an Anderson-type amendment. Fully 80 percent of those who responded to my questionnaire favored using a portion of highway taxes for mass transit purposes. It no longer makes any sense to force local officials to make transportation decisions based for the most part on what Washington is willing to fund or not fund. This inflexibility has played a significant role in deflecting transportation planning at the local level away from mass transit development and the social and economic costs have been enormous.

The Anderson amendment holds out the only realistic hope for providing substantial additional funds for the development of mass transit systems at this time. Attempts to secure additional funds out of general revenues for mass transit fly in the face of this administration's determination to keep the lid on new spending programs not in the budget. Hopefully the House will act today to give local officials, charged with the responsibility for transit planning, a free hand to establish their own priorities for public transportation capital expenditures.

The President, Secretary of Transportation. Claude Brinegar, and his predecessor Gov. John Volpe are to be commended for their leadership in spearheading the drive for enactment of this important amendment.

Mr. HARRINGTON. Mr. Chairman, I rise in support of S. 502, the Federal Aid Highway Act of 1973, and the amendment offered by the Honorable GLENN M. ANDERSON of California.

The greatest issue faced by the Congress in the Federal highway program over recent years has been the flexible use of Federal highway funds for mass transit. Should moneys set aside for the construction of highways be used for the development of a balanced transportation system, including the construction of mass transit facilities? The answer to this question must be in the affirmative.

First, while the highway trust fund has created an outstanding Interstate Highway System, mass transit has been sadly neglected by the Federal Government. In 1970, the Congress finally recognized the need for more than token funding for mass transit; $3.1 billion was appropriated to be distributed over a 5-year period at an annual average of $620 million. From 1964 to 1969, however, only $1 billion was allocated for mass transit use. During that same period, revenues generated from the highway trust fund totaled upward of $5.7 billion a year—roughly five times more than the spending for mass transit. We have made a beginning, but clearly we have a long way to go.

Second, precedent is on our side. Part of the trust fund has already been used for nonhighway construction. Precedent and principle should guide us in making the most useful allocation of trust fund moneys possible.

Finally, the pressing needs for adequate, rapid, comfortable, environmentally clean rapid transportation in our major urban areas argues persuasively for Federal outlays to build mass transit facilities, and to redress the imbalance between the availability of automobile transportation and rapid mass transportation.

For these reasons, I believe it only rational to expend funds from the highway trust fund for the purpose of improving and expanding our mass transportation system. The bill before us today would do this, and the Anderson amendment, which I have cosponsored and strongly support, would take us a step further.

National transportation priorities, for both highway and mass transit, must reflect current national needs regarding the protection of the environment, assistance for urban transportation needs, conservation of our energy resources, greater popular participation in planning and development, and, the safety of our citizens. The indefinite continuation of the highway trust fund could deter the construction of more pressing non-highway facilities. The 1973 Federal Aid Highway Trust Act would, to some degree, avert this danger, by providing for such nonhighway construction purposes as public mass transportation facilities including bus lanes, traffic control devices, passenger loading areas, shelters, and parking facilities. Increased funding is also included for such purposes as expanded highway safety programs; removal of roadside hazards; the effects of drug usage on drivers and other areas of highway safety research; the elimination of railroad grade crossings; pavement marking; correction of hazardous locations on the highways; driver education and evaluation; court and police enforcement of local traffic infractions; statistical studies of significant accident reporting data; pedestrian safety; and access facilities for the handicapped.

These are all desirable ways in which to spend moneys designed to improve our national transportation network, and I support the bill for this reason.

In addition, however, Representative ANDERSON has offered an amendment to this bill which would provide greater flexibility in funding formulas. This flexibility is vitally important because it allows local officials a choice in the use of their share of the Federal funds they now receive by permitting the construction of bus or rail transit systems as well as the construction of highways. Urban areas are now only permitted the use of urban system funds for highway use and related construction projects.

This amendment would affect only the urban system moneys of the highway trust fund. These funds are set at only $700 million annually for fiscal year 1974 to fiscal year 1976. It will not affect the Interstate System or the primary or secondary road system.

This is a means of providing urban areas the use of their Federal highway funds in a fashion they believe will best contribute to the solving of their transportation problems.

It might be argued that this use will be a breach of the original intent of the highway trust fund. However, the fund has been directed toward other nonhighway construction purposes throughout the years, and we now face a more pressing need for urban mass transit than for more urban highways.

I have personally advocated the elimination of the trust fund in favor of a general transportation fund to deal with highway construction, railway needs, urban transit, airport improvement, and maritime requirements in a comprehensive overall plan. I am aware that the enactment of such legislation is a political impossibility at this time.

The Anderson amendment is a positive step in the right direction. It is a long needed proposal directed toward the consolidation of our interrelated transportation system. Our future transportation needs dictate the need for the utmost flexibility in the use of transportation directed revenues.

S. 502 recognizes, in part, many of the demands on our transportation system, but without the inclusion of the Anderson amendment, it will not provide the flexibilty that is so urgently required in the use of funds in our urban areas. I urge the Congress to permit a portion of the highway trust fund to be used in a more rational way, thereby allowing mass transit capital invest-

ments where communities so desire. In short, I urge the Congress to support the passage of S. 502 and the Anderson amendment.

Mr. MILFORD. Mr. Chairman, today I have witnessed as many of my colleagues have sought, for seemingly noble and worthwhile reasons, to say to the American motorist: "I am sorry, but what I have been telling you for years no longer applies"—or, in short, "My word is good until I change my mind."

Back home in my district, the 24th of Texas, our folks operate under what, at times in this body, seems to be an outmoded form of logic. If they give you their word, you can count on them keeping it from then on—without hesitation, without reservation, and without changing to accommodate themselves. That old-fashioned type of logic seems pretty valid to me, and I do not intend to break my word now simply because someone else thinks it is expeditious or currently advantageous.

None of us opposes the building of the vital and necessary mass transit facilities, but many of us do vigorously oppose robbing the highway "trust" fund for a purpose for which it was never intended. The American people paid their tax money into this fund for a specific purpose—so they could have better highways—what is happening today is an abrogation of that trust.

We are not free to simply say to the motorist of our Nation, "even though you paid this money into this trust fund for the specific purpose of building the world's finest highway system, we have decided that we're going to use it for something totally unrelated." My dear colleagues, this is not our prerogative. We cannot set this psychological precedent and allow this to become the law of the land—this is not only unfair to our people—it is dangerous for our Nation.

Mr. DONOHUE. Mr. Chairman, I most earnestly urge and hope that the House will expeditiously act in the approval of this amendment designed to establish a modern, progressive Federal-Aid Highway Act.

Certainly, Mr. Chairman, such a strengthened measure would, in the judgment of a great many respected authorities, have to grant the option to local governments to use part of their Federal highway fund allocations to help overcome the increasingly burdensome problems of hazardous and intolerable auto and noise pollution and abnormal traffic congestion.

Mr. Chairman, from every ordinary standard of good judgment and prudent financing, it impressively appears that the highway fund is large enough to permit this type of reasonable "sharing"; that there is an imperative current need throughout the country to resolve a veritable plague of traffic tieup frustrations; and that the wholesome benefits of mass transit improvement and pollution correction will fall equally on highway users as well as everyone else. In fact we might well ask who, these days, is not a highway user?

By providing State and local officials with the opportunity to determine, based on their pressing needs and priorities, whether to spend urban funds for highways or mass transportation, there will be no change whatever in the State-by-State allocation of funds nor will there be any adverse effect on the completion of the Interstate System or other approved highway projects. In adopting this modern approach to meeting the growing transportation needs of the Nation, no State will get less money but all States will benefit by having the option to use highway fund moneys to assist in coping with the wide variety of national transportation needs.

Mr. Chairman, the urgency of initiating mass transit improvement, together with auto and noise pollution control, is very great and a progressive modern Federal highway assistance measure constitutes a substantial forward step toward an effective and equitable solution of these present-day crises. Therefore I hope that the House will speedily take this forward step in the national interest.

Mr. HORTON. Mr. Chairman, I rise in support of the "urban flexibility amendment" offered by Mr. ANDERSON. The amendment would permit local officials in urban areas to use their share of the $700 million in urban systems funds from the highway trust fund to meet nonhighway transportation needs. Specifically, the amendment would allow the Department of Transportation to approve urban system public mass transportation projects involving construction of rail facilities or purchase of passenger equipment.

While the highway trust fund has proven to be an extremely successful program, it is time that we adapt to an era of changed transportation needs. There is strong opposition in our metropolitan areas to the construction of new and wider swaths of concrete through and around our cities, parks and suburbs. While there is clearly a need for good road systems capable of handling commuter auto traffic, there is an equal, and in some areas an even greater need for more efficient means of public transit. The growth of our metropolitan areas and the problems of highway deaths, air pollution, noise pollution, and scrap disposal all put into question a transportation system that relies solely on cars and highways. But our emphasis on highways continues. In fact, 60 percent of the total federal transportation budget is spent on highways and only 4 percent on mass transit.

The amendment under deliberation would not require use of trust funds for mass transit, but would merely give localities the flexibility to spend money on highways, mass transit bus systems, or mass rail transit in accordance with their needs. Favorable action on the amendment would in no way affect the interstate system or the primary/secondary systems. It would not reduce by a single penny the authorizations of the Public Works Committee bill.

Many motorists argue against opening the trust fund because they feel the taxes they pay on tires and fuel products should be used solely for highway purposes. The fact is that these taxes should be used not only to improve highways but also to compensate for the social, economic, and environmental costs which are brought on by highways and their users. One way to serve the interests of the motorist is to ease traffic congestion by providing convenient alternative means of transit.

Given the action already taken by the Senate and the administration's supportive stand on the Anderson amendment, the House remains the only roadblock to a modest effort to open up the trust fund. I hope that, at long last, the public interest will prevail over the vested interest of the very vocal opposition.

Mr. JONES of Alabama. Mr. Chairman, my comments on the need for maintaining the integrity of the House trust fund were printed in the April issue of the American Road Builder.

Because of the significance of these remarks to the debate today, several Members have requested that I make them available.

The article follows:

BUST OF TRUST FUND WOULD BE A DOUBLE FAILURE

Since the first days of the iron horse, rail transit has been an alluring idea that has lagged far behind its promise.

During the past hundred years, public funds without end have been invested in rail transit systems by Federal, state, and local governments.

The result of this massive investment today has been bankruptcy and financial failure even in our most densely populated urban corridors which presumably are most dependent on rail transportation.

At this time, an unlikely assortment of allies has banded together in yet another raid on public funds for advancement of rail transit.

The well publicized goal of the raiders is the Highway Trust Fund established by the Federal Highway and Highway Revenue Acts of 1956.

Should the air be successful it will mean a double failure by the government in its obligations to the citizens.

The first failure will be reflected in the higher death rates, lost time, and greater inconvenience and cost which will result from delays in completion of an adequate highway system for which he is paying.

The second failure will be the breach of trust by the government, as represented by the Congress and the Administration, with its citizens in the obligation to devote taxes imposed on a specific group of users to purposes related to their enhancement.

Because of the delays and stretchouts in the highway construction program by the past two Administrations, a citizen may rightly feel his government has failed him already in the first instance. Completion of the Interstate is particularly critical in urban areas where unfinished sections expose out-of-state travelers and locals to delay, expense and potential accident hazards.

The still incomplete Interstate System and the vast catalog of unfilled highway improvements are mute testimony to the fact that there is no surplus in the Highway Trust Fund. There has been a clear failure to allocate these funds to their proper purpose.

Even if the Fund had a valid surplus, no amount of non-related need would make right a diversion of the funds from their legal and intended use.

A review of the Nation's highway program is essential to understanding the special nature of the Highway Trust Fund and its legal uses.

Our modern highway program had a modest start with the Federal Aid Road Act of 1916 which provided $75 million over a five year period for the improvement of rural post roads.

The problems of rail congestion experienced in the Northeast during World War I proved the necessity for an alternative transportation system and the Federal Highway Act of 1921 called for "such projects as will expedite the completion of adequate and connected system of highways, interstate in character."

This was a move away from parochial interests toward a national program of arterial routes, a concept which expanded the ability and right of a citizen to move beyond the confines of his own community.

The Act recognized that the national interest required highway linkage of the separated sections of the country.

The importance of highways to social, commercial and defense requirements continued to increase and gain attention. A report on the need for Interregional Highways in 1944 laid a blueprint for the Interstate System which was recommended by the Clay report of the early 1950's.

President Eisenhower sent up legislation in 1955 calling for the construction of the Interstate and its financing by a $25 billion bond issue to be repaid over 30 years.

The Public Works Committee rejected the bond proposal because hearings developed that $11 billion would be required to pay interest and service on the bonds.

The Committee decided on a pay-as-go approach as more economical and we got up a tax program that would finance the much needed Interstate Program.

While it was a bit unusual for a regular authorizing committee to prepare and insert taxes into a legislative program, the Speaker agreed to send members of the Ways and Means Committee over for hearings on the proposal.

The legislation was reported out in two sections, one authorizing the construction and the second providing the financing through the Highway Trust Fund.

Until the Highway Revenue Act of 1956 authorized creation of the Trust Fund, appropriations for financing of roads and highways were from the general funds. Prior to 1956, the Federal taxes on motor fuels, motor vehicles and associated products were placed in the general fund. Although highway related revenues were about the same as highway related expenditures, there was no formal link between the two.

In establishing the Highway Trust Fund, the Congress made a commitment to all the people that those who were going to use the highways would pay for them. There was a parallel commitment to the motorist that his user taxes would be engaged to make highway improvements to save time, help prevent accidents and deaths, and reduce the cost of movement.

We can justify the user taxes only to the extent that the payer receives an adequate return for his special tax. If a trust fund is put to other purposes, the user tax which supplies it is either discriminatory or too high.

Even with the self-financing program the highway proposal was defeated on the first trip to the floor.

On the second trip, some six months later, the Eisenhower financing plan for 30-year bonds was offered as a substitute but it was defeated on the floor. The historic legislation was adopted with only 18 nay votes.

Thus, we established the present highway programs in which motorists are required to pay for highways and the user taxes are earmarked to enhance highways and highway travel.

The Trust Fund Tax Program increased a number of highway-related excise taxes to meet anticipated expenditure requirements. The excise taxes on some of the highway-related revenues continued to go into the general fund. Adjustments have been made in the revenues as requirements changed.

The Administrations of recent years, however, have refused to commit the resources of the fund to their intended and required use. The motoring public has suffered through curtailments, impoundments, freezes, and deferments. Thus, the so-called surplus in the fund is more apparent than real.

There is a staggering backlog of road-related needs: new bridges, elimination of high hazard locations, separation of grade crossings, improvement of major corridors and completion of the Interstate System.

Diversion of highway user taxes in face of the legitimate highway improvement needs would be a failure of the government to fulfill an obligation to the vast motoring public which has participated in the fund with the promise of improved roadways.

There can be no doubt that mass transit, as an element of transportation, is in serious trouble. In spite of increasing population and growing urbanization, 268 transit systems have ceased operations in twenty years.

Ridership has decreased from 17 billion in 1950 to 7 billion today.

Municipal subsidies to transit systems have increased by 300 percent in the past 10 years.

In the major cities of the world with mass rail transit systems, traffic congestion and movement problems seem just as severe as in those without.

Those who urge a raid on the Highway Trust Fund for rail transit in an effort to realize fiscal goals or economy suffer perhaps the greatest illusions. They completely ignore the total costs associated with construction and operation of such systems in an effort to temporarily solve a vexing problem—serving a need while restraining new expenditures.

The motorist, on the other hand, comes closer to completely paying for his transportation through the user taxes which build the roads and his private investment in automobile and fuel.

He is going to be severely shortchanged, however, if the trust fund raiders are successful in diverting resources from programs needed to improve safety and economy of operation of our Nation's road system.

In several cities, it may be possible to make a case for rail transit systems, but in each, it will only be as a part of a total transportation system, where roads and highways are an essential element.

The transit case should be presented on its own merits and funds should be made available from general revenues if the requirements are as urgent as the trust busters would like for you to believe.

Because of the limitations of the trust fund, if the raiders have their way, the public is going to find it has neither adequate rail transit nor adequate roads.

The lure of the rail will again prove to be more of a promise than a reality.

Mr. RANDALL. Mr. Chairman, while I enthusiastically support the Federal-Aid Highway Act of 1973, I cannot support the amendment by the gentleman from California (Mr. ANDERSON) that would provide for diversion to mass transit.

None of us are opposed to mass transit. As a matter of fact, our committee bill provided for $3 billion in additional contract authority for mass transit out of general revenues. The Anderson amendment, however, would have allowed $700 million a year to be taken from Federal-aid urban system funds to be used for improvements for mass transit. Already in the bill was the flexibility for the locality to choose to use urban mass transit funds in lieu of urban highway system funds. If a city chose to do so, it could return the money allocated to that urban area to the highway trust fund, and would receive contract authority from general revenues in an amount equal to the amount returned to the highway trust fund.

I am totally opposed to the invasion of the trust fund, first and foremost because it violates a trust or a commitment made many years ago. But, Mr. Chairman, I am also opposed to this diversion of funds because there are so many improvements yet needed to be made in the national highway system. The volume and cost are staggering. While there are no statistics on the number of dangerous curves needed to be eliminated, there must be thousands. There is a figure on the number of narrow bridges. There are 6,000 in the primary system where the roadway is less than 20 feet wide. Safety statistics indicate that as our highways are improved the highway death rate goes down. Put very simply, there yet remain thousands of killer bridges, thousands of killer curves, and hundreds and hundreds of killer railroad grade crossings. All of these death traps can in time be eliminated if we continue to spend the money from the trust fund for the purpose for which it was intended, and not allow diversion for so-called mass transit needs.

There is an additional and a very interesting reason why I oppose an invasion or a diversion of highway trust funds to transit uses. We all know there is a rail crisis in America. Thousands of miles of railroad trackage are being abandoned, mostly in rural areas. The loss of this railroad service to agricultural areas will have a direct and lasting effect on the cost of food to the consumer. The only remaining alternative to hold down food prices is to improve the local roads serving these communities. There is a rising consumer concern over food prices. Present rail abandonment has thrown millions of tons of consumer products onto inadequate roads and bridges, some of which were built back in the 1930's. We hear that all of the Northeastern railroads may soon be bankrupt. There has been testimony of rail abandonment in Minnesota and Wisconsin. The Penn Central is in deep trouble. But if we let any of the money from the highway trust fund to be diverted there will be no way to bring these Federal-aid primary and secondary roads up to acceptable standards to handle the new loads that cannot now be handled by farm-to-market roads. Thus rising food prices are another factor in this opposition to the diversion of highway trust funds.

A basic consideration we must all remember is that we must first complete the interstate system. It is a commitment Congress made to the people of the United States, and must be fulfilled. It is

just not true that the supporters of the interstate system oppose mass transit. But it is extremely important to remember that the needs are great in both highway construction and mass transit, and we should not sacrifice one program to help the other.

Today we hear so much about traffic pileups and traffic jams. We should remember, however, that statistics will prove that those areas which have mass transit have the worst traffic pileups and traffic jams of all, and I refer to Boston, Chicago, Philadelphia, and New York. The important thing is that all traffic in these areas must be kept moving. Every year we add millions of new vehicles to the roads. One statistic that we should never fail to keep in mind is that 12 vehicles moving along emit less carbons than one vehicle standing on a traffic-crowded road. The consideration of thiis fact alone should be reason enough to continue to support the highway program and oppose diversion of funds to any type of transit system.

Mr. FRASER. Mr. Chairman, I rise to support the amendment of the gentleman from California (Mr. ANDERSON).

I think it is significant that we are debating this measure to strengthen mass transit just after we have received the President's energy message. In that message, the President told us that:

If present trends continue unchecked, we could face a genuine energy crisis.

Some of us, I know, feel that the crisis is already upon us, but it is clear that the problem will only become more intense if we continue to rely as heavily as we do now on the automobile to move us from our homes to our jobs and back again.

Improved mass transit can and will do much to ease the current oil shortage. Studies have shown that a 25 percent diversion of auto traffic to transit would reduce petroleum demands nationally by almost one-half million barrels daily.

Even if energy were not a factor, this amendment would be necessary solely on transportation grounds. Our highways and freeways have become so congested and backlogged with commuters that no one really benefits. One historian recently discovered that traffic during peak periods in New York City actually moved faster in 1900 than it does today.

By permitting local urban officials to use their share of the highway trust fund for mass transit, as this amendment would let them do, we are giving these officials a tool to use land in a more rational way and to transport people in a safe, efficient and economic manner.

The Anderson amendment deserves our support. I urge its adoption.

The CHAIRMAN. All time has expired.

The question is on the amendments offered by the gentleman from California (Mr. ANDERSON).

RECORDED VOTE

Mr. ANDERSON of California. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 190, noes 215, not voting 28, as follows:

[Roll No. 110]

AYES—190

Abzug	Fraser	Obey
Adams	Frelinghuysen	O'Brien
Addabbo	Frenzel	O'Neill
Anderson, Calif.	Frey	Owens
Anderson, Ill.	Gaydos	Pepper
Annunzio	Giaimo	Pettis
Ashley	Gilman	Peyser
Aspin	Goldwater	Pike
Badillo	Grasso	Price, Ill.
Barrett	Green, Oreg.	Pritchard
Bell	Green, Pa.	Rangel
Biester	Gubser	Rees
Bingham	Gude	Regula
Boland	Hanley	Reid
Bolling	Hanrahan	Reuss
Brademas	Harrington	Riegle
Brasco	Hawkins	Rinaldo
Broomfield	Hechler, W. Va.	Robison, N.Y.
Brotzman	Heckler, Mass.	Rodino
Brown, Calif.	Heinz	Rogers
Brown, Mich.	Helstoski	Roncallo, N.Y.
Buchanan	Hicks	Rosenthal
Burgener	Hinshaw	Rostenkowski
Burke, Calif.	Holtzman	Roush
Burke, Fla.	Horton	Roybal
Burke, Mass.	Hungate	St Germain
Burton	Jordan	Sarasin
Carey, N.Y.	Karth	Sarbanes
Carney, Ohio	Kastenmeier	Schroeder
Chisholm	Keating	Seiberling
Clay	Kemp	Shipley
Collier	Kluczynski	Smith, N.Y.
Conable	Koch	Stanton, J. William
Conte	Kyros	Stratton
Conyers	Lehman	James V.
Cotter	Lent	Stark
Coughlin	Long, Md.	Steele
Cronin	McClory	Steelman
Culver	McCloskey	Stokes
Daniels, Dominick V.	McDade	Stanton,
Danielson	McKinney	Studds
Delaney	Macdonald	Sullivan
Dellenback	Madden	Symington
Dellums	Madigan	Teague, Calif.
Derwinski	Mailliard	Thompson, N.J.
Diggs	Mallary	Tiernan
Dingell	Martin, N.C.	Udall
Donohue	Matsunaga	Van Deerlin
Drinan	Mazzoli	Vanik
du Pont	Meeds	Vigorito
Eckhardt	Metcalfe	Waldie
Edwards, Ala.	Mezvinsky	Whalen
Edwards, Calif.	Minish	Widnall
Eilberg	Mink	Wiggins
Erlenborn	Minshall, Ohio	Wilson, Charles H., Calif.
Esch	Mitchell, Md.	Wolff
Eshleman	Moakley	Wyatt
Evans, Colo.	Moorhead, Calif.	Wydler
Fascell	Moorhead, Pa.	Wylie
Fish	Mosher	Yates
Foley	Moss	Yatron
Ford, William D.	Murphy, Ill.	Young, Fla.
Forsythe	Murphy, N.Y.	Young, Ga.
	Nedzi	
	Nix	

NOES—215

Abdnor	Camp	Findley
Alexander	Carter	Fisher
Andrews, N.C.	Casey, Tex.	Flood
Andrews, N. Dak.	Cederberg	Flowers
Archer	Chamberlain	Flynt
Arends	Chappell	Ford, Gerald R.
Armstrong	Clancy	Fountain
Ashbrook	Clausen, Don H.	Froehlich
Bafalis	Clawson, Del	Fulton
Baker	Cleveland	Fuqua
Beard	Cochran	Gettys
Bennett	Cohen	Ginn
Bergland	Collins	Gonzalez
Bevill	Conlan	Goodling
Blackburn	Corman	Gray
Blatnik	Crane	Gross
Boggs	Daniel, Dan	Guyer
Bowen	Daniel, Robert W., Jr.	Haley
Bray	Davis, S.C.	Hamilton
Breaux	Davis, Wis.	Hammer-schmidt
Breckinridge	de la Garza	Hansen, Idaho
Brinkley	Denholm	Harsha
Brooks	Dennis	Hastings
Brown, Ohio	Dent	Hays
Broyhill, N.C.	Devine	Hébert
Broyhill, Va.	Dickinson	Henderson
Burleson, Tex.	Dorn	Hillis
Burlison, Mo.	Downing	Hogan
Butler	Duncan	Holt
Byron		Hosmer
Howard	Mollohan	Slack
Huber	Montgomery	Smith, Iowa
Hudnut	Myers	Snyder
Hunt	Natcher	Spence
Hutchinson	Nelsen	Staggers
Ichord	Nichols	Steed
Jarman	O'Hara	Steiger, Ariz.
Johnson, Calif.	Parris	Steiger, Wis.
Johnson, Colo.	Patman	Stephens
Johnson, Pa.	Perkins	Stubblefield
Jones, N.C.	Pickle	Stuckey
Jones, Okla.	Poage	Symms
Jones, Tenn.	Preyer	Taylor, Mo.
Kazen	Price, Tex.	Taylor, N.C.
Ketchum	Quie	Thomson, Wis.
Kuykendall	Quillen	Thone
Landgrebe	Railsback	Thornton
Landrum	Randall	Towell, Nev.
Latta	Rarick	Treen
Leggett	Rhodes	Ullman
Litton	Roberts	Vander Jagt
Long, La.	Robinson, Va.	Veysey
Lott	Roe	Waggonner
Lujan	Roncalio, Wyo.	Walsh
McCollister	Rooney, Pa.	Wampler
McEwen	Rose	Ware
McFall	Rousselot	White
McKay	Roy	Whitehurst
McSpadden	Runnels	Whitten
Mahon	Ruppe	Williams
Mann	Ruth	Wilson, Charles, Tex.
Maraziti	Sandman	Winn
Martin, Nebr.	Satterfield	Wright
Mathis, Ga.	Saylor	Wyman
Mayne	Scherle	Young, Alaska
Melcher	Schneebeli	Young, S.C.
Michel	Sebelius	Young, Tex.
Milford	Shoup	Zablocki
Miller	Shriver	Zion
Mills, Ark.	Shuster	Zwach
Mills, Md.	Sikes	
Mitchell, N.Y.	Sisk	
Mizell	Skubitz	

NOT VOTING—28

Biaggi	Hansen, Wash.	Podell
Clark	Harvey	Powell, Ohio
Davis, Ga.	Holifield	Rooney, N.Y.
Duiski	Jones, Ala.	Ryan
Evins, Tenn.	King	Talcott
Gibbons	McCormack	Teague, Tex.
Griffiths	Mathias, Calif.	Wilson, Bob
Grover	Morgan	Young, Ill.
Gunter	Passman	
Hanna	Patten	

So the amendments were rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. HANLEY

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

The Clerk read as follows:

Amendment offered by Mr. HANLEY: Page 124, strike out line 10 and all that follows down through and including the line following line 12 on page 125.

Renumber succeeding sections and references thereto accordingly.

Mr. HANLEY. Mr. Chairman, the intent of this amendment is very important although easy to understand. What we are doing is striking an amendment which prevailed in the committee. The issue at stake is flexibility or earmarking. If the provisions of the bill prevail, we will have removed from State jurisdiction the ability to determine need, in allocating these funds. So, I do not believe that as a matter of policy it is the intent of Congress that allocation be determined on a per capita basis, and as opposed to this I believe it is the intent of Congress that such allocations be based on need.

For instance, in my home State, the State of New York, which would enjoy about $77 million as a result of this program, about $55 million would be earmarked for the city of New York and in part of the city of Buffalo, these being

the only two cities in that State which enjoy a population in excess of 400,000. So if your district is composed of cities with populations of less than 400,000, I earnestly urge those Members to take a keen interest in this amendment. There are only 32 cities in the entire United States that would meet this criterion.

Again, the language would provide that cities with populations in excess of 400,000 would be guaranteed their share. The rest of the State would enjoy what is left from the pie. For the State of New York that means only about $32 million of the entire $77 million could be allocated to the entire rest of the State. In fact communities surrounding but outside of the city of New York could be denied funds commensurate with the need that might prevail.

The National Association of Counties incidentally is in earnest support of my amendment which would strike that language. The National Conference of Governors is in earnest support of my amendment which would strike that language.

So in essence by striking the present language we would then be assigning to that respective State department of transportation the ability to determine where the need for this allocation exists in that particular State. Without the success of this amendment, each State would be denied that opportunity and would have to earmark funds to the degree that is required in this present language of the bill.

Incidentally as I note the committee report, it somewhat verifies the intent of my amendment. This is from the committee report:

> Experience shows that the States are best able to identify their most pressing needs and best able to determine the proper allocation of resources to geographic areas within their boundaries.

So I would say to the Members this is what it is really all about. Adoption of my amendment will assign to the respective States the opportunity to determine where the need in that State exists and in turn allocate the funding. Failure of my amendment then would revert to the committee language which would require that each State earmark this substantial proportion of the moneys to the larger cities, cities in excess of 400,000 population.

Mr. Chairman, I subscribe to the principle of providing the States with the most flexibility we can in meeting their most pressing transportation needs as they see them. I believe that the language of section 138 with its inflexible earmarking militates against the ability of each State to solve its most pressing transportation problems.

I object to guarantees of urban systems funds to any region of a State without regard to need and without regard to the priority decisions of the State on its transportation needs.

We have heard a great deal today about the need to provide flexibility in the use of transportation funds. I am a supporter of the Anderson amendment which provides that the $700 million in urban systems funds can be used to meet a variety of transportation needs.

I believe that section 138 of this bill militates against the principle of flexibility by earmarking exclusively for the largest cities in each State their share of the urban systems pie. We tread on dangerous ground when we talk in terms of shares, as they relate to transportation needs. I do not think that much can be accomplished in terms of the transportation needs of cities under 400,000 in population if we adopt the principle of earmarking of urban systems funds. All of the cities in each State under 400,000 in population will be left to compete with each other for the scraps of urban systems funds falling from the tables of the larger cities.

More than half of New York State's allocation for urban systems—55 percent to be exact—will be locked in irrevocably to the city of New York, without regard to its transportation needs or the needs of any other city in the State. This is unfair and shortsighted.

Either we favor flexible use of urban systems funds or we do not. Earmarking militates against flexibility, at least on a statewide basis. Flexibility would tend to support the concept of selecting priority transportation projects on the basis of need. Earmarking of funds solely on the basis of populations militates against priority decisions based on need.

I attach a letter from the National Association of Counties which further describes the significance and urgency of my amendment:

NATIONAL ASSOCIATION OF COUNTIES,
Washington, D.C., April 18, 1973.

Hon. JAMES M. HANLEY,
U.S. House of Representatives,
Washington, D.C.

DEAR MR. HANLEY: The National Association of Counties is strongly opposed to the provision in the Federal Aid Highway Act of 1973 which would earmark funds for cities over 400,000 population. (Section 138 of S. 502 as reported by the House Committee on Public Works). We support your amendment to delete this section.

Although the bill proposes to increase funding for the federal aid urban road system from $100 million to $700 million a year, this amount is still minimal compared to the total road and street needs in urban areas. Our needs will far outstrip available resources for many years to come. To make best use of these limited federal aid urban system funds, it is essential that a priority funding system be established which is based on needs. We believe these priorities should be determined at the state level where the needs of all the urban areas can be adequately considered.

We see no justification or rationale for separating out cities who happen to be over 400,000 population. Why should their needs be given special priority over the needs of other urban areas in a state? The same question can be asked regarding the funding of projects within a metropolitan area. In effect, central cities would be given special treatment over other urban governments in 33 metropolitan areas.

This provision ignores the complexities of jurisdictional responsibilities and current financing arrangements in large metropolitan areas. The federal aid urban system within a metropolitan area consists of major arterial streets and roads under the jurisdictions of a central city, suburban municipalities, one or more counties and in many instances the state highway department. The portion of the system under the control of the central city could be a small part of the total federal aid urban system within the metropolitan area. In addition, this system is connected to extensions of the federal aid primary and secondary systems which usually are under the control of the state. It not only is simplistic, but also unreal, to try to separate out one part of the system and give it a special priority over the rest of the metropolitan area.

The key issue should be flexibility in meeting varying state needs. In fact, the earmarking proposal goes in the opposite direction and is a step backwards.

We urge the Members of the House of Repsentatives to support your amendment to delete Section 138 from the bill.

Our kindest personal regards.

Sincerely,

RALPH L. TABOR,
Director, Federal Affairs.

Mr. WRIGHT. Mr. Chairman, I rise in opposition to the amendment. I understand and appreciate the concern expressed by my friend from New York (Mr. HANLEY). It was not the intention of the committee in adopting this section to do any injury whatever to any city that is not covered in the earmarking provision.

All the earmarking provision would do, would be to say that those cities of 400,000 and over will have earmarked for them out of the urban system an amount proportionate to the percentage that their population bears to the total urban percentage of the State.

Now, the urban program of a given State consists of all those cities and towns of 5,000 and more.

The purpose of the section, which was offered in the committee by the gentlewoman from New York (Ms. ABZUG) was not to deprive other cities of their rightful shares, but simply to let those large cities of 400,000 and more—and there are 32 of them in the country—know in advance how much of that money on a percentage basis righfully ought to be theirs, in order that they might make some advance, long-term plans. That is the whole purpose.

I do not believe that the amendment works to the detriment of other cities. It applies only to the urban system, and therefore would not apply at all to the rural system, and it does not disturb all the money in the urban system.

Those 32 large cities, on the basis of their population as a percentage of the total population, would be entitled to approximately $188 million. That is $188 million out of the $700 million total set aside for urban highways. So, that means more than $500 million will be left for disbursement among the other cities in the country.

Admittedly, the 400,000 level was an arbitrary figure. I think it was accepted in committee for the reason that this was the figure established in the other body. It might have been 50,000, or it might have been 100,000. The idea behind establishing the figure at 400,000 was basically the thought that cities of that size probably need to have advance knowledge so that they can make long-term plans for their public hearings and otherwise accommodate all the other provisions of the law, and thus not have separate and interminable delays in the completion of

their particularly knotty and cumbersome highway problems.

I do not think the provision in the bill would actually inflict harm upon any other cities. For that reason, while I sympathize with the ideas expressed and the concern of the gentleman from New York and some of my other neighbors who do not represent cities of that size—I represent a city just barely under 400,000—I do not believe that this amendment is a necessary one.

Therefore the committee position would be to vote against the amendment.

PERFECTING AMENDMENT OFFERED BY MR. BUCHANAN

Mr. BUCHANAN. Mr. Chairman, I offer an amendment as a perfecting amendment.

The Clerk read as follows:

Perfecting amendment offered by Mr. BUCHANAN: Page 124, strike out line 14 and all that follows down through and including the line following line 12 on page 125, and insert in lieu thereof the following:

"§ 149. Availability of urban system funds

"(a) Funds apportioned to any State under paragraph (6) of subsection (b) of section 104 of this title which are attributable to urbanized areas having a population of 400,000 or more shall be allocated among such urbanized areas, or parts thereof, within any such State in the ratio that the population within each such urbanized area, or part thereof, bears to the population of all urban areas, or parts thereof, within such State.

"(b) Funds allocated in accordance with subsection (a) of this section shall be available for expenditure within any such urbanized area for projects on the urban system, including those authorized by section 142 of this title, which shall be planned in accordance with the planning process required by section 134 of this title.

"(c) Funds allocated to any urbanized area under subsection (a) of this section shall be available for expenditure in another urbanized area within such State only where the responsible public officials in both such urbanized areas agree to such availability.

"(d) Where the Secretary finds that any incorporated municipality having a population of 400,000 or more, or a combination of municipalities, at least one of which has a population of 400,000 or more, has sufficient authority under State law to develop and implement a plan for expenditure of funds attributed to such municipality or municipalities pursuant to this section and has adequate powers under State law and is suitably equipped and organized to carry out projects on the urban system, funds allocated to an urbanized area under subsection (a) of this section which are attributable to such municipality or municipalities shall be available to such municipality or municipalities for projects on the urban system, including those authorized by section 142 of this title, which shall be planned in accordance with the planning process required by section 134 of this title, and which shall not be in conflict with any State transportation plan approved by the Governor."

(b) The table of contents of chapter 1 of title 23 of the United States Code is amended by adding at the end thereof the following:

"149. Availability of urban system funds.".

Mr. BUCHANAN [during the reading]. Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

Mr. BUCHANAN. Mr. Chairman, the distinguished gentleman from Texas has made an eloquent defense of the language of the committee bill, which would even better apply to the amendment I now present as a second alternative.

The gentleman from New York (Mr. HANLEY) would have us strike this section. I would have us improve it to include all urbanized areas of 400,000 or more and to provide a passthrough formula for such areas.

This was proposed by the administration and endorsed again by the Secretary of Transportation in a letter on April 4. It is the language passed by the other body.

I would call this a "fair play to cities" amendment or an equal rights amendment to that majority—majority, if you please—of Americans who live in such urbanized areas.

It is one of the saddest but truest facts of life I know in this country that in this growingly urban Nation of ours many of the larger cities have been consistently discriminated against by their State governments in those areas where the State government has exclusive control over such Federal funds as these.

This has been the case in my own city of Birmingham, consistently through a series of administrations. We got our interstate money last, and only after a sustained fight to receive it. It was uneconomic, unjust and unwise, but it happened.

We do not get our fair share of urban systems money, although we are the largest city and our people are entitled to it as a matter of their rights as citizens of Alabama and of the United States.

I want to ask the Members to strike a blow for justice and for the people by accepting this perfecting amendment.

The city of the distinguished gentleman from Texas will be one of those included. I would urge my friends to check carefully their own cities, because there are many Members here who would find help for their constituents in the passage of this amendment.

The cities which would benefit directly from this amendment, Mr. Chairman include:

New York.
Los Angeles-Long Beach, Calif.
Chicago, Ill.
Philadelphia, Pa.
Detroit, Mich.
San Francisco-Oakland, Calif.
Washington, D.C.
Boston, Mass.
Pittsburgh, Pa.
St. Louis, Mo.
Baltimore, Md.
Cleveland, Ohio.
Houston, Texas.
Newark, N.J.
Minneapolis-St. Paul, Minn.
Dallas, Tex.
Seattle-Everett, Wash.
Milwaukee, Wis.
Atlanta, Ga.
Cincinnati, Ohio.
San Diego, Calif.
Buffalo, N.Y.
Miami, Fla.
Kansas City, Mo.
Denver, Colo.
San Bernardino-Riverside, Calif.
Indianapolis, Ind.
San Jose, Calif.
New Orleans, La.
Tampa-St. Petersburg, Fla.
Portland, Ore.
Phoenix, Ariz.
Columbus, Ohio.
Providence-Pawtucket, R.I.-Mass.
Rochester, N.Y.
San Antonio, Tex.
Dayton, Ohio.
Lousiville, Ky., Inc.
Sacramento, Calif.
Memphis, Tenn.
Fort Worth, Tex.
Birmingham, Alabama.
Albany-Schenectady, N.Y.
Toledo, Ohio.
Norfolk-Portsmouth, Va.
Akron, Ohio.
Hartford, Conn.
Oklahoma City, Okla.
Honolulu, Hawaii.
Ft. Lauderdale-Hollywood, Fla.
Salt Lake City, Utah.
Omaha, Neb.
Nashville, Tenn.
Springfield-Holyoke, Mass.
Jacksonville, Fla.
Richmond, Va.
Bridgeport, Conn.

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

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

Mr. ROUSSELOT. Would the effect of the gentleman's amendment be to basically bypass the State highway commissions and/or operative organizations in each State?

Mr. BUCHANAN. The effect of my amendment would be to provide the same kind of passthrough formula, to provide their fair percentage to urbanized areas, as is true in revenue sharing and many other programs where we have found it wise to do so. The gentleman is correct.

Mr. ROUSSELOT. The respective State highway commissions, or whatever it is set up to analyze this, would be bypassed.

Mr. BUCHANAN. Yes, but only the fair share of the funds which by population these cities would merit would be required to be passed through.

Mr. ROUSSELOT. So, in effect, in the State of California, a city of 400,000 or more, they would bypass the State highway department?

Mr. BUCHANAN. Mr. Chairman, I would say to the gentleman from California (Mr. ROUSSELOT) that the committee amendment provides for cities of 400,000 or more; my amendment provides for that wider group, including the majority of American citizens who live in urbanized areas of 400,000 or more.

Mr. ROUSSELOT. Mr. Chairman, I appreciate the gentleman yielding to me, and I appreciate he is attempting to answer my question.

It would, in fact, provide for the bypass procedure for the major cities to override the State highway department?

Mr. BUCHANAN. Mr. Chairman, it would provide for the passthrough procedure to protect the rights of the people who live in the cities of these United States, the majority of the people, and I urge the majority of those people through their representatives in this House to support this amendment and recognize that it is an equal-rights-for-the-people amendment, a fair-play amendment.

I would say also that I know the gentleman from Texas and the gentleman from Ohio are Members who are wise and compassionate, and in their wisdom and compassion I know they will not pass by on the other side the many American citizens who are stranded by the roadside in America's cities and who need their help.

Surely, Mr. Chairman, they will strike a blow for justice by accepting my amendment.

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

Mr. Chairman, I do not want to be guilty like the priest and the Levite of passing through—or passing by—on the other side. I thought I was being like a Good Samaritan when I spoke against the amendment offered by the gentleman from New York (Mr. HANLEY) and I, more or less, may have stretched a point in charity by saying that moneys ought to be earmarked for certain big cities.

But this substitute would go a very dangerous step further. My friends and colleagues, this is a lot different than earmarking so much money available for a city. This would utterly destroy the Federal-State partnership that has existed since the beginning of the highway program.

This would not just earmark moneys and say these are available for programs within those cities; this would say that the State highway department or the State department of transportation or the government of the States does not have one word to say about the disbursement of these particular funds.

It would take the money and deliver it directly from the Department of Transportation to the city, bypassing the State machinery, making all of the State rules and laws inapplicable to it.

If there were any State requirements for environmental impact studies, if there were any State requirements for city priorities, if there were any State requirements for determining public desires as to a certain corridor, all those would be bypassed.

This amendment was offered in our committee and was very strongly opposed by the National Governors' Conference; it also was very strongly opposed by the National Association of Counties; it also has been very strongly opposed and almost unanimously opposed by the American Association of State Highway Officials.

Mr. Chairman, as sympathetic as I am to my beloved colleague, the gentleman from Alabama (Mr. BUCHANAN) and as loath as I am to appear to "pass by on the other side," I still do not want to be guilty of passing through, or shall we say bypassing, the important filter of State administration. We should stop and think before we destroy the very precious and very delicate Federal-State relationship that exists within this program. So, Mr. Chairman, I urge the Members to reject the amendment offered by the gentleman from Alabama (Mr. BUCHANAN).

Mr. SNYDER. Will the gentleman yield?

Mr. WRIGHT. I yield to the gentleman from Kentucky (Mr. SNYDER).

Mr. SNYDER. Mr. Chairman, I think the point has been made, as the gentleman said, that this was opposed back in the committee, but in reading the language and discussing it with the gentleman from Alabama (Mr. BUCHANAN) while we must have a city of 400,000 or more under his amendment for pass through, it also includes all of the other smaller municipalities in the group around that city, and the actual practical ability to be able to plan highways and to use this money in conjunction with it, where you may have 30 or 40 of these little communities nestled around the city, would run into so much red-tape, you would have the question of practical ability to be able to operate under this provision and bypass the State.

As the gentleman says, under this program, in an areawide system, a group of municipalities trying to coordinate really could not be put together, because this money comes directly from the Department of Transportation, but all of the other big cities would have to await the regular process in order to get their funds.

I may say I do not think that would be a proper procedure. It would ignore the plan that we have, if you want to put it that way.

Mr. SNYDER. That is right. It would be a real mess.

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

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

Mr. SEIBERLING. I am a little bothered by the language of the committee bill that says funds apportioned to any State are attributable to incorporated municipalities having a population of 400,000 or more.

Take my own city of Akron. It has a population of 300,000, but it you include the other cities around it, is gets up to 500,000, and that would not be taken care of by this amendment.

Mr. WRIGHT. The gentleman is correct. It would not be. And it is further aggravated by the amendment offered by the gentleman from Alabama.

I happen to represent an area where I suppose the central city comes out to perhaps 398,000. I do not know exactly, but it is just short of 400,000. The contiguous metropolitan area consists of a conglomeration of smaller municipalities lying adjacent to the central city and to one another, as the gentleman describes in his own case.

The CHAIRMAN. The time of the gentleman has expired.

(By unanimous consent, at the request of Mr. SEIBERLING, Mr. WRIGHT was allowed to proceed for 1 additional minute.)

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

Mr. SEIBERLING. Should we not look at the actual metropolitan area and make that the criterion rather than incorporated municipalities?

Mr. WRIGHT. The bill does, of course, contain provisions for metropolitan area-wide planning and for their working through the State highway departments. I think the provisions of the bill are not mischievous on that score in earmarking of money, but the provision offered by the gentleman from Alabama, I believe, would be mischievous with regard to that areawide planning approach, in my judgment.

Mr. SEIBERLING. Thank you.

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

Mr. Chairman, first I want to associate myself with the remarks of the distinguished gentleman from Texas (Mr. WRIGHT) insofar as they apply to the Buchanan amendment.

This was offered in the committee, and I do not believe it is a good amendment. It is opposed by the Governor's Conference and by the AASHO.

We have already built into the law that no project would be built in any municipal area without the concurrence and cooperation of local officials, under the federal aid urban highway system. There is no need for this amendment.

I would like to make reference to the amendment offered by the gentleman from New York (Mr. HANLEY). We have in the bill a provision that he endeavors to strike out. The amendment was offered by Ms. ABZUG, and I did not raise any serious objections to it at that time, because I did not fully understand it, I am frank to admit, but let me point out to you what it does.

It deprives States of their rights under existing law to apportion funds on the basis of need and priorities. In other words, the Federal aid urban money is dedicated to the needs of an incorporated municipality of 400,000 or more in a State irrespective of the needs across the rest of the State.

For example, the State of Illinois, under the distribution of urban funds, would get $42.7 million, roughly. Chicago alone out of that $42 million total would get $18,163,000, leaving about $24.5 million to be divided across the rest of the State of Illinois. The suburbs of Chicago would have to fight with the rest of the State against the city of Chicago as an incorporated municipality and what it gets. The rest of the cities would have to scramble for what is left regardless of priority.

Now take the State of Michigan. Michigan gets $30.6 million, and yet the city of Detroit gets over $8 million of that and the suburbs of Detroit would be excluded. They would have to vie with all the other cities in the State of Michigan for the balance of about $22.5 million.

The same principle applies in Pennsylvania where they get $37,529,000.

Yet the city of Philadelphia and the city of Pittsburgh get $13 million, so that the suburbs of Philadelphia and the suburbs of Pittsburgh would have to get in line with all of the other cities in Pennsylvania to fight for the availability of some $24 million.

Let me illustrate to you what happens in Ohio. Ohio has $36 million coming, and roughly $10 million would be taken out of that for the incorporated city of Cincinnati, the incorporated city of

Columbus, and the incorporated city of Cleveland, and all of the suburbs of Cleveland, Cincinnati, and Columbus would have to join with the rank and file of all of the other cities that fight for the remainder of the $26 million. This is totally unfair, and deprives the State of making the determination as to where the needs are and what the priorities based on the total transportation needs of their State.

I point this out to the Members of the House, and urge that the amendment offered by the gentleman from New York (Mr. HANLEY) be accepted.

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

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

The "earmarking" provision of the bill, which would be stricken by this amendment, was adopted by the Public Works Committee after full and careful deliberation. It provides that cities with more than 400,000 population would be assured of having their proportional share of urban system funds—based upon population—spent within their boundaries. This will provide our major cities with stable sources of funding and will allow them to develop adequate, comprehensive plans for a balanced transportation program—without affecting the prerogatives or funding available to smaller communities. The committee has in the past been a staunch and reliable advocate of the interests of such smaller communities, and it has in no way let them down by adopting this provision.

The Federal-aid urban system is designed to serve the transportation needs of cities and metropolitan areas containing approximately 120 million people across the Nation. Of these, 35 million live in our 33 largest cities, those with populations of over 400,000. Under the provision in the bill, a proportional share of urban system funds—$188 million out of a total of $700 million—will be earmarked for expenditure within these 33 cities. The balance of urban system funds—$512 million—will remain available for expenditure in smaller cities and metropolitan areas in the same manner as at present. It was the committee's judgment that the proposed authorization level of $700 million for the urban system is sufficiently high to permit such earmarking without danger of dissipating the total amount apportioned to any given State.

In the 30 States which do not contain any city of over 400,000 people, this provision will have no effect whatever on the amount or manner of distribution of urban system funds. In the remaining 20 States—plus the District of Columbia and Puerto Rico—the provision will only assure that the large cities receive their fair share of the funds, in much the same way that each State is guaranteed its fair proportion of funds.

In concluding, I wish to note that this provision in no way affects or disturbs the allocation of funds for the Interstate, primary, secondary or urban extension systems, nor for most of the funds in the urban system. In addition, the States will still maintain control of the earmarked funds and will still have the final say as to the manner in which those funds are spent.

The committee has made in this provision a sincere and responsible effort to meet the pressing transportation needs of our major cities, without reducing in any way the funds to which smaller communities are rightly entitled. I believe that the committee deserves your support, and I urge you to vote down the Hanley amendment.

Mr. WRIGHT. Mr. Chairman, I wonder if we could get some agreement as to a time limit on this amendment, and the amendment to it. Therefore, Mr. Chairman, I ask unanimous consent that all debate—and I see that there are very few Members standing—on the amendment offered by the gentleman from New York (Mr. HANLEY) and the perfecting amendment offered by the gentleman from Alabama (Mr. BUCHANAN), and any amendments thereto, shall be finished in 10 minutes.

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

Mr. DANIELSON. Mr. Chairman, reserving the right to object, I rise in opposition to the amendments.

Mr. Chairman, the major shortcoming of this legislation is that we are looking at only one side of the highway travel coin—that is highway construction. The other side of that coin is the use of which those highways will be put—the automobiles which travel on the highways we are building. And it is becoming increasingly clear that these automobiles are causing some grave problems.

The insatiable appetite of our big American cars for gasoline is clearly the key to our current fuel shortage. The highway use of motor fuel exceeded 103 billion gallons in 1972 in the United States. If the automobiles of America were to average 25 miles per gallon, instead of the present 12.5 miles per gallon, obviously we would greatly lessen the fuel shortage, and with that we would reduce our balance of trade deficit.

Additionally, motor vehicles are responsible for over half of the 2 million tons of pollution which we dump into our air every year. If we could perfect smaller and cleaner-burning engines than those currently in use, we could avoid many of the problems associated with air pollution.

Car size is also a factor in highway congestion, the rate of highway accidents, the lack of parking in urban areas, and even the need for additional highway construction.

What we need is a comprehensive study and investigation of the relationship of car size to these problems.

I have sponsored a joint resolution, House Joint Resolution 301, which authorizes and directs the Secretary of Transportation to undertake such a study. This legislation, with 13 cosponsors, is currently pending before the House Committee on Interstate and Foreign Commerce.

I sincerely hope that Congress will order the undertaking of such a study before we pack up and go home at the close of the second session. We need this information if we are to make intelligent decisions about our highway program and about other pressing domestic problems.

Mr. Chairman, I withdraw my reservation of objection.

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

Mr. BUCHANAN. Mr. Chairman, reserving the right to object, Mr. Chairman, I want to underline the fact that this is an administration proposal; it has been passed in the other body, and it has been endorsed by the Secretary of Transportation and the President, and I am for it.

Mr. Chairman, I withdraw my reservation of objection.

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

Mr. PEYSER. Mr. Chairman, reserving the right to object, I would agree to a time limitation being taken as long as it gives each Member who is standing at least 2 minutes of time, if that would be agreeable.

Mr. Chairman, I withdraw my reservation of objection.

Mr. WRIGHT. Mr. Chairman, how many Members were standing?

The CHAIRMAN. The Chair has approximately 10 or 11 Members on the list at this time.

Mr. WRIGHT. In that case, Mr. Chairman, I would ask unanimous consent that all debate conclude in 20 minutes on this amendment and any other amendments.

The CHAIRMAN. The gentleman from Texas asks unanimous consent that all debate on the pending amendments and amendments thereto close in 22 minutes. Is there objection to the request of the gentleman from Texas?

There was no objection.

The CHAIRMAN. Each Member standing when the unanimous-consent request was agreed to will be recognized for approximately 2 minutes.

The Chair recognizes the gentleman from Pennsylvania (Mr. SHUSTER).

(By unanimous consent, Messrs. DON H. CLAUSEN and FREY yielded their time to Mr. SHUSTER.)

Mr. SHUSTER. I thank the Chairman.

Mr. Chairman, I rise in opposition to the amendment. I rise in opposition to it for three reasons. The first reason is because it is patently unfair to all of the cities of America except those exalted 32 largest cities which are suggesting that they should be able to capture funds for themselves without going through the process which the rest of the cities of America must go through.

Mr. Chairman, there are 243 metropolitan areas in this Nation. Under this amendment 32 of those cities would be able to get their funds without having to justify them in any way, and the other cities of this nation would have to go with hat in hand to their State trans-

portation departments, begging for the leavings and begging for the leftovers of the funds which they had hoped to get.

This simply is not fair. It is unfair to all of the cities, as well as rural America. It is unfair because the exalted 32 should have to follow the same process as the rest of America.

The second reason I object to this amendment is because it rejects the orderly planning process. The exalted 32 cities would be completely out of the planning loop. The State departments would not have any say-so in deciding what the statewide orderly planning process should be.

The third reason why this amendment should be rejected is because it is fiscally irresponsible. Historically we have decided to spend money on highways on the basis of need. This amendment, Mr. Chairman, says that we will spend money on the basis of population.

That is a fundamental change, and it is fiscally irresponsible. For these three reasons I urge this committee to reject this amendment.

The CHAIRMAN. The Chair recognizes the gentleman from New York (Mr. HANLEY).

(By unanimous consent, Messrs. SISK and HARSHA yielded their time to Mr. HANLEY.)

Mr. HANLEY. I thank the gentleman from Ohio.

Mr. Chairman, not to belabor the issue, but in an effort to separate the two issues here, the Buchanan amendment versus my amendment, actually, and with due respect to Mr. BUCHANAN, essentially he would be doing about the same thing that the language of the Abzug amendment would do, and that is to remove from States the ability to determine their own priorities on the basis of needs within that State. Bear in mind support for the Buchanan amendment does pretty much the same as the Abzug amendment, contained in the committee language.

Support for my amendment, which Members will have the opportunity to vote on subsequently, will assign to the respective States the opportunity for that State Department of Transportation to determine where the need exists in whatever communities, irrespective of population, and allocate moneys accordingly. They will not be impeded by the restriction of earmarking funds. They, through the prerogative invested in that particular State, will determine the need and set the priority and as such determine where these moneys are to be spent.

Thus I ask for a "no" vote on the Buchanan amendment and earnestly appeal for a vote in favor of my amendment.

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

Mr. HANLEY. I yield to the gentleman from Connecticut (Mr. COTTER).

Mr. COTTER. Mr. Chairman, in other words the amendment offered by the gentleman would protect towns with populations of less than 400,000?

Mr. HANLEY. Precisely. There were only 32 cities in the United States which enjoy a population in excess of 400,000. The provision of the Abzug amendment would help those 32 cities, true, but at the expense of the less populous cities throughout the Nation.

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

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

Mr. SEIBERLING. Mr. Chairman, are there not a great many more urban areas which exceed 400,000 and which the Buchanan amendment would take care of?

Mr. HANLEY. But unfortunately it would create a bureacratic monstrosity which would in effect tie the hands of that State in its efforts to develop a sound transportation program. Either we will have a Department of Transportation enjoying the responsibility of providing the best possible transportation accommodation in that State or we will not have it. Support for the Buchanan amendment would deny the State that opportunity.

Mr. SEIBERLING. But some States do not have such a department. Is that not true?

Mr. HANLEY. Very few States, I would guess. And as the gentleman knows, the House did not agree to the language of the Buchanan amendment.

Mr. SEIBERLING. The House has not voted yet. Does the gentleman mean the committee?

Mr. HANLEY. The House committee did not. I would hope very much the House would not approve the Buchanan amendment and in turn would support my amendment and assign that prerogative where it should be which is with the respective States.

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

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

Mr. DON H. CLAUSEN. Mr. Chairman, I rise to agree with the points the gentleman in the well is making because California, as with many other States, is now moving in the direction of establishing a full cabinet-level Department of Transportation and if we are going to have sound management planning we must have sound transportation planning also. The official position of the State of California is in support of what the gentleman from New York is urging, that the States have the responsibility. Yesterday, I placed a telegram from Mr. James Moe, director of public works for the State of California stating their support for my position that supports Mr. HANLEY's amendment.

We must maintain the proven Federal-State and local coordinating relationship.

Mr. HANLEY. The National Association of Governors would be opposed to the Buchanan amendment and in support of my amendment, as would be the National Association of Counties.

Ms. ABZUG. Mr. Chairman, will the gentleman yield?

Mr. HANLEY. I yield to the gentlewoman from New York.

Ms. ABZUG. Mr. Chairman, the gentleman is not suggesting that the committee bill is removing control of the State over those funds?

Mr. HANLEY. I am advising that it would require earmarking of funds and as such would remove from that State the prerogative of determining where need actually exists. We would be tying that State into an earmark situation whereas the determination should be based on need and not on a per capita basis.

The CHAIRMAN. The Chair recognizes the gentleman from New York (Mr. MCEWEN).

(By unanimous consent, Mr. MCEWEN yielded his time to Mr. PEYSER.)

The CHAIRMAN. The Chair recognizes the gentleman from New York (Mr. PEYSER).

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

Mr. PEYSER. I yield to the gentleman from New York (Mr. MCEWEN).

Mr. MCEWEN. Mr. Chairman, I rise in opposition to the Buchanan amendment and in support of the amendment offered by my colleague, the gentleman from New York (Mr. HANLEY).

Mr. Chairman, I think the amendment offered by the gentleman from Alabama would be an extension of the wrong concept, that is the destruction of the Federal-State relationship and in preferring certain communities over others.

I hope the amendment offered by the gentleman from Alabama will be defeated and the amendment offered by the gentleman from New York (Mr. HANLEY) will be approved.

Mr. PEYSER. Mr. Chairman, I find myself in an unusual position here. I do represent part of the city of New York in Congress. Obviously, I would be in support of anything that would help the City in achieving solutions to its problems and its goals.

However, I think that in the best interests of the State, and ultimately of the city of New York, the Hanley amendment should be agreed to. The Buchanan amendment should not be agreed to.

I received a letter yesterday from a former colleague of many who sit here today. He is now the mayor of New York City, John Lindsay. John Lindsay in his letter in speaking of this amendment says:

> This provision, which was inserted in the committee bill through the efforts of Representative Abzug, is essential to assure that major cities receive their rightful share from the Highway Trust Fund. We would strongly oppose any effort to delete it on the House floor.

I do not agree with Mayor Lindsay in this situation. I think all he is taking is a very provincial position in this matter.

It is essential, if you are going to have a meaningful mass transportation program to have a total State program, not one that speaks to one specific area and lets, in effect, the city of New York or any other city have what looks like an independent say on it. The need for mass transit does cross local boundaries and must be addressed by governmental bodies bigger than cities. States must be given the flexibility to create a coordinated plan.

I ask for support on the Hanley amendment and for the defeat of the Buchanan amendment.

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

Mr. PEYSER. I yield to the gentleman from Ohio (Mr. HARSHA).

Mr. HARSHA. Mr. Chairman, we have discussed the Anderson amendment. We are talking about flexibility of the States in future programs. Now, that provision in the bill would turn right around and deny that flexibility, would it?

Mr. PEYSER. The gentleman is absolutely correct. It would take it away.

Mr. HARSHA. It would deny the State the control of expenditures of money on the basis of priority to the State, would it not?

Mr. PEYSER. It seems to me the State priorities do consider the needs and priorities of the cities to take the right to decide priorities away from States would be a mistake.

The CHAIRMAN. The Chair recognizes the gentleman from Minnesota (Mr. FRENZEL).

(By unanimous consent, Mr. FRENZEL yielded his time to Mr. BUCHANAN.)

The CHAIRMAN. The Chair recognizes the gentleman from Alabama (Mr. BUCHANAN).

Mr. BUCHANAN. Mr. Chairman, I have listened attentively to this debate, and would remind the members of this committee that I speak not just for myself, but for more than half of the people of America who live in the urban areas for which I would seek relief.

I would further remind the Members that this is not my proposal.

This amendment was proposed by the administration and was included in S. 502 as passed by the other body. On April 4, 1973, Department of Transportation Secretary Claude Brinegar, again urging its inclusion in this bill, said, in a letter to the Chairman of the Public Works Committee:

> Our proposal would require a specific allocation of urban system highway funds to any urbanized area with a population of 400,000 or more. This provision would insure that major urban areas, too, would receive substantial and continuous funding which would enable them to plan confidently and realistically for future projects to meet their transportation needs.
>
> Currently the states have complete control over the amount, if any, of available federal funds each urban area will receive. In addition to assured funding to urban areas, we propose that such earmarked funds be passed through directly to an urbanized area if it has an agency capable of planning and carrying out transportation projects.
>
> Local officials are in the best position to determine local transportation needs and solutions. Therefore, if local institutions exist which have the ability to effectively manage urban transportation programs, they should be given control of the funds available to deal with the problem.

I ask the committee and the great Committee on Public Works to recognize an historic change in our society, and a great present need. We have to wake up to the fact that most Americans live in such urbanized areas as those for which I seek relief in my amendment. We need to recognize that in many instances States have been unfair to their own large cities in their State policies when funds are controlled purely by the State.

These are Federal funds for urban areas, so designated. In my own city, we had taxes placed upon gasoline in our airports which killed our chance to grow in air traffic and greatly hurt our city and our State as well. It is so because our State was, for many years, dominated by a legislature controlled by 7 percent of the population of our State. Even after reapportionment, however, we do not yet get a fair shake from the State of Alabama in the city of Birmingham.

It is not one administration, but many administrations of State governments in my own State and elsewhere which have not given fair deals to their large cities, or the majority of people living in them.

Consequently, in its wisdom the Congress has a pass-through formula in revenue sharing, in many programs of direct Federal assistance to cities, and in many other ways in which we do in principle what we try to do in this amendment, simply to guarantee to the urbanized areas of 400,000 or more, and to the more than 100 million Americans who live in them, their fair share of Federal money for urban areas.

There is nothing mischievous, new or strange about this amendment. It is a fair play amendment. It is an equal rights amendment.

I urge the adoption of the Buchanan amendment and the defeat of the Hanley amendment.

The CHAIRMAN. The Chair recognizes the gentleman from New York (Mr. RONCALLO).

Mr. RONCALLO of New York. Mr. Chairman, I yield back my time.

The CHAIRMAN. The Chair recognizes the gentleman from Iowa (Mr. GROSS).

Mr. GROSS. Mr. Chairman, I know I am opposed to the Buchanan perfecting amendment, so-called. I doubt very much that it is the business of the Congress of the United States on this occasion, to straighten out the past misdeeds of the Alabama Legislature.

I should like to address a question to the gentleman from Texas (Mr. WRIGHT) with respect to the section 138. I would preface it by saying that there are two cities in the State of Iowa of more than 75,000 population each which do not as of this day and hour have an interstate highway connection. It seems to me that this provision in the bill, with its mandatory provision, might work adversely to the situation in Iowa, and perhaps in other States. I should like to have the gentleman tell me whether that is not true.

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

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

Mr. WRIGHT. Let me ask the gentleman from Iowa a question. Is there any city in Iowa over 400,000, in the last census?

Mr. GROSS. No, there is none.

Mr. WRIGHT. In that case this will not affect the State of Iowa one way or the other, because the State of Iowa would get its regular apportionment and it would divide it among its cities just as it has done in the past. The State of Iowa would not be affected one way or another.

Mr. GROSS. All right. Going beyond saying it could adversely affect cities of similar population in other States?

Mr. WRIGHT. If the gentleman from Iowa is correct in his interpretation, I do not believe that the provision in the bill would adversely affect anybody, because it does not take money away from one and give it to another. I do believe that the proposed Buchanan amendment could be very mischievous.

Mr. GROSS. I agree with the gentleman on that score, with respect to the Buchanan amendment, but I believe section 138 is a further breaching of the original purpose of the Highway Act and I am opposed to that section.

The CHAIRMAN. The Chair recognizes the gentleman from Texas (Mr. WRIGHT) to close debate.

Mr. WRIGHT. Mr. Chairman, the committee hopes that Members will, by all means, vote down the Buchanan amendment, because it would breach the long-standing relationship between the Federal Government and the State highway departments and would make regionalized planning much, much more difficult.

As I tried to explain earlier, I do not believe it is necessary to support the Hanley amendment, because I do not believe that the language in the bill works to the detriment of any city. It merely earmarks moneys that would be applicable to the largest of the cities, to give them time for planning.

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

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

Mr. PICKLE. It appears to me that the Hanley amendment is a more democratic aproach, and would allow not only the big cities but also the moderately large cities to have an opportunity to use these funds. Would not the gentleman agree it would be a matter of equity to allow the medium sized or moderate sized cities to get aid?

Mr. WRIGHT. As I said earlier, the 400,000 figure was arbitrary. It might as well have been 50,000 or 100,000. There has to be some point to determine that a city is so big that it requires advance knowledge of total funding availabilities.

The problems of the cities need understanding. I am not saying there was anything magic about that 400,000 figure at all. I do not believe, however, that the provisions in the committee bill work to the detriment of any of the other cities.

Mr. PICKLE. But certainly it is a more democratic approach to the needs of the moderately sized city.

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

Mr. WRIGHT. I yield to the gentleman from Indiana (Mr. MYERS).

Mr. MYERS. Mr. Chairman, in the debate I understand the gentleman from Iowa (Mr. GROSS) said that Iowa did not have any cities of 400,000 or more population.

However, in section 110, paragraph (2), on page 87, it says:

Any State not having a designated urbanized area may designate routes on the Federal-aid urban system for its largest population center, based upon a continuing planning process developed cooperatively by State and local officials and the Secretary.

Would this Hanley amendment affect that section in any way?

Mr. WRIGHT. It would not affect it in any way whatever.

The CHAIRMAN. All time has expired.

The question is on the perfecting amendment offered by the gentleman from Alabama (Mr. BUCHANAN).

The perfecting amendment was rejected.

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

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

Ms. ABZUG. Mr. Chairman, I demand a recorded vote.

A recorded vote was refused.

So the amendment was agreed to.

Mr. DON H. CLAUSEN. Mr. Chairman, I have an amendment at the desk. However, at this time I want to yield to the gentleman from New York (Mr. BINGHAM) who has another appointment, so that he may offer his amendment at this time.

The CHAIRMAN. The Chair will advise the gentleman from California (Mr. DON H. CLAUSEN) he cannot yield for that purpose. If the gentleman from New York (Mr. BINGHAM) were here, the Chair would recognize him.

AMENDMENTS OFFERED BY MR. MILFORD

Mr. MILFORD. Mr. Chairman, I offer two amendments, and I ask unanimous consent that they may be considered en bloc.

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

There was no objection.

The Clerk read as follows:

Amendments offered by Mr. MILFORD: Page 102, line 17, strike out "Approval" and all that follows down through and including the period on line 23 and insert in lieu thereof the following:

Approval of the plans, specifications and estimates for such project by the Secretary shall require payment of the proportional share of the United States of the cost of such project in an amount equal to the Federal share which would have been paid if such project were a highway project under sec. 120(a) of this title, but only to the extent and in such amounts as may be provided in appropriation Acts enacted after the date of the enactment of the Federal-Aid Highway Act of 1973.

Page 128, line 5, strike out "Approval" and all that follows down through and including the period on line 12 and insert in lieu thereof the following:

Approval of the plans, specifications and estimates for such project by the Secretary shall require payment of the proportional share of the United States of the cost of such project in an amount equal to the Federal share which would have been paid for the route or portion thereof approval of which is withdrawn under this paragraph, but only to the extent and in such amounts as may be provided in appropriation Acts enacted after the date of enactment of the Federal-Aid Highway Act of 1973.

Page 165, line 14, immediately after "(c)" the first place it appears insert "(1)".

Page 165, after line 17, insert the following:

(2) Notwithstanding any other provision of law, the Secretary of Transportation shall, with respect to those funds authorized as a result of the amendment made by paragraph (1) of this subsection, incur obligations on behalf of the United States only to such extent and in such amounts as may be provided in appropriation Acts enacted after the date of enactment of this title.

Mr. MILFORD. Mr. Chairman, my amendment is really very simple. All it does is to make this bill follow normal congressional procedures. It does not remove 1 penny from the authorized expenditures of the highway trust fund. This amendment simply channels the appropriation of general funds through the Appropriations Committee—instead of granting blank check contracting authority.

As a member of the Public Works Committee, I take great pride in this legislation. I have found that it is an excellent work, well drawn, well researched, and it merits rapid passage by this body.

Only in this one factor do I disagree with my distinguished colleague and north Texas neighbor (Mr. JIM WRIGHT). The two of us are honored to jointly represent the largest metropolitan area in Texas. Each of us are vitally interested in the provisions on mass transit in this document.

However, I think that there may be some misunderstanding on the part of some Members of this House as to what "contractual authority" really means. It means that if you pass this bill in its present form, you have committed the U.S. Treasury to spend $3 billion. There will be no annual review, no way to modify or change—even if we should encounter a national emergency a year later.

Most important, this House will once again be a participant to back door spending. We will be committing a sizable sum of money without taking into consideration the overall spending needs of this Nation. Only the Appropriations Committee or the forthcoming Joint Budget Control Committee can intelligently do this job.

My friends, this is not responsible spending. Past history has proven this fact. Let me quote a section from the interim report of the Joint Budget Committee study:

A type of backdoor authority is contract authority. This is authority granted to the executive department to enter into contracts . . . involving direct obligation of Federal funds.

This is a contract drawn by the Federal Government which must be lived up to with the House having no real say in how much money can be spent under such a contract.

This Congress has already lost control of the budget. It was not taken from us—we gave up that control. The use of contracting authority was one of the prime vehicles that handed budget control to the administration.

I would urge each of you to consider this amendment. Again all it does is to remove the contractual authority for spending in those areas that takes money from the general fund and replaces the spending authority through our normal appropriations procedures.

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

Mr. Chairman, in its deliberations the Committee on Public Works recognized that there was a need for mass transit facilities throughout the country. That is why we went to the extent we did in writing this bill to try to help the cause of mass transit.

The administration sent up here its urban mass transit extension of the present law. It requested an additional $3 billion of contract authority, and it put in its budget for fiscal 1974 this amount of money. The administration placed an obligation of $1 billion for contract authority for urban mass transit facilities.

Mr. Chairman, the administration is wholly committed to urban mass transit.

The committee, in its wisdom, tried as best we could to provide the mass transit facilities needed in this country. We felt that the urban mass transit program should include contract authority, and if we can provide contract authority out of the trust fund for highways, we can, with equal logic, provide for additional mass transit funds by contract authority.

We have to resolve the transportation problems in this country, and while the gentleman is trying very sincerely to be very fiscally responsible—and I admire him for that—we think, under this bill, the administration has sufficient control of the funds available to be expended that it will exercise the fiscal responsibility necessary.

We, on the committee, have recognized the need for mass transit and have extended to it what the administration wants and is committed to for mass transit.

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

Mr. JAMES V. STANTON. Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to the amendment.

Mr. Chairman, in the difficult task of trying to meet the various forces that were emerging on this bill between the highway trust fund supporters and the supporters of the needs of urban areas of the United States, the gentleman from Texas (Mr. WRIGHT) and the gentleman from Ohio (Mr. HARSHA) and the committee as a whole proposed a contract authority to meet the needs of mass transit in the United States. It was an attempt to build a bridge between the divisive forces of this House and to give some assurances to the urban areas of the United States that they were going to be considered as to their mass transit needs.

Mr. Chairman, we have just lost a battle to open up the trust fund. As one who voted in favor of opening up the trust fund, I accept that defeat. I think that it is the will of this House not to open up the trust fund, but I ask the Members in the name of fairness not to deny us the one chance we have of funding for mass transportation in the United

States. If we are denied this contractual authority then you will deny us everything, because the fact of the matter is we who know the House, if we were thrown to the position of going through the normal appropriation process the cities of America will not be meeting their needs, and not getting the guarantee that was offered by the leadership of the House Committee on Public Works.

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

Mr. JAMES V. STANTON. I yield to the gentleman from Texas.

Mr. WRIGHT. Mr. Chairman, I would just like to say that I emphatically agree with every word that has been spoken by the gentleman from Ohio (Mr. JAMES V. STANTON). As dear and as close a personal friend as is the gentleman from Texas (Mr. MILFORD) who offered this amendment, I think it would be a very, very bad thing. It would break faith with our earlier expressions in debate today and upset the balance that we have created in order to serve mass transit. Mass transit does need help, and it needs it now, and the only way cities can get it in a timely fashion is by contractual authority.

Mr. RONCALIO of Wyoming. Mr. Chairman, will the gentleman yield?

Mr. JAMES V. STANTON. I yield to the gentleman from Wyoming.

Mr. RONCALIO of Wyoming. Mr. Chairman, I thank the gentleman from Iowa for yielding to me.

Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Texas (Mr. MILFORD) and I do so because I speak as one who voted for diversion last year, and had it not been for the excellent compromise language worked out by the gentleman from Texas (Mr. WRIGHT) and the gentleman from Ohio (Mr. HARSHA) I would not have changed my position and be sustaining the position of the majority of the committee.

The language on contractual authority, once the plans are approved does give relief to the cities when they need it, and I think it is excellent legislation.

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

Mr. GIAIMO. Mr. Chairman, I move to strike the requisite number of words, and I rise in support of the amendment offered by the gentleman from Texas (Mr. MILFORD).

Mr. WRIGHT. Mr. Chairman, will the gentleman yield for a unanimous-consent request?

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

Mr. WRIGHT. Mr. Chairman, I ask unanimous consent that all debate on this amendment conclude in 15 minutes.

Mr. GIAIMO. Mr. Chairman, might I ask if this is coming out of my time? I yielded for a unanimous-consent request, and not for a debate or a discussion.

Mr. WRIGHT. Mr. Chairman, I would like to withdraw my unanimous-consent request.

Mr. GIAIMO. Mr. Chairman, I decline to yield further.

The CHAIRMAN. The gentleman from Connecticut (Mr. GIAIMO) declines to yield further, and the gentleman from Texas withdraws his unanimous-consent request.

Mr. WRIGHT. Further, Mr. Chairman, I ask unanimous consent that the gentleman from Kentucky be given 1 additional minute to compensate the gentleman for the time that I took.

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

There was no objection.

Mr. GIAIMO. Mr. Chairman, I thank the gentleman from Texas for the additional time, and I know that in this debate, I am going to need all the additional time I can get.

Mr. Chairman and members of the committee, I rise in support of the amendment offered by the gentleman from Texas (Mr. MILFORD). And to my friends who voted for the Anderson amendment, as I did, I say to them that I wish they would think about what is really happening to the budgetary processes in this country.

If we in fact had congressional appropriations for highway funds, I would be willing to bet my bottom dollar that we would have received some money today for mass transit.

But the fact is that what is occurring in this country is that we go around wringing our hands and saying that Congress is losing control to the executive. We are told that the executive branch is taking over, and Congress is becoming powerless. In many areas Congress is powerless, but in some areas Congress could be paramount in power, and that is in the power of the purse, in the budget, and the appropriating and the expenditures of money.

But, what do we do? We lament over loss of control of the Federal budget, and we worry about the power of the Appropriation Committee. My figures are accurate. I know, that approximately, 50 percent, of the taxpayers' money that is spent today does not go through Congress and does not go through the appropriations procedure.

My chairman of the Committee on Appropriations will tell us that. What do we do? We authorize revenue-sharing funds over which Congress has no control. We authorize trust funds, the highway trust fund, the airport trust fund, the social security trust funds, over which the Executive has control and Congress has none. We find the same situation in contract authority, such as in our FHA and housing programs, over which Congress has no control and authority. That is the point where we really give away our congressional powers. If we had those powers, I know from the pressures in this Congress that today there would have been funds for mass transit, and powers and pressures put into this Committee on Appropriations would have forced us to come out with money for mass transit.

I will admit that in the old days the Committee on Appropriations of both the House and Senate were pretty tough in giving out money. It was then that contract authority and trust funds and back-door spending come into being—during the thirties and the forties in this country.

But the pendulum has swung the other way, and we are now giving away the one great power that the House and the Congress have, and that is control over the taxpayers' money.

To my urban friends and my liberal friends from the North who were so concerned about having a tight-fisted Committee on Appropriations deny them the funds that they want I say you are making a mistake. We would have gotten money for mass transit today. I know we would have gotten it. Instead of that what are we doing? We are leaving it to the decision of faceless, unknown people in the various executive agencies to determine how much goes into the highway trust fund, how much goes out for revenue sharing, how much goes into our housing projects and housing programs, how much will be expended in social security payments and in medicare payments. That is where we are really giving away our congressional power.

I say that if Congress really wants to regain its power from the executive branch of Government, we had better cut out this business of back-door spending, because that is what all of these various modes of expenditure are really called. Get the power of the purse back here in the Congress; this is the only effective leverage that we have and which really justifies our existence as an institution. Let them come up here every year and ask us for money. Let them tell us what they are going to do with the money, where they are going to put it, and at least we will then have some control over it. Do not be carried away by these old historical arguments which may have been true in their day but are no longer true now.

If there is one great means of regaining congressional prerogative and control, it is to get back the control of the taxpayers' money which we have so frivolously and generously given away to the executive branch.

I support the gentleman's amendment.

Mr. BURLESON of Texas. Mr. Chairman, will the gentleman yield?

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

Mr. BURLESON of Texas. Mr. Chairman, I wish to associate myself with everything the gentleman has said. He describes one of the most vital issues that we have in this Congress today.

Mr. GIAIMO. Absolutely.

Mr. BURLESON of Texas. As the gentleman has so ably said in describing this situation, it is the only way in the world we are ever going to get handles on our fiscal affairs where we can have a look at every dime appropriated. He is so right, and I do appreciate the gentleman's statement. I support the amendment by my able colleague, the gentleman from Texas (Mr. MILFORD). I share the concern which he expressed in presenting his amendment and deplore this attempt as the bill now provides to bypass the appropriation processes.

Mr. MAHON. Mr. Chairman, I move to strike the last word.

Mr. Chairman, this is an amendment that will decide, to some considerable

extent, what Members in this House want: Better control of the purse and greater power in the hands of Congress. We should not be in favor of abdicating to the Executive. We should stand on our two feet and have a greater role in running this country.

I am in favor of the Milford amendment.

As to mass transit, we have to have funds for the mass transit program. It is a big and difficult problem but we have to make appropriate provision for mass transit.

What does this bill do with respect to mass transit? It says for 3 years we have $3 billion for mass transit in contract authority. All right, suppose the Executive does not obligate the money, next year what do we do? For 3 years we are locked in because next year the issue will not come before us. We can lambaste the Executive about not contracting for these projects, but the issue would not be before us for review. We cannot reaffirm next year that we are still in favor of mass transit through an appropriation, because it is all contract authority and we are locked in for 3 years and we have nothing to do but pick up the tab.

It is like revenue sharing in which for 5 years we have abdicated our control and have walked out of the picture and turned it over to the Executive.

We talk about the misuse of power by the Executive. Of course if we give the power away how can we expect him not to use it. I propose that we authorize appropriations in authorization bills such as this and provide the money in appropriation bills. It ought to be that way and it will be that way when the Members of this House awaken to the fact that there is no need for us to give away the power which is provided to us under the Constitution.

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

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

Mr. CEDERBERG. Mr. Chairman, I want to associate myself with the remarks made by the gentleman from Texas who has stated the situation correctly. I think it is time we in the Congress reassert ourselves and we can do it best through the appropriations process.

Let me assure the Members we in our committee are not insensitive to the problems of mass transit nor to any other problems, but I believe firmly what the gentleman has stated, that if we are going to be in control of the budget in the House and in the Congress we have got to do it through amendments of this type.

Mr. MAHON. Mr. Chairman, I am disappointed that the Committee on Public Works would want to take away from the House the right to act annually on such matters through the regular appropriation process.

I do hope this amendment, which has been so ably presented by the gentleman from Texas (Mr. MILFORD) and so brilliantly supported by the gentleman from Connecticut and endorsed by the ranking minority member of the Appropriations Committee, and others will be approved and that we can act next year and every year on mass transit and annually review the program.

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

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

Mr. GROSS. Mr. Chairman, is the gentleman suggesting we return to the days when it was required that all the bills out of the Public Works Committee providing for the construction of Federal buildings and various other projects had to come before the Congress through the authorization procedure? Is the gentleman suggesting that we return to that procedure?

Mr. MAHON. I am not sure to what the gentleman refers but I am sure the gentleman is not in favor of contract authority which would mean we would abdicate our power for 3 years.

Mr. GROSS. The Congress a few years ago turned over to the Public Works Committee authority to authorize construction of Federal buildings without further approval from the House of Representatives. Is the gentleman suggesting that in that area we return and recapture that power as well as give to the Appropriations Committee the authority to appropriate money for the construction of the buildings? Is the gentleman suggesting that?

Mr. MAHON. I would agree that is a better procedure, but at this time I would like for us not to make a $3 billion mistake on the pending measure.

Mr. GROSS. If we are going this route, let us do go all the way.

Mr. WRIGHT. Mr. Chairman, I rise in opposition to the amendment, but pending that I would like to see if there are any other Members who are seeking recognition on this subject.

PARLIAMENTARY INQUIRY

Mr. BURKE of Massachusetts. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BURKE of Massachusetts. Mr. Chairman, I would like to ask the Chair, in view of the fact that this amendment is a special amendment, if the amendment is in order. If it is a new amendment, it should apply across the entire bill rather than to specific areas.

The CHAIRMAN. The Chair will state that this is not a proper parliamentary inquiry. It is a matter for every Member to determine.

Mr. BURKE of Massachusetts. Mr. Chairman, is it time to raise a point of order that the amendment should apply to every section of the bill?

The CHAIRMAN. The Chair will state that the point of order would come at this point too late.

Mr. WRIGHT. Mr. Chairman, I ask unanimous consent that all debate on this amendment conclude in 5 minutes.

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

There was no objection.

Mr. WRIGHT. Mr. Chairman, this is at the very heart of the balance between highways and mass transit that we sought so painstakingly and so arduously to achieve. Our committee recognized that there are important needs for highways and there are very legitimate needs for mass transit. In some of the cities these are truly urgent needs. In some of the cities there is an immediate and impending need, to try to provide some alternate means as an inducement to people to leave their automobiles at home rather than driving in ever increasing numbers daily into the heart of town.

The only way that we can be absolutely certain that a city which exercises the option to forego a given strip of urban highway and substitute mass transit, is to give the Secretary of Transportation the right at that moment, at that time when the decision is made on the part of the city, to grant to that city advance obligational funds in order that the city would have the necessary assurance to make that decision.

I stood here in the well earlier today and argued as passionately as I could to reject the Anderson amendment, which would have taken this money out of the trust fund. But with equal fervor I believe I must plead with the Members not to break the faith that we expressed in good conscience to the cities when we said, "If you will leave our trust fund intact and guarantee the highway program, we are going to give you an alternate system that is just as good."

If we do not follow through on that; if we do not give them this advance contractual authority, then what assured rights would they have under that provision? To wait a year and see if Congress in its wisdom is going to appropriate the money?

Bear in mind that the amendment that is now before us is not an amendment applicable to the $3 billion. This amendment would strike at that flexibility granted in section 1, within the $700 million urban system to which we have already voted to deny thrust fund moneys. It is a limited section, and it will not involve all of that $700 million by any stretch of the imagination.

Most of the cities are not prepared at this time to move forward with mass transit programs. Some of them are, and they need help now. This will not involve a great deal of money in this section. But such money as it does involve, I think should be promised to those cities today so that when they exercise this option and say, "We do want to forgo a portion of our urban highway and substitute a viable mass transit program and eliminate the crowding and fumes and noise of traffic in the downtown section," that there is a means by which we can say, "Very well, on this day when you relinquish the trust fund money, you have the commitment of this other money."

If this amendment prevails, they will not have that assurance on which to exercise an intelligent option. So therefore, I plead in the interest of fairness to the cities, that those who voted with me against a raid of the trust fund, will vote with me against this amendment so that we can give those cities desiring it some commensurate help, in this limited section of the bill, in order that they will not be totally denied.

The CHAIRMAN. All time has expired.

The question is on the amendments offered by the gentleman from Texas (Mr. MILFORD).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. GIAIMO. Mr. Chairman, I demand a recorded vote.

A recorded vote was refused.

So the amendments were rejected.

AMENDMENT OFFERED BY MR. DON H. CLAUSEN

Mr. DON H. CLAUSEN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DON H. CLAUSEN: Page 81, strike "$500,000" on lines 10, 21, and 22, and substitute in lieu thereof "$1,000,000."

The CHAIRMAN. The gentleman from California (Mr. DON H. CLAUSEN), is recognized for 5 minutes in support of his amendment.

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

Mr. DON H. CLAUSEN. I am glad to yield to the gentleman from Texas.

Mr. WRIGHT. I should like to say that those of us on the majority side have examined this amendment. We have no objection to it.

Mr. DON H. CLAUSEN. I thank the gentleman.

Mr. Chairman, I offer this amendment to increase the road fund authorization from $500,000 to $1 million for America Samoa for the fiscal years of 1974, 1975, and 1976.

Just yesterday the Governor and the Legislature of American Samoa were in Washington meeting with our Territorial and Insular Affairs Subcommittee and this matter, along with many others, was discussed with them. They pointed out the serious road problems they have.

As the ranking Republican on the Territorial and Insular Affairs Subcommittee and a member of this Public Works Transportation Subcommittee, I can state to the Members that the administration supports the amendment, as does my colleague from California, Chairman BURTON of Territorial and Insular Affairs, Mr. WRIGHT, Mr. HARSHA, and the members of our Public Works Committee.

I hope the Committee of the Whole House will concur and accept this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. DON H. CLAUSEN).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. BINGHAM

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

The Clerk read as follows:

Amendment offered by Mr. BINGHAM: On page 111, strike line 1 and all that follows down through and including the material that appears immediately following 14 on page 112, and renumber succeeding sections accordingly.

Mr. BREAUX. Mr. Chairman, I rise in opposition to the gentleman's motion to strike the priority primary section of the bill. The gentleman is making something out of this section which it is not. Namely, it is in no way a second generation interstate system nor is it in any way a system which has to be built to interstate standards.

This was the basis for much of the confusion about this section last year when it contained reference to interstate standards. The section has been rewritten in this bill to completely eliminate the reference to standards so that there will be no confusion on this point. The effect of these changes is merely to allow the system to be built to normal primary system standards.

In some cases these may very well be roads built to interstate standards. On the other hand, a well-designed, two-lane rural highway is a primary route of major significance in many of our large rural States.

With respect to urban areas, again such a route could be built to interstate standards, but it is highly unlikely. Most often an urban project will be one of possibly a widening of an existing major street with left-turn provisions and other improvements which would improve the flow of traffic.

This is one of the most important sections of this bill. The argument that these routes could be built under existing apportionments by simply raising the primary funds misses the point entirely. With the Interstate System nearing completion, feeder roadways to this system become increasingly important and should be given specific attention. The regular primary system improvements separate from the interstate, have been so neglected during the period of emphasis on the Interstate System that their progress should be allowed to proceed in as rapid a manner as possible in their own right.

The 10,000-mile study referred to in the 1968 needs study, does form the basis for the committee's recommendations in this regard and it is in light of the recommendations of that study that the bill before this body today calls for designation of this preferential system by the Secretary in cooperation with the States by July 1, 1974.

This section of the bill represents a significant move in the transition from interstate emphasis toward the urgent needs of connecting it to the other systems.

I urge the rejection of the gentleman's motion to strike section 128 of the bill.

Mr. HAMMERSCHMIDT. Mr. Chairman I rise in opposition to the gentleman's amendment.

A recent national highway needs report considered the need for additional attention to primary highways and found that within this "intermediate" system, about 10,000 miles of primary Federal-aid highways appear to require urgent attention. These 10,000 miles serve about one-sixth as much travel as the present interstate system on about one-fourth as much highway mileage. Every State has some of this mileage.

These 10,000 miles need priority consideration and should be built to high standards taking into consideration the heavy traffic volumes they handle. This becomes increasingly self-evident since travel demand continues to increase at a geometric rate with about 90 percent of all intercity passenger miles, including those traveled by air, is carried by highways.

Of particular significance is the fact that a large percentage of this 10,000-mile system reflects the enormous expansion of development from urban centers into the surrounding countryside, and the resulting heavy burden this development has placed on the rural primary system. Hence, it is felt priority programs for improvement of a limited, integrated system of supplementary routes could and, indeed, should be partially financed within the resources of highway trust fund.

This priority primary program is not conceived as another interstate system, but rather as a means of accelerating and upgrading the quality of key primary routes already on the Federal-aid system. I cannot impress on you enough what this means toward saving lives and injuries of your constituents. In most cases, it will involve reconstruction and possibly some realinement, although for the most part, these highways have been in existence for decades, and the work required can proceed within the present rights-of-way so that the motoring public can be provided with safe, modern and convenient roads beyond the Interstate System. I strongly urge the defeat of this amendment.

These are not more interstate miles—in fact, the standards and specifications could be those of present primaries up to those interstates or in between. This would allow your State flexibility in determining its wisest course of action in keeping with its own need—allowing them to build to the highest commensurate standards in light of their light traffic volumes that would be served.

I oppose the gentleman's amendment. There are very sound and valid reasons why the committee placed this section in the bill.

Any of you who have ventured out of the cities and off the Interstate System I am sure are fully aware of the great need of upgrading our old primary road problem. This highway bill is designed to help States meet this problem, but there is urgent need to improve the most used portion of the 66,000 miles that could be considered an intermediate system, just below the Interstate System in importance, but above the balance of the primary system.

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

The amendment was rejected.

AMENDMENT OFFERED BY MR. ROBERTS

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

The Clerk read as follows:

Amendment offered by Mr. ROBERTS: Page 133, after line 18, insert the following:

DONATIONS

SEC. 149. (a) Chapter 3 of title 23 of the United States Code is amended by adding at the end thereof the following:

"SEC. 323. DONATIONS.

"Nothing in this title, or in any other provision of law, shall be construed to prevent a person whose real property is being acquired in connection with a project under this title, after he has been tendered the full amount of the estimated just compensation as established by an approved appraisal of the fair market value of the subject real property, from making a gift or donation of such property, or any part thereof, or of any of the compensation paid therefor, to a Federal agency, a State or a State agency, as said person shall determine."

(b) The analysis of Chapter 3 of title 23, United States Code, is amended by adding at the end thereof the following:

"323. Donations."

Mr. HARSHA. Will the gentleman yield?

Mr. ROBERTS. I will be delighted to yield to the gentleman from Ohio.

Mr. HARSHA. Mr. Chairman, this amendment is similar to a provision in last year's bill. We accept the amendment on this side.

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

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

Mr. WRIGHT. That goes for this side of the aisle, too, all of us over here. The amendment is identical to one that was inserted last year and we think it is a proper amendment and would accept it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. ROBERTS).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. ZION

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

The Clerk read as follows:

Amendment offered by Mr. ZION: Page 133, after line 18, add the following new section:

FLEXIBILITY OF BEAUTIFICATION AUTHORIZATION

SEC. 149. Notwithstanding any agreements entered into between the Secretary of Transportation and the States under section 131, of Title 23, United States Code, funds authorized for appropriation in sections 120 (g), 122(b) and 104(a)(11) of the Federal-Aid Highway Act of 1973 may be allocated by the States to carry out the purposes set forth in sections 144, 152 and 153 of this title, and section 203(d) of the Highway Safety Act of 1973, for highway safety projects on highways not included on any Federal-aid system, if such a transfer is requested by the State Highway Department and approved by the Governor as being in the public interest.

Mr. ZION. Mr. Chairman, the purpose of this amendment is to provide flexibility to the States so as to enable them to implement the beautification provisions or to expend such sums for highway safety improvements of the Federal-aid system. In other words, Mr. Chairman, this can be called the posies or people amendment.

Mr. Chairman, this bill proposes the expenditure of $30 million for landscaping. Experience with this program has been abyssmally bad. Very few of the plants that have been bought and paid for have survived. Landscape gardeners have told me that they feel guilty taking tax money for plantings that will die from neglect, or fall victim to the State-financed mowing machines. They rationalize that somebody is going to get this gravy, so it might as well be them.

In my own State of Indiana, I have seen a pretty good example of what is being done in the name of beautification. At a country crossroads in the interest of beautification, they provided huge concrete planters. These were built around the crossroads. Within a month, the flowers that were supposed to be so beautiful had died, and were replaced with asphalt. So, instead of plants we now have concrete pillboxes which are particularly lethal, and the businesses in that neighborhood have lost about 50 percent of their business, because these pillboxes have made it almost impossible for the traveling public to come anywhere near.

Mr. Chairman, this bill also proposes $150 million to buy up billboards in spite of a survey that shows there is no widespread dissatisfaction with billboards. Now, I would certainly support legislation that would prevent construction of any roadside material that would appear offensive to the traveling public, but in good conscience I cannot abide $150 million expenditure for billboards at a time when we cannot afford to finish highway construction that is so badly needed.

This bill requires the expenditure of $45 million to hide junkyards. How silly can we be? We need to recycle these offending materials. Do you think by any stretch of the imagination we can plant enough geraniums or jonquils—even $45 million worth—so that the junkyards are going to appear to disappear?

We are going to spend $9 million in this bill, in this Donnybrook—$9 million for people to dole out tax dollars for completely irrational programs.

Administrative costs, $9 million.

Next year—next year—the 2 millionth person will lose his life on our highways since the advent of the motorcar. While we are sitting here today some family is slamming into an outmoded bridge, or losing control and spinning off a county road that was built for a horse and buggy.

Can we entertain the thought that we should spend $234 million for bushes and flowers at the cost of legs and arms and heads, and lives?

We all know that the completion of the Interstate System will save lives. The testimony has indicated this. There are thousands of killer bridges, killer curves, and killer obstructions that can be corrected if we have the money to spend so that we can eliminate treacherous railroad crossings and other defects, but if we spend $234 million a year for sunflowers and billboards we must be out of our minds. The lives of our traveling public must certainly be more important than that.

What do we want here, Members of the House? Live bushes and dead bodies, or safe highways and healthy families?

Every buck we spend to plant bushes, could be spent to improve a guard rail and prevent the impaling of a family on its blunt end. We have identified in our committee bridge approaches that end smack-dab up against an abutment. We have in our committee files literally hundreds of pictures of twisted steel and broken bodies wrapped around inflexible signposts.

So, instead of planting posies, we can replace these lethal traps with breakaway signs. Every Member of this body—every Member of this body has death traps in his district, just waiting to crush some family into shapeless pulp. If the Members want their share of $234 million to save lives, then I urge them to support this amendment.

Mr. WRIGHT. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Indiana (Mr. ZION).

What this amendment would do would be to take all the money that is in the bill for highway beautification purposes and make that money available, in addition to the other money herein provided for safety purposes.

The gentleman from Indiana makes a simplistic argument which at firsthand sounds reasonable, of course. Safety is more important than beauty. I do not think there is any quarrel with that. I am not saying that beauty is more important than safety. I do not think any of us has to contend that. What I am saying is that each has its rightful place. Where there are eyesores and physical drabness that make the highways things of drudgery instead of things of serene reflection and beauty, we should and we could make them more attractive for the American traveling public.

Let us get things in balance. We have in the bill $1.2 billion expressly set aside for safety. Nobody is trying to take any of that away—certainly not the gentleman from Texas. But the amount we have included for beautification is by comparison quite considerably less, as it should be, no doubt. So let us not take that money away and put it on safety also, because we can do both. We can have both safe highways and beautiful highways.

Sometimes the same device serves both purposes Sometimes we plant median strips with indigenous shrubbery which serves the purpose of beautification and also serves the purpose of safety, because it stops the glare of oncoming traffic at night, blinding headlights that would otherwise be in our eyes.

Knowing full well that beautification has not been a wildly popular program in this Congress, we are trying to correct it and make it more reasonable and more sensible.

We are trying to improve it through the suggestions of the Highway Beautification Commission. The recommendations contained in this bill will in my opinion make the beautification program a better program.

We have a great deal of money included for safety. The most massive safety program that has ever been offered to the Congress by any committee is offered in this bill.

So let us not take away the widow's mite that exists in the bill for beautification. If the Members want to add money for safety, do it simply by adding more money for safety. Do not take it away from the beautification program.

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

Mr. WRIGHT. I yield to the gentleman from Indiana.

Mr. ZION. I heard an excellent analogy this morning by the very able gentleman from Texas. He was talking about a bone between two dogs, and the bone in this instance, he said, was kind of a merger bone because it is only $234 million and, therefore, it is insignificant. But I say to the gentleman if we throw that bone out there, it is going to be either gobbled up by a perfumed pink poodle in the interest of cosmetics, or it might satisfy the ravages of a wild Doberman that is combing the highway in the way of the traveling public. As far as I am concerned, I would rather appease the monster than the perfumed poodle.

Mr. HARSHA. Will the gentleman yield?

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

Mr. HARSHA. Mr. Chairman, I might say that I join with him in his remarks on this issue.

The Congress determined the beautification issue several years ago, and what we can do about it. We are also looking into establishing by law a Beautification Commission too study this issue and take the reports back to Congress. I believe I am safe in saying that I have as good a record in highway safety, and I am involved in interest in highway safety as much so as anybody else on the committee or in the Congress. While I am devoted to highway safety, I think we have adequate measures in the highway safety sections of this bill which I sponsored, which every member of the committee cosponsored. We have sections in that title of the bill that would take care of the highway safety program, and I would join the gentleman from Texas in urging defeat of this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana (Mr. ZION).

The amendment was rejected.

AMENDMENT OFFERED BY MRS. BURKE OF CALIFORNIA

Mrs. BURKE of California. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mrs. BURKE of California: Page 94, strike out line 22 and all that follows down through and including line 24 on page 99 and insert in lieu thereof the following:

CONTROL OF OUTDOOR ADVERTISING

SEC. 120. (a) The first sentence of subsection (b) of section 131 of title 23, United States Code, is amended by inserting after "main traveled way of the system," the following: "and Federal-aid highway funds apportioned on or after January 1, 1974, or after the expiration of the next regular session of the State legislature, whichever is later, to any State which the Secretary determines has not made provision for effective control of the erection and maintenance along the Interstate System and the primary system of those additional outdoor advertising signs, displays, and devices which are more than six hundred and sixty feet off the nearest edge of the right-of-way, visible from the main traveled way of the system, and erected with the purpose of their message being read from such main traveled way,".

(b) Subsection (c) of section 131 of title 23, United States Code, is amended to read as follows:

"(c) Effective control means that such signs, displays, or devices after January 1, 1968, if located within six hundred and sixty feet of the right-of-way and, on or after July 1, 1974, or after the expiration of the next regular session of the State legislature, whichever is later, if located beyond six hundred and sixty feet of the right-of-way, visible from the main traveled way of the system, and erected with the purpose of their message being read from such main traveled way, shall, pursuant to this section, be limited to (1) directional and official signs and notices, which signs and notices shall include, but not be limited to, signs and notices pertaining to natural wonders, scenic and historical attractions, which are required or authorized by law, which shall conform to national standards hereby authorized to be promulgated by the Secretary hereunder, which standards shall contain provisions concerning lighting, size, number, and spacing of signs, and such other requirements as may be appropriate to implement this section, (2) signs, displays, and devices advertising the sale of lease of property upon which they are located, and (3) signs, displays, and devices advertising activities conducted on the property on which they are located. The Secretary is authorized to promulgate model standards concerning lighting, size, number, and spacing of signs, displays, and devices advertising the sale or lease or property upon which they are located or advertising activities conducted on the property on which they are located. In promulgating such model standards the Secretary shall consult with the State highway departments.

(c) Subsection (d) of section 131 of title 23, United States Code, is amended by striking out the first sentence thereof and inserting the following in lieu thereof:

"In order to promote the reasonable, orderly and effective display of outdoor advertising while remaining consistent with the purposes of this section, signs, displays, and devices whose size, lighting and spacing, consistent with customary use is to be determined by agreement between the several States and the Secretary, may be erected and maintained within areas adjacent to the Interstate and primary systems which are zoned industrial or commercial under authority of State law, or in unzoned commercial or industrial areas as may be determined by agreement between the several States and the Secretary."

(d) Subsection (e) of section 131 of title 23, United States Code, is amended to read as follows:

"(e) Any nonconforming sign under State law enacted to comply with this section shall be removed no later than the end of the fifth year after it becomes nonconforming, except as determined by the Secretary."

(e) Subsection (f) of section 131 of title 23, United States Code, is amended by inserting the following after the first sentence: "The Secretary may also, in consultation with the States, provide within the rights-of-way of the primary system for areas in which signs, displays, and devices giving specific information in the interest of the traveling public may be erected and maintained."

(f) Subsection (g) of section 131 of title 23, United States Code, is amended by striking out the first sentence and inserting the following in lieu thereof:

"Just compensation shall be paid upon the removal of any outdoor advertising sign, display, or device lawfully erected under State law prior to the date of enactment of the Federal-Aid Highway Act of 1973."

(g) Subsection (m) of section 131 of title 23, United States Code, is amended to read as follows:

"(m) There is authorized to be apportioned to carry out the provisions of this section, out of any money in the Treasury not otherwise appropriated, not to exceed $20,000,000 for each of the fiscal years 1966 and 1967, not to exceed $2,000,000 for the fiscal year 1970, not to exceed $27,000,000 for the fiscal year 1971, not to exceed $20,500,000 for the fiscal year 1972, and not to exceed $50,000,000 for the fiscal year ending June 30, 1973, and, out of the Highway Trust Fund, $50,000,000 for the fiscal year ending June 30, 1974, $50,000,000 for the fiscal year ending June 30, 1975, and $50,000,000 for the fiscal year ending June 30, 1976. The provisions of this chapter relating to the obligation, period of availability, and expenditure of Federal-aid primary highway funds shall apply to the funds authorized to be appropriated to carry out this section after June 30, 1967."

Mr. WRIGHT (during the reading). Mr. Chairman, this amendment is so long I ask unanimous consent that it be considered as read and printed in the RECORD and that the gentlewoman from California be permitted to explain her amendment.

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

There was no objection.

Mrs. BURKE of California. Mr. Chairman, this amendment might well be referred to as the Lady Bird Johnson amendment since I read in the newspaper yesterday that she has been lobbying for it.

This amendment is substantially the same as the present provisions of Senate bill 502 and seeks to maintain the continued program now in progress in 49 States under the 1965 Highway Beautification Act. That act was aimed at an orderly removal of distracting billboards in scenic areas with reasonable compensation.

Some 49 States have programs underway to remove signs that direct you to Joe's Broiler or Snookley's Nut Stand. These signs are being replaced by orderly informational signs approved by the Secretary of Transportation.

This bill, in its present form, places a moratorium on the right of the Secretary to order removal of nonconforming signs until December 31, 1974. Secretary Volpe contends that this would disrupt present progress and States would be required to treat directional and nondirectional signs separately and piecemeal.

There is a new test instituted to determine whether or not a sign should be removed. The test is whether a sign provides "specific information in the interest of the traveling public."

This new language will require court action to interpret and each State must reevaluate its program to fit the new criteria, wasting much money and duplicating efforts.

This present bill also removes the power of the Secretary of Transportation to erect uniform informational signs in the interest of the traveling public in certain situations. The result is that large and small businesses would be re-

quired to purchase space on existing billboards rather than obtain space on the uniform signs that are being developed and now used in Vermont and other States such as Oregon.

The 1965 beautification bill limited the kinds of signs private companies could erect to natural, scenic and historical signs, for sale or property signs or to advertise a business conducted on the property. This allowed uniform signs to provide information for directions, miles, and so forth. This bill changes these limitations and adds food services, camp grounds, gas stations, rest stops, and others.

In addition, this bill would allow six directional signs per mile. We were going in the direction of limiting them to 1 per mile, but this bill would permit a total of 1.2 million billboards, an increase of 400,000 new signs.

The argument has been made that the easing of standards and regulation of billboards came from the Highway Beautification Commission. This suggestion is based upon interpretation of language in an interim report. The two public members have addressed a letter to the chairman pointing out the Commission has not met since the organizational meetings in December 1971, even though six hearings were held in 1972.

The point of the public members is that the interim report was just that and that the Commission was extended to provide further study.

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

It is with some trepidation that I rise in opposition to the eloquent, attractive, charming, intelligent lady from California. She made such a beautiful appeal. This may be her maiden speech on the House floor, and I congratulate her on it. I thank her for the magnificent and articulate statement.

I should like to say, however, that if her amendment were adopted, all that the Congress has been attempting to do in the last couple of years would be nullified.

We created a Highway Beautification Commission for the purpose of studying and recommending changes in the Highway Beautification Act. We did this, because obviously it has not been administered in a popular way. Congress on occasion had not seen fit to fund it. On one occasion 2 or 3 years ago we just missed by one vote losing the whole highway beautification program.

The Highway Beautification Commission, upon which the gentleman from California (Mr. DEL CLAWSON) and the gentleman from Iowa (Mr. SCHWENGEL) and I have served, along with other Members, held six or seven open public hearings throughout the country last year. We commissioned the taking of two nationwide polls to find out what the public wants, the guy for whom we are presumably building and beautifying the highways.

We have made some improvements in this bill, I think. I believe they are significant improvements.

First of all, we have corrected the situation where billboard control previously extended to only 660 feet from the road. Mammoth boards had been erected just beyond that limit. Those mammoth billboards, under the committee bill, will have been taken down.

Second, for the first time we have provided truly adequate funding in the bill for highway beautification.

Third, we make a distinction between signs that simply advertise and those that give useful directional information. I want to tell the Members why we are making that distinction. The traveling public clearly wants a distinction made between those signs that just advertise products such as Fumo cigars or Coca-Cola or Old Turkey whisky on the one hand, and those on the other hand that give information of a directional nature as to the location of motorist-oriented services. The public needs to know where to get off this freeway to find an Esso station or a Gulf station, depending on what kind of credit card the driver has, or what exit to take to get lunch, or to secure necessary services to their automobile; things directly related to the highway itself and to the service of travelers, often driving in unaccustomed territory.

We commissioned two extensive nationwide polls. Ample copies of these poll summaries are on both majority and minority desks, and I urge the Members to take them and read them if they want to know what the public says. The Sindlinger organization made one and the deKadt Marketing and Research made the other. They are two highly professional firms.

These polls reveal that a large majority, better than two-thirds of the American public, do not want to take down all the signs that tell them where they can find these traveler-oriented services—and certainly not until there is some other type of such directional information provided.

All we say is, leave those until last; take down first—and I guarantee there are plenty of them to be taken down—the expressly commercial signs which merely advertise national products. Just take down those that advertise products until we can find some alternate way of getting the needed information and informing the motorist of these services about which the motorist wants to know.

That provision would be stricken out by the Burke amendments.

There has been some very wrong information spread about. I saw Mrs. Johnson last night. Contrary to published misinformation, she is not lobbying against this highway bill. I visited with her. Somebody gave her wrong information.

They said our bill would authorize the erection of 1.2 million signs, including 400,000 new and additional signs. This bill in and of itself does not authorize the erection of a single new sign.

Here is how somebody apparently concocted that outlandish figure. The limitation we provide—and there has not been any such limitation in existing law—is to no more than three signs per mile in either direction. Someone obviously multiplied 200,000 miles of highway by 3, and then multiplied that product by 2, because there are two directions, and said, "We are going to have 1.2 million signs."

That is ridiculous. We do not authorize an additional sign. We simply create a limitation of no more than three in a mile. We do not say, "must have three in every mile." We say you may not have more than three in any mile.

I have seen places where there are 21 in a mile. I have counted them. That is clutter. That is what we want to bring down.

But we do not want to rob the traveling public of information which the public says it wants and needs. And we do not want to rob someone who has invested money in a roadside service of the opportunity to tell the public where to get off the highway to find it.

I urge the Members to vote down this amendment. While doing so, I have a great deal of respect for the delightful lady who offered it, and I fully expect that she will become a very effective and very constructive Member of this Congress.

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

Mr. Chairman, I believe we should be clear as to what specifically this amendment would do or would not do.

This amendment accepts the Senate language of the bill, which eliminates the moratorium on further sign action, which would allow continuation of the action on sign removal by the individual States. The moratorium which is referred to is through December of 1974.

Mr. WRIGHT. Mr. Chairman, will the gentleman yield briefly?

Mr. ESCH. I am happy to yield to the gentleman from Texas.

Mr. WRIGHT. The gentleman does realize, does he not, that that moratorium does not apply to all signs? It does not apply to those merely advertising products.

Mr. ESCH. That is correct.

Mr. WRIGHT. I wanted to make that point, because some newspaper stories have left the impression that it applied to all signs. I am glad the gentleman realizes it does not.

Mr. ESCH. I appreciate the chairman's comment.

I also appreciate the work of the Commission. I believe it should be pointed out that the Commission emphasized that in the interim time we ought to continue our progress toward the elimination of unsightly billboards.

But I support the amendment for this purpose. I recognize that eventually there must be a balance between communicating to the public, to the traveling public as to the needs or facilities along the route, and beautification, and that the Commission will in the next year or year and a half, hopefully, resolve that issue.

However, during that time I would suggest that those States which want to move more aggressively in this area should be allowed to do so.

The only thing we are doing by this amendment is allowing the States to continue their action toward billboard removal during that interim time.

I hope the Commission will act effectively and aggressively toward a balanced

proposal, but in the interim time let us allow the States, where they so desire, to move aggressively on this problem.

I urge the support of the amendment.

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

A billboard by whatever name is just as unsightly. The difficulty I have with the existing language of the committee bill on this point is that in effect it gives a sanction, a legal authorization, to signs at the rate of three per mile in each direction, where none existed before.

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

Mr. SEIBERLING. I yield to the gentleman from Texas (Mr. WRIGHT).

Mr. WRIGHT. What the gentleman means is that the bill establishes a limitation of not more than three signs in each direction, where no limitation heretofore existed.

Mr. SEIBERLING. That is true, but by putting a limitation into effect, we have that fewer number of signs.

Mr. WRIGHT. Well, Mr. Chairman, we had no limitation before. If we are to play a numbers game, we would have to say, "an infinite number of signs" under the existing law.

Mr. SEIBERLING. I concede that we have had no limitation up to this time, but I am saying that we should be moving in the direction of zero commercial signs along highways, except for signs advertising a product sold on the premises.

Why should we all of a sudden give our blessing to any number of signs? To do so is inconsistent with the ultimate objective of eliminating all but essential signs on the Interstate Highway system.

Mr. Chairman, I think that the amendment of the gentlewoman from California (Mrs. BURKE) is going in the direction that a lot of States, including my own, are trying to go, and the committee's bill on this point will cut the ground out from under them.

The gentlewoman's amendment does what a lot of the more progressive States are trying to do to clean up our highways, so that we can end efforts to subvert the purpose of the 660-foot limitation.

Mr. Chairman, we are approaching the bicentennial of the founding of the United States of America, and it seems to me that one of our objectives by 1976 should be to eliminate the unsightly clutter of commercial signs we have allowed to develop along our highways and restore America the Beautiful.

The gentlewoman's amendment is a major step in that direction.

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

Mr. Chairman, I hesitate to get up and oppose the gentlewoman from California (Mrs. BURKE). She is very articulate and she is a fine member of the committee. She is very sincere in this effort, and she makes an outstanding contribution to the deliberations of the committee. But I find that in the last portion of her amendment, on page 6, she takes out of the highway trust fund $50,000,000 for the fiscal year ending June 1974, $50,000,000 out of the trust fund again in June 1975, and $50,000,000 for the fiscal year ending June 1976.

This committee in the House has, ever since we have inaugurated the beautification program, gone on record as opposing the use of trust funds for highway beautification. We have always opposed any further diversion of the highway trust fund for beautification purposes.

This flies in direct conflict with that concept, Mr. Chairman, and, therefore, I would have to oppose the amendment offered by the gentlewoman from California (Mrs. BURKE).

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

Mr. HARSHA. I yield to the gentleman from North Carolina (Mr. MIZELL).

Mr. MIZELL. Mr. Chairman, I thank the gentleman from Ohio (Mr. HARSHA) for yielding.

I rise in opposition to the amendment offered by the gentlewoman from California (Mrs. BURKE) to substitute a revised version of section 120 of the bill. The effect of such a deletion would, I believe, perpetuate certain grave inequities which have arisen in connection with the highway beautification program.

As you are aware, the aim of the highway beautification program is to remove unsightly signs on our Nation's highways in order to make them more pleasant and pleasing for the traveling public. Those of us familiar with the administration of the Highway Beautification Act of 1966, under which this would be done, are familiar with the shortcomings of this statute and some of the hardships it has created.

I should like to mention one of them which has come to my attention: Mrs. Merle Smith, a widow, converted her home into a tourist home in order to help make financial ends meet. She is a pensioner with only a small retirement income.

Her business, that is her tourist home, is located about 500 feet from U.S. Route 15 near Rochester, N.Y. In order to advertise her tourist business, she erected two signs adjacent to the highway. One measures 4 by 3 feet and says, "Smith's Tourist Home" with an arrow pointing off the road. It also contains a vacancy notice when rooms are available. The second sign is 5 by 3 feet. It says, "Tourist—Open All Year".

Not long ago, Mrs. Smith received a notice from the State of New York that she had to remove these two signs within 30 days. Failure to do so would result in removal by State authorities.

The notification also indicated that if Mrs. Smith desired to reestablish these signs, they had to be placed 660 feet from the highway right-of-way. By this, I gather, the director of Real Estate Property was suggesting that she erect a jumbo sign. Of course, in view of the modest type of business Mrs. Smith runs, such an alternative was totally unrealistic.

In all probability, removal of her two signs would put Mrs. Smith out of business. Her tourist home is not easily seen from the highway because there are tall maple, spruce, and cedar trees surrounding her house.

Of course, she had the alternative of cutting these trees down and erecting a large on-site sign on her property. But this hardly seems like a sensible course for either her to do, the State to require, or the Federal Government to demand in the administration of what is purportedly a "beautification" act.

The case of Mrs. Smith is not the only one that has come to my attention. There are others. In fact, I have a file full of them. All point out the inequities, and at times inanities, of the Highway Beautification Act which is presently on the books and being aggressively implemented around the country.

I am all for a sensible program to control outdoor advertising on our highways. But if it is to succeed from both the standpoint of the traveling public and property owners adjacent to our highways, it must be one that is fairly conceived and equitable to all.

Directional signs are necessary for the traveling public in order that they may be apprised of the recreational opportunities in the area in which they are traveling. They are also necessary to insure that small business men, and others who derive a living from the tourist trade, may advertise their wares.

Yet, as the law now stands and is being administered, the Mrs. Smiths of America are literally being driven out of business. Surely, this was not the intention of those who first proposed a beautification law. Certainly, I will not attribute such an intention to Lady Bird Johnson who conceived it.

Because of the imperfections of the 1966 act, the Congress created the Highway Beautification Commission in 1970. The mission of the Commission is to identify the Mrs. Smith type of inequities contained in the law and find ways and means of alleviating them.

The Commission, as you know, has yet to submit its final recommendations with regard to the Mrs. Smith type of problems. Accordingly, we have extended the life of the Commission for an additional period. During that time, until the Commission has had time to study and recommend a solution to the directional sign problem on premises signs and other matters dealt with in this section and the Congress has time to consider and act upon them, there should be a moratorium and the other protections for the Mrs. Smiths of our land and others who would otherwise suffer grievous economic hardships from implementation of the present law as altered by this amendment.

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

Mr. Chairman, I rise to indicate my full support of the amendment proposed by the gentlewoman from California (Mrs. BURKE). I compliment her on the fine work she has done on this important issue, for her amendment will be most helpful in preserving Oregon's progressive billboard removal program.

Oregon has been a leader in the removal of billboards in accordance with the Highway Beautification Act of 1965. The Oregon Travel Information Council erected the Nation's first motorist information logo boards last July. It is expected that Oregon will have all bill-

boards removed from interstate and primary highways by the end of 1973.

I was disappointed that the bill reported by the Public Works Committee contained the same two prohibitive provisions that appeared in last year's ill-fated highway bill. First, the language in section 120(e) would preclude the substitution of the logo system where adequate information is provided by billboards themselves. Second in section 120(h), a delay on removal of billboards until December 31, 1974, would cripple Oregon's efforts to remove all billboards. As my fellow Members will recall, the conference report last year eliminated these same inconsistent directives but unfortunately the same provisions are back with us.

As Mrs. BURKE pointed out in her additional views in the committee report, no States have asked for these delays and impediments. The language I have referred to in the committee bill would torpedo Oregon's logo program, entered into in good faith, and would add unnecessary costs to State programs.

I urge my colleagues to join me in support of the amendment proposed by Congresswoman BURKE, as her amendment will eliminate the inconsistencies in the billboard removal provisions in the committee bill and will protect the fine program of States that have gone the extra mile to comply with Federal directives.

Mr. WYATT. Mr. Chairman, I strongly support Congresswoman BURKE's amendment. The billboard removal program in Oregon is moving ahead rapidly with agreement having been reached for the removal of 2,600 signs along Oregon's freeways and primary highways by January 1, 1974. The 2-year moratorium on removal of billboards as provided in this bill would most certainly injure and impair the effectiveness of the Oregon Motor Information Act of 1971 and our billboard removal program in Oregon.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from California (Mrs. BURKE).

The question was taken; and on a division (demanded by Mrs. BURKE of California) there were—ayes 30, noes 74.

So the amendment was rejected.

Mr. WRIGHT. Mr. Chairman, I wonder if we can come to some agreement on time. We have been moving along well and, of course, there are many, many Members who desire to go to their homes and many have reservations on planes. I wonder if we can get unanimous consent that all debate on title I of this bill and all amendments thereto close at a quarter of 2.

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

Mr. REID. Mr. Chairman, reserving the right to object, may I ask the chairman whether I could have 5 minutes for debate on an amendment, that I have been on the floor for about 2 hours now.

Mr. WRIGHT. Under my unanimous consent request, if it were agreed to, it would not give the gentleman 5 minutes but only about 2 minutes.

Mr. REID. How many Members are on the floor?

Mr. WRIGHT. Mr. Chairman, let me withdraw that request and request all debate on title I and any amendments thereto should close at 2 o'clock.

Mr. RAILSBACK. Mr. Chairman, reserving the right to object, how many amendments to title I are at the desk?

The CHAIRMAN. The Chair will state there are a number of amendments here, but the Chair has no way of knowing whether the authors will insist on offering them. However, there are approximately 10 or 12 proposed amendments, the Chair has been advised.

Mr. RAILSBACK. Further reserving the right to object, may I ask the Chair what the rule is where a Member has printed his amendment in the CONGRESSIONAL RECORD more than 24 hours before?

The CHAIRMAN. Under the rules of the House, if the amendment has been printed in the CONGRESSIONAL RECORD at least 1 day prior to debate, that Member is entitled to 5 minutes regardless of any unanimous-consent agreement or any other action taken in the committee.

Mr. FRELINGHUYSEN. Further reserving the right to object, Mr. Chairman, if it should be assumed—and I think it is safe to assume—that there are 12 amendments, that would allow 35 minutes with 5 minutes out for anyone who had an amendment printed in the RECORD. It seems to me we could not conceivably discuss matters of substance in that short a time.

On that basis I feel constrained to object to the unanimous consent request.

I have been waiting for 3 hours to discuss a matter of some substance to my State, and I feel we could not possibly do justice to that one amendment in that length of time.

Mr. WRIGHT. Mr. Chairman, I withdraw my unanimous consent request.

AMENDMENT OFFERED BY MR. WALSH

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

The Clerk read as follows:

Amendment offered by Mr. WALSH: On page 88, after line 9 strike out paragraph (1) of section 112 and renumber subsequent paragraphs (2), (3), (4), and (5) as (1), (2), (3), and (4.

Mr. WALSH. Mr. Chairman, I rise to offer an amendment to section 112 of S. 502.

Mr. Chairman, as presently constituted, this legislation contains a provision that would substantially reduce the allocation of funds for rural primary roads in 15 States.

The provision, section 112, paragraph (1) is a change from the present apportionment formula. As presently constituted, the total population of a State is used as the base and S. 502 would change that to a rural population base.

The rural primary system serves all of the people of a given State, urban and rural, whether for travel or for the movement of goods.

The number of people and the amount of goods moving through a rural area often reflects the size and proximity of that State's urban areas.

The primary system is oriented toward major urban centers across the Nation. The major portion of investment in the system to date has been in the vicinity of urban centers to meet the urban-oriented traffic needs. We should not misinterpret the fact that the system runs through rural areas in connecting urban centers as meaning the system is a rural one.

The apportionment formula should continue to reflect this broad purpose and include all of a State's population in the calculation. For that reason, Mr. Chairman, I call on my colleagues to support this amendment to strike this portion of the bill that would change the present formula.

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

Mr. WALSH. I yield to the gentleman from New Jersey.

Mr. HOWARD. Mr. Chairman, I thank the gentleman for yielding, and I wish to congratulate the gentleman for bringing this amendment to the floor. I believe that if you change the total, the formula of total population to rural population, this money is not going to be replaced because there is a great deal of difference between rural population and rural traffic. Because of this, many of these States, just like my own State of New Jersey, which may have a small number of people living in what is designated as a rural area, but being a small State between two large cities, we have a great deal of traffic on the rural roads. Our State will lose 46 percent of funding for this. New York State will be hurt as much as any other.

I feel that the formula we had is much better, because all of the States, including the rural areas, will be provided adequate roads according to the amount of traffic they have.

So again I congratulate the gentleman from New York for presenting his amendment, and I hope that the amendment is agreed to.

Mr. WALSH. Mr. Chairman, I thank the gentleman from New Jersey for his remarks.

Mr. HARSHA. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from New York (Mr. WALSH).

Mr. Chairman, I regret that I have to oppose my distinguished friend, who is a valued member of the Committee on Public Works, but I must do so because, under S. 502, there is an equal division between urban money and rural money. Primary and secondary money in rural areas can only be spent in those areas. So-called C. & D. money can only be spent in urban areas.

We made this division, Mr. Chairman, on the basis that we want to treat every segment of our economy equally. Taxes that come into the trust fund will generally come in equal amounts from rural areas as those collected in urban areas. We wanted to apportion to rural areas the same amounts as we apportion to urban areas. For primary highways and secondary highways, that money can be spent only in rural areas. Therefore, the

rural population should be the basis for considering the apportionment.

Mr. Chairman, the gentleman from Massachusetts makes a valid point. The State of Ohio does, in fact, lose some money under this formula. But every State under this equal division of funds gets more money than it got under the previous legislation. Urban needs are included in the vastly increased release of C. & D. moneys. The present law only provides for $100 million for urban funding. But in this bill we have $700 million for urban funding. This represents a fivefold increase over that available last year.

So every State will receive more money under this bill than were apportioned in fiscal 1973. I think we would be undermining the concept of equalizing funds between urban and rural areas if we adopted this new formula.

I urge defeat of the amendment.

Mr. HORTON. Mr. Chairman, I rise in support of the amendment offered by my colleague, the gentleman from New York (Mr. WALSH). The amendment would delete paragraph (1) of section 112 which establishes rural population rather than total population as the basis of allocation for rural primary system funds.

The apportionment of rural primary highway funding has been based on a State's total population for good reason. These roads serve not only those living in rural areas but all the people of a State. In my district, for example, rural primary roads serve both as intercity systems linking urban population centers and as the rural lifeline for the population in between.

By allocating rural primary money on the basis of a State's population living outside areas of 5,000 people, many States stand to lose substantial and necessary funds. Based on figures supplied by the Federal Highway Administration, New York State alone would lose almost $10 million a year.

I urge my colleagues to support the pending amendment and in doing so, I commend my colleague, Mr. WALSH for taking the leadership in this effort to delete an unwarranted and very costly change in rural primary system funding.

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

The question was taken; and on a division (demanded by Mr. WALSH) there were—ayes 23, noes 61.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. GINN

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

The Clerk read as follows:

Amendment offered by Mr. GINN: Page 133, insert, following line 18, the following:

TRAINING PROGRAMS

SEC. 149. Subsection (b) of section 140 of title 23, United States Code, is amended by striking out in the second sentence "and 1973," and inserting in lieu thereof ", 1973, 1974, 1975, and 1976", and by striking out "$5,000,000 per fiscal year" and inserting in lieu thereof "$5,000,000 per fiscal year for the fiscal years 1972 and 1973, and $10,000,000 per fiscal year for the fiscal years 1974, 1975 and 1976,".

Mr. GINN. Mr. Chairman, section 110 of the Federal-Aid Highway Act of 1970 authorized the Secretary of Transportation "to develop, conduct and administer highway construction training, including skill improvement programs."

For this purpose, the Secretary was authorized to deduct up to $5 million per year from the apportionments for the Federal-aid primary, secondary, and urban systems, the urban extensions of the Federal-aid primary and secondary systems, and the Interstate System.

The statute gives the Secretary considerable flexibility in the conduct of the training programs. He may cooperate "with any other department or agency of the Government, State agency, authority, association, institution, corporation—profit or nonprofit—or any other organization or purpose."

Within this discretionary authority, DOT has instituted a variety of actions with the objective of tailoring the training program to the needs of the various regions and States. The general objective of all of these actions is to open a maximum number of employment opportunities in the highway construction field, with principal emphasis on supplying opportunities for disadvantaged minority workers.

Historically, the highway construction industry has been an excellent source of employment opportunities for unskilled workers. In recent years, however, the application of mechanization to the highway industry has greatly increased the need for skilled workers while decreasing the demand for unskilled workers. In most cases, the individual seeking entry into the highway construction field will require some training.

The needs of many workers can be satisfied through an on-the-job training program, where such a program is available. Other workers, more disadvantaged, require preentry training.

An example of the preentry training program is the one conducted by the Northeastern Training Institute, Fleetville, Pa., which provides 400 hours of instruction divided equally between classroom and field training for heavy equipment operator trainees. An analysis of this program shows that the average family income of 144 trainees was less than $3,500 per year, prior to training. Minority group members made up 50.6 percent of the trainees, and 60.4 percent were Vietnam veterans. Immediately prior to training, 60.4 percent were unemployed. Employment was available for all graduates of the training course, with substantial increases in hourly wages.

An example of the on-the-job training program is the program conducted in Southeastern States by the Road Builders Training Association, Atlanta, Ga. A total of 2,668 trainees have been enrolled in this program, in seven States, including 1,732—64.9 percent—disadvantaged minorities.

The program is conducted through State contractors' associations and individual contracting firms.

With the cessation of the Vietnam conflict, the need to bring skill improvement opportunities to young men has increased.

The training program is the essential ingredient in providing employment opportunities in the highway construction field for members of minority groups.

Job mobility in the highway construction field is very high. Typically, a contractor recruits a work force for a particular project, or a particular phase of the project. Workers move from project to project, and from one employer to another. Even though an employer may be able to offer him continued employment at another jobsite, the worker is likely to opt for a job closer to home with a different employer.

Consequently, the most effective on-the-job training program is one which involves the cooperation of all highway contractors in a given area. The worker trained by contractor A may become an employee of contractor B, and vice versa.

The initial success of the highway contruction training program has indicated the merit of expanding this program. A doubling of the annual dollar effort, from $5 million to $10 million, would be highly desirable.

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

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

Mr. GRAY. Mr. Chairman, we are prepared to accept the amendment.

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

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

Mr. HARSHA. We accept the amendment.

Mr. GINN. I thank the gentleman from Ohio.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Georgia (Mr. GINN).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. HARSHA

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

The Clerk read as follows:

Amendment offered by Mr. HARSHA: Page 121, line 24, strike "1974" and insert in lieu thereof "1975".

Page 122, line 1, strike "1974" and insert in lieu thereof "1975".

Mr. HARSHA. Mr. Chairman, I discussed this amendment with the majority. It is a technical amendment. It gives us 1 year's extension of time, and I understand they are willing to accept it on the provision that it deals with.

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

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

Mr. GRAY. We are prepared to accept the gentleman's amendment, Mr. Chairman.

Mr. HARSHA. I thank the gentleman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio (Mr. HARSHA).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. REID

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

The Clerk read as follows:

Amendment offered by Mr. REID: Page 101, after line 4, insert the following new section:

"SEC. 122a. Section 109 of title 23, United States Code, is amended by adding at the end thereof the following subsection:

"'(k) The Secretary shall not approve any project under this title which would significantly affect the highway system of a contiguous State without the concurrence of that State.'"

Mr. REID. Mr. Chairman, I offer the Reid-Wolff-McKinney amendment, in which the gentleman from Connecticut (Mr. COTTER) and the gentlewoman from Connecticut (Mrs. GRASSO) and the gentleman from Connecticut (Mr. SARASIN) and the gentleman from Connecticut (Mr. STEELE) are joining.

Mr. Chairman, this amendment is designed to protect the rights of States when they would be significantly or adversely affected by the construction of a federally aided highway or connection in contiguous States. It would simply add a brief new section to the bill providing "the Secretary shall not approve any project under this title which would significantly affect the highway system of a contiguous State without the concurrence of that State."

I might note that his same provision, Mr. Chairman, was adoped by the Senate with the agreement of the managers of the bill in that body.

I would note further that under the present Federal-Aid Highway Act no federally aided highway project can be undertaken in a State unless the State plans, participates in, and, of necessity, approves the project, taking into account its total impact on the State.

However, as the law now stands, a project can be constructed in one State wholly without the approval of a neighboring State, even though the highway system of the latter may be seriously affected by the proposed project.

This threat to the rights of States is growing increasingly strong as new increments are added to the basic Interstate Highway System already in service. Proposed projects adding to the system in one State—particularly where they tie into highways traversing State lines—will have substantial impact on the traffic and future highway requirements of adjoining States.

Where this is the case, it is only equitable that all States which are significantly affected be formally represented in the decisionmaking process.

A clear case in point is the proposed bridge over Long Island Sound between Rye, N.Y., and Oyster Bay, N.Y. While this federally aided span would be located solely within New York State, it will join Interstate 95 less than 2 miles from the point at which I–95 crosses into Connecticut and becomes the Connecticut Turnpike, and it will become the major conduit for traffic between all of Long Island and New England.

The environmental impact statement predicts that by the end of only its fifth year of operation, this bridge would handle about 16 million vehicles annually, half of which will be newly generated by the mere existence of the bridge.

Obviously this tremendously increased volume will heavily impact the State of Connecticut, since much of the generated traffic will originate in, terminate in, or pass through that State.

In connection with the local approval I would note that the record is quite clear. The legislature of the State of New York has twice voted this down, in 1971 and again in 1972. So has the legislature of Connecticut. So has the Governor of Connecticut, whom I talked with this morning and who has written a very clear and persuasive statement as to why he does not feel this particular project is desirable at this time.

It should be noted that this proposed bridge will cost $274 million at the latest estimate, of which approximately $72 million would be Federal funds. For this money we could probably build 25 modern hospitals. I for one believe it is far more important to provide adequate health care and education for our citizen than to save 10 minutes driving to Mineola.

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

Mr. REID. I yield to the gentleman from New York (Mr. WOLFF).

Mr. WOLFF. Mr. Chairman, the Reid-Wolff-McKinney amendment, which is also cosponsored by Mr. SARASIN, Mr. COTTER, Mr. STEELE, and Mrs. GRASSO, would require that the Secretary of Transportation not approve a highway project that would significantly affect the highway system of a contiguous State without the concurrence of that State. I believe it is an equitable and necessary amendment if we are to insure the rights of States to determine and control the impact of highway plans upon their citizenry.

Mr. Chairman, our amendment has particular significance for residents of New York State and Connecticut. For the past 6 years a battle has raged in New York over the proposal to build a bridge that would extend from Oyster Bay on Long Island to Rye, N.Y. The bridge would have an obvious and immense impact on New York, particularly on the entire Long Island Sound area. In its proposed path lie valuable wetlands at both ends of the bridge, shoreline and beach areas and the irreplaceable resources of the sound itself. It is estimated that the bridge would handle 33 million cars per year, over half of which would be newly created traffic. The Nassau, N.Y., County Board of Supervisors unanimously adopted a resolution in opposition to the proposed bridge. The entire Nassau County Republican delegation to the New York State Legislature opposed it. The councils of the New York towns and villages of Rye, Tarrytown, Mamaroneck, Oyster Bay, Bayville, Mill Neck, and Lattington have all come out in opposition to the bridge. The Westchester County New York Board of Legislators have voiced their concern that the project be suspended.

Mr. Chairman, these views are representative of New York's opposition only. The residents of Connecticut, who at this moment have no say whether the bridge will go through or not, have unmistakably and repeatedly expressed their opposition ever since the proposal was first aired. The northern end of the proposed bridge would be located only a few miles from the Connecticut border. It would have the effect of funneling countless additional cars and trucks into the already overcrowded Connecticut Turnpike and Merritt Parkway, aggravating an already tremendous congestion problem and increasing levels of air and noise pollution for Connecticut residents who have no say in the matter. Connecticut's Governor and State representatives have overwhelmingly voiced their dismay over the proposed construction, as has the Southwestern Regional Planning Agency, which is comprised of the towns of Wilton, Westport, Norwalk, Darien, New Canaan, and Stamford. Mr. Chairman, our amendment would insure the residents of Connecticut their rightful say in deciding whether the proposed bridge will respond to their concerns and needs.

As the Members may know this same amendment as we are offering was adopted by the Senate during their consideration of S. 502. I believe the Senate has provided us with a laudable initiative. I urge my colleagues support for the Reid-Wolff-McKinney amendment.

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

Mr. REID. I yield to the gentleman from New York (Mr. RONCALLO).

Mr. RONCALLO of New York. Mr. Chairman, I rise in complete support of this amendment and in utter opposition to the Long Island Sound Bridge, whose approaches would destroy one of the most naturally beautiful areas of Long Island. Both offshore and onshore, these approaches would cut through areas as yet untroubled by pollution, areas replete with wildlife, much of them Federal parkland.

Not only does the bridge pose a threat to our natural resources, but also to the peace and tranquility, and indeed the very character, of our communities. There is no need to send through truck traffic and its noxious fumes to Long Island and across the sound as there are already in use alternatives in the Interstate System which bypass New York City. In addition to the approaches at issue today, some means would have to be constructed to connect the bridge with major existing north-south routes. I can promise you that unless this amendment is passed, we will soon see before us a request for funds to build an Atlantic Expressway across the south shore of Long Island, which would destroy and remove from the tax rolls some of the most valuable business property we have and create a "Chinese wall" dividing our communities in half. Other roads would have to be built or widened to feed the bridge, creating more traffic problems and further reducing the green areas we have left.

Mr. Chairman, I have been working against this bridge for many years—ever

since I was a town councilman in Oyster Bay, at the southern end of the proposed bridge. It has occupied a great deal of my attention since joining you in the House. I would like to call the attention of my colleagues to the New York Times editorial entitled the "Un-Sound Bridge," which I inserted into the RECORD in the extension of my remarks on February 5, 1973. It noted that if this bridge, its approaches and other similar proposals are constructed, "the entire sound will have become a sewer bounded by a sprawl."

The answer to the transportation problem on Long Island lies in improved and expanded public transportation, not in more traffic-producing roads, especially in this time of concern about our environment and dwindling energy resources. I am opposed to this bridge; the people of Long Island are opposed to this bridge; and the New York State Legislature has twice voted to rescind its authorization. In the name of one of the foremost environmentalists the world has ever known, Theodore Roosevelt, whose hometown of Oyster Bay the bridge approaches would destroy, I urge support of this amendment.

Mr. REID. I thank the gentleman for his comment.

Mr. Chairman, I would point out the Governor of Connecticut Mr. Meskill has stated that he is "unalterably opposed" to the bridge and that it would impinge seriously on the road network in Connecticut.

I would also point out that not only has the legislature in New York opposed this but it did so unanimously in the Senate and in the assembly in April of 1972, the Governor notwithstanding.

This amendment is not only included in the Senate bill but also it is supported by both Senators of the State of New York and by both Senators of the State of Connecticut.

The purpose of this is to encourage cooperation among States in the planning and development of highway projects. It is not an effort to totally preclude the construction of a particular bridge. It is, however, an effort to insure that the rights of affected, contiguous States are protected and that they do have a voice in a matter which can affect them.

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

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

Mr. McKINNEY. Mr. Chairman, I simply want to add to what the gentleman from New York has said. It is very strange that under the new federalism, we have to come to Congress to obtain this type of relief.

I would say that at least the people have spoken, both legislative bodies in both States have come out firmly against this bridge. When do we curb the monster which we have created here and over which they have no control?

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

Mr. Chairman, I hope the committee will look very carefully at the language of this amendment in trying to understand what we are doing here.

This amendment is both unwise and unwarranted, and it is not restricted to just an area in this country; its application is nationwide.

It is an effort to undermine the status of the Federal-aid highway program, and its effect would be to give each State what amounts to a veto for highway projects in adjacent States.

I do not know whether the committee knows it or not, but there are about 10,000 highway projects approved each year. How many would be affected by this amendment, if it became law, there is no way of knowing. The only restriction is that it must have a "significant effect." Who makes the determination as to what is a "significant effect"?

The procedures required for the approval of highway projects are already long and arduous. There are some 23 steps to go through to get a highway program to the construction stages. In addition to that, it takes anywhere from 4 to 6 years from the initiation of a highway project to its completion.

To superimpose yet another hurdle, particularly a hurdle of this kind, would for all practical purposes, Mr. Chairman, doom many projects to oblivion. We are trying to cut out the redtape, to alleviate the redtape, and get out of the bureaucratic mess we are in.

This amendment would negate the efforts which the committee has made.

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

Mr. HARSHA. I yield to the gentleman from New York (Mr. WOLFF).

Mr. WOLFF. Mr. Chairman, does the gentleman not believe that a State has a right to some say in a project which would impact unfavorably upon it, regardless of whether the project is in the State or not?

Mr. HARSHA. In the first place, I do not think that we can stop the construction of a highway in a particular State because it may inadvertently have some effect upon the highway in another State. We are going to have to have a continuous highway program. We just cannot stop at a State border. We have got to have highways that have continuity so that we can have a transportation pattern across the country.

Mr. WOLFF. Mr. Chairman, do I understand that if there is inadvertent impact upon another State, that the State would not have the opportunity to have its say? It is important that if there is a heavy impact upon one State putting a highway in an adjoining State, then both States affected should have equal say.

Mr. HARSHA. Mr. Chairman, the State can make its views known. The only thing it does not have is a veto. This would give a State a veto over heavy construction projects in an adjoining State.

Mr. WOLFF. Mr. Chairman, I move to strike the last word.

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

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

Mr. REID. I should like to direct a question to the ranking minority Member, because I believe one point needs clarification.

The amendment specifically says:

> The Secretary shall not approve any project under this title which would significantly—

By that it means adversely—

> affect the highway system of a contiguous State without the concurrence of that State.

If the Secretary determined there were no significant effect, the matter would be moot. On the other hand, if the Secretary, after careful consideration, determines there will be an adverse impact on a contiguous State—in this case involving potentially 25 million additional cars on highways already close to capacity—then and only then is it clear that the Secretary must seek concurrence of both States.

I believe that is only fair. If he determines there is not an adverse effect, then it is not operative.

Mr. HARSHA. I did not follow all of the gentleman's statement. There was too much noise in the chamber.

I would ask the gentleman: Who makes the determination of what is significant?

Mr. REID. The Secretary does.

Mr. HARSHA. That is subject to interpretation, and any citizen in any court can challenge it.

Mr. REID. The Secretary would make the judgment. Here there is a reasonable case to be argued, because both State legislatures have taken such a position. Indeed, it is quite clear there is some concern. It is reasonable to ask the Secretary to make a judgment. If he determines it is adverse, then it is not unreasonable to ask the concurrence of both States.

Mr. HARSHA. In a specific case to which the gentleman is trying to address himself, the legislatures have acted. But this provision would apply nationwide and would permit this type of action to be challenged in courts throughout the country.

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

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

Mr. McKINNEY. Would the gentleman from New York (Mr. REID) accept an amendment that might clarify the locality, to his amendment, which is at the desk? I was not going to offer the amendment, to save time, but I will offer it.

Mr. REID. I would prefer to see if we can clarify this amendment, and then I should be happy to look at the gentleman's proposal. I understand the gentleman from Texas (Mr. WRIGHT) would like to make a comment.

Mr. WOLFF. Mr. Chairman, I yield to the gentleman from Texas (Mr. WRIGHT).

Mr. WRIGHT. I thank the gentleman for yielding.

I wonder if the gentleman from New York, in order to clarify in the law what he has declared to the ranking minority Member, would accept an amendment simply to add three words, to make it read:

The Secretary shall not approve any project under this title which in his judgment would significantly affect the highway system of a contiguous State without the concurrence of that State.

Would the gentleman accept an amendment of that kind?

Mr. REID. I believe that is consistent with the language of the amendment. Yes, I would accept it.

AMENDMENT OFFERED BY MR. WRIGHT TO THE AMENDMENT OFFERED BY MR. REID

Mr. WRIGHT. In that case, Mr. Chairman, I should like to offer an amendment.

Mr. Chairman, I offer an amendment to the amendment offered by the gentleman from New York; between the words "which" and "would" insert the words "in his judgment."

The Clerk read as follows:

Amendment offered by Mr. WRIGHT to the amendment offered by Mr. REID: In line 4 of the amendment, between the words "which" and "would" insert the following words: "in his judgment".

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

I do not know what the distinguished ranking majority Member is trying to get at, but I am concerned that this language does not remove the probability that somebody could challenge this judgment as being capricious, over extended, and not in the best interest of solving the environmental issue here involved.

I believe, because of the scope of the amendment, which applies nationwide, we will be opening up a can of worms. Is there not some way we could limit this to the specific project about which the gentleman is concerned? The gentleman from Connecticut (Mr. McKINNEY) has an amendment which I believe is limited to the specific problem, involving the Oyster State Bridge, I believe, which would go far to relieve my mind as to what we might be getting into.

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

Mr. HARSHA. I yield to the gentleman from Texas (Mr. WRIGHT).

Mr. WRIGHT. Mr. Chairman, I think the gentleman from Ohio (Mr. HARSHA) would recognize that the amendment I offered was intended to render the amendment of the gentleman from New York less menacing and more palatable to the gentleman from Ohio and to the rest of us.

In any event, whatever the gentleman might wish to do with regard to the amendment of the gentleman from New York, I think he would agree that a limitation of this type would improve it to the extent it would stipulate the Secretary as the one to make the judgment, and not some self-appointed critic.

Mr. HARSHA. Mr. Chairman, I certainly think there is no question but what the gentleman's amendment to the amendment does include that provision. But I still think we have considerable areas here to be concerned with because of the generality in the language involved.

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

Mr. HARSHA. I yield to the gentleman from Iowa (Mr. GROSS.)

Mr. GROSS. Mr. Chairman, let me ask the gentleman from Texas, is this not a rather broad delegation of power to the Secretary?

I did not think we were supposed to be opening this up for the delegation of power in cases of this kind. Does this apply only to the State of New York?

Mr. WRIGHT. If the gentleman from Ohio (Mr. HARSHA) will yield further, I will attempt to answer my friend, the gentleman from Iowa (Mr. GROSS.)

Mr. HARSHA. I yield further.

Mr. WRIGHT. Mr. Chairman, it is my interpretation that my amendment, if accepted, would not make any real substantial change in existing law or procedure, because the Secretary presently has the discretion with respect to crossing State lines, and it might be helpful to the gentleman from New York in his problem.

The Secretary would presently have the authority to settle disputes between two States.

I think it would be fairly consonant with existing law. I am just offering it as a way out of what appears to be a difficult dilemma.

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

Mr. HARSHA. I yield to the gentleman from Connecticut (Mr. McKINNEY).

Mr. McKINNEY. Mr. Chairman, I will offer my amendment at this point.

I will state that I am offering this amendment as a perfecting amendment. The Clerk has a copy at the desk.

The CHAIRMAN. The Chair will state that there is already a perfecting amendment pending, the one offered by the gentleman from New York (Mr. REID).

If that amendment should be defeated or withdrawn, the gentleman could then offer it, or he may offer it as a substitute for the amendment offered by the gentleman from New York (Mr. REID).

SUBSTITUTE AMENDMENT OFFERED BY MR. M'KINNEY FOR THE AMENDMENT OFFERED BY MR. REID

Mr. McKINNEY. Mr. Chairman, I offer a substitute amendment.

The Clerk read as follows:

Substitute amendment offered by Mr. McKINNEY for the amendment offered by Mr. REID:

Page 133, after line 18, insert the following:

SEC. 149. Section 106 of title 23 of the United States Code is amended by adding at the end thereof the following new subsection:

"(e) The Secretary shall not approve any surveys, plans, specifications, and estimates for any project on the Federal aid system which would connect any part of the Interstate System with a bridge over Long Island Sound, unless prior to the submission of such surveys, plans, specifications, and estimates, such project has received the approval of the legislature of the State of Connecticut and the legislature of the State of New York."

The CHAIRMAN. The gentleman from Connecticut is recognized for 5 minutes.

Mr. McKINNEY. Mr. Chairman, I will not use all of my time, but very briefly, let me make a few comments here about something that really disturbs me; I think it disturbs most of the Members of this body. We do believe we live in a democracy.

Let us look at the monstrosity we created in New York. We, the Congress of the United States, did it. We turned around and produced a Metropolitan Transportation Authority which is in essence responsible to no one.

So what do we have? We have the House in the State of New York that votes against the bridge; the Senate in the State of New York votes against the bridge; the House in the State of Connecticut votes against the bridge; the Senate in the State of Connecticut votes against the bridge. Nobody votes any money for it, but it still can be built because this autonomous agency can go ahead with its own bonding and build its own bridge.

Mr. Chairman to those Members who come from the beautiful Midwest and other places, Long Island Sound may not look like very much to them, but believe me, it is all we have left. We are trying to bring it back, and save it for the future.

This bridge will be so tall and so big, at 6½ miles long, that standing in New Haven 35 miles away, it will overpower the entire landscape.

It is just an absolute travesty that we should take our one recreational body of water and our major national asset and fill it with this bridge.

On top of that we have the very distinct possibility that we will bring all of the traffic in the State of Connecticut to a complete and utter halt. It is estimated that two main roads are already completely obsolete for the traffic that they handle, and this will increase the traffic on the Connecticut Interstate Turnpike and on the Merritt Parkway 35 to 40 percent in passenger cars and up to 70 percent, in trucks, because most of Long Island is now taken care of by railroads due to the difficulty of getting trucks through the city.

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

Mr. McKINNEY. I yield to the gentleman.

Mr. HARSHA. I have authority to accept the amendment on our side.

Mr. WOLFF. Will the gentleman yield?

Mr. McKINNEY. I yield to the gentleman.

Mr. WOLFF. As one of the coauthors of the other amendment, I think the gentleman has done a great service in breaking this down to the specific project involved. I support it.

Mr. COLLIER. Will the gentleman yield?

Mr. McKINNEY. I yield to the gentleman.

Mr. COLLIER. I think the original amendment is more in keeping with the orderly process of legislation. It seems to me whatever merit or demerit might be involved in the project here, we have an amendment which singles out one project in one area and in sum and substance is discriminatory. That means it would not be applicable to a similar situation in another area. I am totally sympathetic to the situation here, but I believe it is not the right way to write legislation.

Mr. McKINNEY. I would suggest to the gentleman that Long Island Sound is not just a body of water belonging to the group of people surrounding it but belongs to the whole country.

Mr. COLLIER. So does the Mississippi River.

(Mr. SARASIN asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. SARASIN. Mr. Chairman, this amendment is of great importance to the people of my district and my State and I strongly support it. For reasons of safety, environmental protection, traffic congestion, freedom of navigation, and the spirit of cooperation in the development of transportation systems, this amendment should be adopted.

There has been a great deal of talk during our deliberations about the need for coordinated transportation systems and cooperation and flexibility between jurisdictions. Indeed, many of us who support amendments to make the Federal Aid Highway Act of 1973 more responsive to transit needs of the urban areas predicate this support on the belief that cities, States, and the Federal Government can work together for such an integrated system.

The amendment presently before us would be a major step to assure such cooperation by requiring consultation and agreement between the States in all cases where the plans of one could have a serious effect on another.

It is obvious that a great deal of the impetus for the passage of this amendment comes from Members concerned about the ill-advised and now generally repudiated efforts to bridge the Long Island Sound. This project is now being pushed by the few in the face of the opposition of the many in spite of the fact that massive evidence of its unsuitability has been provided.

As just a small part of this outpouring of opposition I have the privilege of offering for inclusion in the RECORD a statement by the Honorable Thomas J. Meskill, Governor of Connecticut, expressing the opposition of the State administration to this poorly conceived span, and a statement by members of the Connecicut General Assembly supporting the intent of this amendment.

The Governor's statement follows:

STATEMENT BY GOV. THOMAS J. MESKILL, OF CONNECTICUT, APRIL 18, 1973

I am opposed to any Long Island Sound crossing having a terminus in or near Connecticut.

I have taken this position because I believe the proposed project will result in increased traffic, higher noise levels, decreased air quality, accelerated pressures on scarce open space and adverse effects on the ecology of Long Island Sound which are too severe for Connecticut.

We already expect, without the bridge, significant transportation corridor deficiencies in Fairfield County by the year 1980. The proposed bridge would accelerate this development of transportation corridor deficiencies, resulting in inconvenience and greater safety hazards for all traffic using I-95 and Connecticut Route 15, not just for the additional traffic to and from the bridge.

Further, any attempt to expand corridor capacity in Fairfield County cannot take place without significant social and environmental impacts on the neighboring communities.

The South West Planning Region reports an 85 percent increase from 1964 in the amount of built-up land within its boundaries. In 1970, the total stood at 51.2 percent, highest of any region in the state.

The effect of this bridge can only be more intensive pressure on the rapidly diminishing open space which is necessary to preserve the diversity and character of the area and the quality of life for all residents in that region.

The proposed bridge would lead to the entrance of pollutants—lead, rubber, oil and litter—into the Sound, and could increase the probability of ship collisions because of the spans.

Connecticut's shoreline is already suffering under dramatic oil spill damage and we must do all we can to limit potentials for further damage.

We, the undersigned, Members of the General Assembly of the State of Connecticut, urge, on a non-partisan basis, support of the proposed amendment to the Federal Aid Highway Act of 1973 which would prohibit the use of Federal highway funds by one state should such use adversely affect the best interests, environment and safety of the people of any adjoining state.

Arbitrary independent action by one state is inconsistent with today's valuable concept of cooperative regional planning, which we feel can be seriously undermined by any such unilateral decision.

Speaker Francis J. Collins, 107th District.

Deputy Speaker Michael L. Morano, 151st District.

Majority Leader Gerald F. Stevens, 119th District.

Deputy Majority Leader Alan H. Nevas, 136th District.

Minority Leader Carl R. Ajello, 104th District.

Deputy Minority Leader James J. Kennelly, First District.

Minority Leader at Large William R. Ratchford, 109th District.

Rep. Gennaro W. Frate, 141st District, House Chairman, Transportation Committee.

Rep. Dorothy K. Osler, 150th District, Greenwich.

Rep. A. U. Fox, 149th District, Greenwich.

Rep. Paul A. Siladi, Jr., 148th District, Stamford.

Rep. James F. Bingham, 147th District, Stamford.

Rep. Sideny M. Sherer, 144th District, Stamford.

Rep. Richard B. Edwards, 146th District, Stamford.

Rep. John G. Matthews, 143rd District, New Canaan.

Rep. John F. Mannix, 142nd District, Wilton.

(Mr. LENT asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. LENT. Mr. Chairman, I rise in support of the substitute offered by the gentleman from Connecticut, Mr. McKINNEY. The question of a proposed bridge from Bayville in Nassau County to Rye in Westchester County, N.Y., is one that has haunted the people of Long Island, Westchester County and Connecticut for 6 years now. Every local public official from my home county of Nassau, each member of the New York State Legislature from Nassau County, the Nassau County executive, the town supervisors, the village mayors—indeed, everyone has opposed construction of this bridge.

Now some may argue that we have no business here today considering what appears to be a local situation, but I would point out that this bridge has been voted down on two separate occasions by the New York State Legislature, it has been condemned by our Nassau County Planning Commission as unwise, and the U.S. Department of the Interior has said it will not grant easement rights for the bridge's approach over Federal lands for to do so would seriously endanger a national wildlife refuge.

Further, the Bayville to Rye Bridge would create a tremendous burden on our already overloaded highway system in Nassau County. The bridge would act as a magnet to North-South traffic seeking to avoid New York City. It would also necessitate expansion of feeder arteries and secondary roadways, and that burden would fall to our county and townships, which, I reiterate, do not want this bridge.

It, in essence, would invite New York City's frequent bumper-to-bumper traffic to Nassau County and soon re-create the very situation its construction is said to be designed to alleviate.

Mr. Chairman, I hope that my colleagues who are not yet plagued by a situation where it takes an hour and a half to travel 15 miles—those of our colleagues who yet enjoy some greenery in their congressional districts—will have empathy for those of us who are being asked to accept "wall to wall pavement" on Long Island. I hope those of you who still have the benefit of unhampered travel will join with us in support of this worthy amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. WRIGHT) to the amendment offered by the gentleman from New York (Mr. REID).

The amendment to the amendment was agreed to.

The CHAIRMAN. The question is on the substitute amendment offered by the gentleman from Connecticut (Mr. McKINNEY) for the amendment offered by the gentleman from New York (Mr. REID).

The substitute amendment was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. REID) as amended by the substitute amendment offered by the gentleman from Connecticut (Mr. McKINNEY).

The amendment, as amended, was agreed to.

Mr. WRIGHT. Mr. Chairman, I am hoping again we may be able to get some agreement as to fixing a time. We have a lot of Members catching planes. I would ask unanimous consent that all debate on title I of the bill and amendments thereto conclude at 2:30.

Mr. WOLFF. Reserving the right to object, does the Chair have any idea as to how many amendments still remain at the desk to title I?

The CHAIRMAN. The Chair is not aware of all the proposed amendments, but we have a list of approximately five or six of which several, the Chair understands, may be accepted by the managers of the bill.

Mr. WOLFF. I withdraw my reservation of objection.

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

There was no objection.

The CHAIRMAN. The Chair recog-

nizes the gentleman from Illinois (Mr. RAILSBACK).

AMENDMENT OFFERED BY MR. RAILSBACK

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

The Clerk read as follows:

Amendment offered by Mr. RAILSBACK: Page 133, line 5, strike out "route" and insert "routes", and strike out "for the purpose of including such highways in the National System of Interstate and Defense Highways" on lines 5, 6, and 7.

Page 133, line 8, immediately before "A" insert the following: "(1)".

Page 133, after line 13, insert the following:

"(2) A route from Kansas City, Missouri, or its vicinity, to Chicago, Illinois, or its vicinity, so aligned as to cross the Mississippi River at a point between Nauvoo, Illinois, on the north, and Hannibal, Missouri, on the south.".

Ms. ABZUG. Mr. Chairman, I reserve a point of order on the amendment.

The CHAIRMAN. The gentlewoman from New York reserves a point of order on the amendment offered by the gentleman from Illinois (Mr. RAILSBACK).

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

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

Mr. GRAY. Mr. Chairman, we have accepted this amendment on this side, since it only proposes a study, and no funds are involved; therefore we are prepared to accept the amendment offered by the gentleman from Illinois (Mr. RAILSBACK).

Mr. RAILSBACK. Mr. Chairman, I thank the distinguished gentleman from Illinois.

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

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

Mr. HARSHA. Mr. Chairman, we accept the amendment offered by the gentleman from Illinois (Mr. RAILSBACK).

Mr. RAILSBACK. I thank the gentleman from Ohio.

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

Does the gentlewoman from New York (Ms. ABZUG) insist on her point of order?

POINT OF ORDER

Ms. ABZUG. I do, Mr. Chairman, in that I merely reserved the point of order inasmuch as I wanted to have some explanation from the gentleman from Illinois as to what his proposed amendment actually does.

The CHAIRMAN. The Chair will state to the gentlewoman from New York that the time of the gentleman from Illinois has expired.

PARLIAMENTARY INQUIRY

Mr. RAILSBACK. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. RAILSBACK. Mr. Chairman, my parliamentary inquiry is this: That I had asked the Chairman before I offered my amendment, and I just tried to bring this matter up just now, and that is that I printed my amendment in the CONGRESSIONAL RECORD of April 17 at page 12843, and I was previously led to believe, in response to the answer of the Chairman, that I would be given 5 minutes on my amendment.

The CHAIRMAN. The Chair will state that the gentleman is correct. The Chair was not aware that the gentleman's amendment had been printed in the RECORD, and the Chair will state that the gentleman from Illinois will be recognized for an additional 4 minutes.

(By unanimous consent, Mr. RANDALL yielded his time to Mr. RAILSBACK.)

The CHAIRMAN. The Chair recognizes the gentleman from Illinois for 4¾ minutes.

Mr. RAILSBACK. I thank the Chairman for his ruling. I do not intend to use all of my time.

PARLIAMENTARY INQUIRY

Mr. COLLIER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. Does the gentleman from Illinois yield for the purposes of a parliamentary inquiry?

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

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. COLLIER. Mr. Chairman, my parliamentary inquiry is this: I am not sure that I understand what is happening on the floor here. Is the gentleman from Illinois now speaking on an amendment that has already been agreed to?

The CHAIRMAN. The Chair will state to the gentleman from Illinois that the Committee of the Whole has not acted upon the amendment offered by the gentleman from Illinois (Mr. RAILSBACK) although the managers for the bill on both sides have indicated that they would both accept the amendment offered by the gentleman from Illinois.

Mr. COLLIER. I thank the Chairman.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois (Mr. RAILSBACK).

Mr. RAILSBACK. Mr. Chairman, my amendment would require a feasibility study by the Secretary of Transportation for including a route from Chicago, Ill., to Kansas City, Mo., in the primary system. This amendment would be in addition to the Georgia to Kansas City feasibility study included by the Committee on Public Works in its bill.

I have offered this amendment for myself and on behalf of my distinguished colleagues from Illinois, Missouri, and Iowa, Representatives MICHEL, FINDLEY, MEZVINSKY, RANDALL, LITTON, and BOLLING.

The midwest region between Chicago and Kansas City is one of the great agricultural regions and, in terms of general traffic and the transportation of agricultural products, one of the most traveled routes in the United States. Yet, in terms of comparable size and population, this area is one of the largest in the country not served by interstate highways. While 10 railroads and three airlines provide a direct link between Chicago and Kansas City, interstate highway users must travel an indirect route through Des Moines or St. Louis.

The absence of adequate modern highway transportation has a profound effect on the vitality of this region and its ability to service the major markets of the East and West. Furthermore, residents and travelers must face unsafe roads and inconvenience in terms of time and money because there is no highway between these two giants of the Midwest.

A route linking Chicago and Kansas City would be 145 miles shorter than through Des Moines and 125 shorter than traveling through St. Louis. This would mean faster and more efficient farm-to-market transportation. It would save travelers extra hours and the costs associated with longer travel time. It would relieve congestion now occurring in the St. Louis metropolitan area. It would mean that large urban centers like Peoria's metropolitan area with a population of 300,000 and the smaller cities and towns of west-central Illinois would for the first time have direct access to Chicago.

Providing an adequate highway transportation system would not only affect the area by improving accessibility for visitors and residents traveling from one community to another or from farm to market, it would also have a tremendous impact on economic development in the region. Indeed, a Chicago to Kansas City interstate would translate our stated commitment to rural America, as expressed in the Rural Development Act, into meaningful action.

Most of the communities which would be served by this interstate are rural small towns—small towns in trouble because they have been unable to attract industry and have seen their young people leave for the cities where the jobs are. For example, 14 of the 16 counties of western Illinois lost population between 1960 and 1970, even though the area has an abundance of high quality labor, excellent river transportation, fine schools and recreational facilities and outstanding higher educational institutions.

Despite these attributes, the situation in many small towns is critical and revitalization is desperately needed. What stands in the way of economic growth is an absence of good highways. Most industrial prospects demand to be within 20 or 30 miles of an interstate highway so they can have access to markets for their products. Industry will be reluctant to consider the west-central Illinois, northeast Missouri or southeast Iowa region until they can be assured of an adequate transportation system. And these rural areas will not grow and prosper and will find it difficult to contribute to and share in the economic development of the country unless we take the first step today by approving the feasibility study proposed in the amendment before us now.

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

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

Mr. HUNGATE. Mr. Chairman, I thank the gentleman for yielding, and I would just like to inquire if this proposal is for a feasibility study of a highway from Kansas City to Chicago, and that there is no attempt made in this proposal to pinpoint the location of the bridge, because this would be a decision of the engineers by the appropriate State highway departments and Federal highway official. Is that correct?

Mr. RAILSBACK. That is correct.

Ms. ABZUG. Mr. Chairman, I withdraw my point of order.

The CHAIRMAN. The gentlewoman from New York withdraws her point of order.

AMENDMENT OFFERED BY MR. RUNNELS TO THE AMENDMENT OFFERED BY MR. RAILSBACK

Mr. RUNNELS. Mr. Chairman, I offer an amendment to the amendment offered by Mr. RAILSBACK.

The Clerk read as follows:

Amendment offered by Mr. RUNNELS to the amendment offered by Mr. RAILSBACK: Page 133, line 1, strike out "Study" and insert "Studies".

Page 133, line 5, strike out "route" and insert "routes".

Page 133, line 8, immediately before "A" insert the following: "(1)".

Page 133, after line 13, insert the following:

(2) A route from Amarillo, Texas, or its vicinity to Las Cruces, New Mexico, or its vicinity, so aligned as to serve the following intermediate locations, or vicinities thereof: Hereford, Texas; Clovis, New Mexico; Portales New Mexico; Roswell, New Mexico; Ruidoso, New Mexico; Tularosa, New Mexico; and Alamogordo, New Mexico; together with a branch route from Alamogordo, New Mexico, or its vicinity, to El Paso, Texas, or its vicinity, to connect with Interstate Route No. 10 and the port of entry with Mexico.

(3) A route from the Port of Catoosa, Catoosa, Oklahoma, or its vicinity, to Interstate Route No. 35 to Ponca City, Oklahoma, or the vicinity.

Ms. ABZUG. Mr. Chairman, I reserve a point of order.

The CHAIRMAN. The gentlewoman from New York (Ms. ABZUG) reserves a point of order against the amendment offered by Mr. RUNNELS to the amendment offered by Mr. RAILSBACK.

Mr. HARSHA. Mr. Chairman, I reserve a point of order against the amendment.

The CHAIRMAN. The gentleman from New Mexico is recognized in support of his amendment.

Mr. RUNNELS. Mr. Chairman, as many of you know, New Mexico is a State where our major highways serve as the connecting link between our communities and is the major link between the East and West and is the major source for the transportation of goods and people into and out of the State of New Mexico.

We presently have excellent interstate highways which service the northern and central part of the State, but the east and southern portions depend on unsafe, for the most part narrow, highways that are totally inadequate to the needs of our residents and to those people desiring to drive through our State.

The proposed amendment would authorize the Secretary of Transportation to conduct a study on the feasibility of constructing a much needed highway between Las Cruces, N. Mex., where it would connect with interstates 10 and 25, and Amarillo, Tex., connecting with interstate 40.

Under the present situation, the major portion of southeast New Mexico which contains a large percentage of the State's population, is not served by a major highway which offers safe, dependable travel. I am sure all of you read or heard of the tragic accident involving a school bus in New Mexico which was traveling on one of the narrow, outdated U.S. highways that crosses this area of the State. This is just one example of the need for improving the present inadequate U.S. highway system in New Mexico.

Specifically, Mr. Chairman, my amendment would instruct the Secretary of Transportation to conduct the feasibility study and report back to the Congress by January 1, 1975. The Congress could then base its decision on the need for an additional interstate highway on the information supplied by the Department of Transportation.

This amendment involves the congressional districts of Mr. MAHON of Texas, Mr. PRICE of Texas, Mr. WHITE of Texas and Mr. MCSPADDEN of Oklahoma, all of who support this amendment, and I urge my colleagues to accept it.

Mr. WHITE. Mr. Chairman, we have proposed this amendment because of the constantly developing transportation requirements of the southwest due to large influxes of new residents with accompanying commercial traffic, and the burgeoning tourist industry. I would stress that the amendment asks only for authority for a feasibility study at this time, and that such an item was included in the original Senate bill. Mr. Runnel's amendment proposes an additional segment to be included in the proposed feasibility study, and that is the stretch of U.S. Highway 54 between Alamogordo, N. Mex., and the Texas border. The Texas State Highway Department and the city of El Paso have already provided for a divided freeway route from the State line along Route 54 leading directly to the international port of entry at Juarez, Mex. and the Pan American Highway. The length of U.S. 54 between the Texas State line and Alamogordo, N. Mex.—some 70 miles—is one of the most heavily traveled in the State of New Mexico. Yet, it is a narrow, twisting, two-lane artery carrying a rating of one of the 10 worst primary routes in the State. It also has the stigma of having one of the poorest safety records in the southwest. I would stress further that the route carries a distinctive importance to our defense effort in that it is extensively used by army convoys and for other military related travel between Fort Bliss, Tex., and White Sands Missile Range, N. Mex. This branch from Alamogordo, N. Mex., to El Paso, Tex., becomes even more important should the route from Amarillo, Tex., to Las Cruces, New Mex., be eventually included in the Interstate System. The interstate 10–25 corridor from Las Cruces south to El Paso is already over-crowded, and without the Alamogordo-El Paso branch, the increased travel on highway 70 would funnel additional heavy loads into this corridor. For these very logical reasons, I urge the inclusion of that stretch of U.S. 54 between Alamogordo, N. Mex., and the Texas State line be included in any feasibility studies designed to include route 70 from Amarillo to Las Cruces in the Interstate System.

Mr. MICHEL. Mr. Chairman, I commend and salute my friend from Illinois for his initiative and assure him of my support for his amendment which would require the Department of Transportation to conduct a feasibility study of a Chicago to Kansas City route for the purpose of including such a highway in the Interstate System.

Certainly the central and western portions of the State of Illinois which include my friend's district as well as portions of my own have not received adequate consideration in the past for inclusion in the Federal Interstate Highway System. Hopefully the adoption of this amendment will be the first step in a process which will eventually provide this area with easy access to a new highway connecting the two great cities of Chicago and Kansas City. I urge my colleagues to support this amendment.

Mr. RANDALL. Mr. Chairman, I enthusiastically support the amendment offered by the gentleman from Illinois (Mr. RAILSBACK) at page 133 of S. 502.

Kansas City, Mo., the heart of America, has already fared rather well by being mentioned in S. 147 for feasibility study to construct a route from Brunswick, Ga., to Kansas City, Mo., running through Springfield, Mo.

Mr. Chairman, Chicago is a great city, and the metropolitan area of Kansas City is a great area. For 20 years, we have dreamed of an Interstate route between these two great cities. Oh, of course, we can drive to a point on the Mississippi River north of St. Louis, then on up the main route to Chicago. We need a direct route. We hear so much today about the energy crisis. Then there is another crisis that we hear discussed repeatedly—the crisis of our railroads. We have been fortunate to maintain good rail service in most of the Midwest. We always need a supplemental system of transportation. The Kansas City-Chicago direct route expressway would save millions of dollars annually for our industries because of its less mileage for over-the-road highway freight between these points.

Mr. Chairman, I commend the gentleman from Illinois for his hard work on this amendment. I know there is a controversy as to where this route would cross the Mississippi River—at Hannibal and Quincy or farther north. Studies can resolve that problem. The important thing is to get on with a highway study which will ultimately lead to construction of this great road.

Some of us had thought that we might be knocked out by a point of order. I was proud to have had a small part in negotiating with the committee leadership on both sides of the political aisle and to be able to gain acceptance of this amendment without a challenge by a point of order. By agreement that this proposed road be financed by a ratio of 70 percent to 30 percent rather than the 90 percent to 10 percent, we avoided a head-on conflict and possible defeat of the amendment. Thus, this route may not be presently considered as part of the national system of interstate highways, but the very important thing is that we can get on with the study. Then, perhaps later it can be put again back under the Interstate System.

Once again, the gentleman from Illinois is to be commended for his effort as he carefully and diplomatically avoided a conflict over where the route might

cross the Mississippi River and then was able to skillfully surmount the challenge of the point of order. I am proud to be associated with him in this effort as one who represents part of the metropolitan area of Kansas City. It should be noted that at page 58 of S. 502, the Senate had already included feasibility study of a route between Kansas City and Chicago to cross the Mississippi River between Hannibal, Mo., and Quincy, Ill. Our committee had deleted that section, and now the amendment which has been accepted by the committee puts back into the picture the chance for a thorough study of the Kansas City-Chicago route.

In summary, the passage of this amendment marks a great day for the future of all central and northern Missouri and all eastern Illinois. It means new industry will spring up along the great new and hoped-for Kansas City-Chicago route.

Mr. RUNNELS. Mr. Chairman, I ask unanimous consent to include the Railsback amendment.

The CHAIRMAN. The Chair does not understand the gentleman's unanimous-consent request.

Mr. RUNNELS. Mr. Chairman, this is merely a study, and I am asking at this point in time unanimous consent that the Railsback amendment also be included in this study.

The CHAIRMAN. The Chair will state that the gentleman's amendment is an amendment to the Railsback amendment.

Mr. RUNNELS. I withdraw the request, Mr. Chairman.

Mr. Chairman, I just hope all of the Members vote "yes."

The CHAIRMAN. Does any Member insist on a point of order against the amendment? If not, the question is on the amendment offered by the gentleman from New Mexico (Mr. RUNNELS) to the amendment offered by the gentleman from Illinois (Mr. RAILSBACK).

The amendment to the amendment was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois (Mr. RAILSBACK), as amended.

The amendment, as amended, was agreed to.

AMENDMENT OFFERED BY MR. FRELINGHUYSEN

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

The Clerk read as follows:

Amendment offered by Mr. FRELINGHUYSEN: Page 125, line 21, strike out "(a)" and all that follows down through and including "(b)" on line 1 of page 126.

The CHAIRMAN. The gentleman from New Jersey is recognized.

(By unanimous consent, Messrs. QUILLENS, TEAGUE of California, and SANDMAN yield their time to Mr. FRELINGHUYSEN.)

Mr. FRELINGHUYSEN. Mr. Chairman, I thank the gentlemen who yielded their time to me.

I regret we are so eager to adjourn that we do not have adequate time to discuss what I hope is a noncontroversial amendment. The language I seek to strike would require the Secretary of Transportation to permit no further action on 22 miles of interstate highway in my State of New Jersey. This highway, I-287, is approximately 65 miles in length. It has taken us about 25 years to complete construction on some 44 miles of this route.

Prohibiting construction from Montville to Mahwah would mean the remaining road could not be built without additional, new hearings. In my opinion there is no justification for such an intervention on the part of the Federal Government. No case can be made for further delay over a badly needed interstate highway.

There is no significant support in my State for such a delay. In fact the Department of Transportation is solidly against any further consideration of alternative alinements, and so is the Governor, and I have statements to that effect in my possession.

Without any question we have delayed too long. The only justification for a further delay of this kind is because there are one or two towns which feel they would be adversely affected. In my opinion that is not sufficient justification for not giving a State the right to continue with an alinement which has been on master plans of the towns affected for over 20 years.

Our State quite obviously has grown and in the path of the proposed alinement there are some municipalities that would be adversely affected. But there can be no expediting of the completion of this important interstate highway if Congress should now seek to allow consideration of alternative routes at this time.

Let me say also that the terrain in that part of New Jersey is such that there is no easy alternative to the approved alinement. Any alternative would have a severe and adverse environmental effect. In addition, an environmental impact statement on the approved alinement is expected any day. I would suggest we keep our nose out of New Jersey's business, and not try to delay further what needs to be done with respect to the completion of a crucially important circumferential highway. The volume of traffic on the existing highways is already enormous and this new highway is badly needed.

I do hope that there is a recognition on a bipartisan basis that dropping this language makes sense. This is the kind of intervention by Congress which we should not tolerate. There will be an opportunity during design hearings on the alinement as now proposed for individuals who feel there should be some modest changes of the proposed alinement.

I urge that this language be dropped from the bill.

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

The CHAIRMAN. The Chair recognizes the gentleman from New Jersey.

Mr. ROE. Mr. Chairman, I tell the Members as a Representative from the State of New Jersey that our cause is just. I would not present such an amendment that affects my district directly if I did not believe our cause was just and fair to our people, but what my good colleague fails to understand is that there are alternatives. It is true some hearings were held, and they were held 7 years ago before this great body passed an Environmental Protection Act. I call the attention of this gentleman to the fact that there is no such thing as formal design hearings by congressional law. They happen to be by administrative procedure of the Department of Transportation.

The CHAIRMAN. The time of the gentleman from New Jersey has expired.

(By unanimous consent, Mr. HOWARD yielded his time to Mr. ROE).

Mr. ROE. Mr. Chairman, my people in the State have begged and cajoled and got on their hands and knees and asked for justice. They had the Department of Transportation to listen to them.

What do they want to do? They want to speak on an issue that affects them. I listened all day for 2 days to the battle on mass transit and to the battle for people to be heard and the right for people to speak in America on issues that affect them. That is what this issue is about. The cause is just. We are simply saying to give the people of my district in my State the right to speak and to be heard on this issue.

What is so terrible about that? If that is so wrong and this issue is struck, then every other thing that has been said here today on the people's right to speak is a fraud. I know this Congress does not feel that way and I ask the Members to help and vote against this measure so my people can be heard.

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

The CHAIRMAN. The Chair recognizes the gentleman from New Jersey (Mr. MARAZITI).

Mr. MARAZITI. Mr. Chairman, I rise in support of the amendment. Interstate Highway 287 is a major highway surrounding a New York-New Jersey metropolitan area. It has been years and years in building. This section that we speak of is a vital link and it is necessary that it be completed at the earliest possible time.

We have heard a great deal about hearings. They have had hearings upon hearings. The route has been determined. Additional hearings will not have any beneficial effect. We never will get an alinement that will be agreeable to all parties concerned.

The time for hearings has passed. The time for action is now. Let us build the highway.

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

Mr. Chairman, all the amendment does is to authorize a new corridor hearing. The original was held long, long ago. The people of New Jersey want to be heard on this matter. They want to make their voices heard. There is nothing new about this provision. We had it in last year's bill, and passed it last year; the same provision.

Significantly enough, it seems to me that the gentleman is discriminating in his amendment when he offers to strike out one section, or portion of that section, and is not suggesting that the same thing be done with the other portion of this section.

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

Mr. WRIGHT. Mr. Chairman, I am opposed to the amendment.

Mr. Chairman, I reserve the balance of my time.

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

The amendment was rejected.

Mr. McKAY. Mr. Chairman, I have an amendment, but in the light of earlier debate I would rather take my time to ask the gentleman from Texas (Mr. WRIGHT) of the committee a question.

In light of the moratorium on the highway beautification fund, he indicated in earlier debate that it was possible to continue to remove signs of certain kinds.

Can the gentleman assure us that in those States who had taken the lead, they can proceed under this agreed program within the States to continue to take down under this bill, all signs with the exception of those which give directions?

Mr. WRIGHT. If the gentleman will yield, the answer is absolutely yes. We provided funds for it, and provided authorization for it; we think it will move faster than it has.

AMENDMENT OFFERED BY MR. DON H. CLAUSEN

Mr. DON H. CLAUSEN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DON H. CLAUSEN: Page 108, line 17, strike the quotation marks and add the following new subsection:

"(e) Not more than $20,000,000 of funds authorized to be appropriated in any fiscal year may be obligated for projects authorized by subsections (a) and (c) of this section, and no State shall obligate more than $1,000,000 for such projects in any fiscal year."

Mr. DON H. CLAUSEN. Mr. Chairman, the amendment I am offering relates to the bicycle transportation section.

Subsection (a) of the bicycle transportation section would permit the use of funds apportioned under Federal-aid primary and secondary systems, and urban extensions, and Federal-aid urban system moneys to be expended for bicycle transportation.

Subsection (c) would permit funds authorized for forest highways, forest development roads and trails, public lands development roads and trails, park roads and trails, parkways, Indian reservation roads, and public lands highways to be used for the construction of bicycle routes. The purpose of this amendment is to limit the overall expenditure of funds authorized for such purposes in subsections (a) and (c) to a total of $20 million.

It places an expenditure and/or obligation ceiling on an otherwise open-ended authorization that I believe would be difficult if not impossible to administer.

This will help the Secretary of Transportation and the State and Federal agency administrators to more effectively establish guidelines and regulations for implementation of the provision.

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

Mr. DON H. CLAUSEN. I yield to the gentleman from New Jersey.

Mr. HOWARD. Mr. Chairman, it is understood that the Department of Transportation will administer this in such a way that all States should have an opportunity to get some funds for bicycle path use.

The Secretary in administering this section will determine the desires of each State with regard to participation in this program and will insure that all States participate in the program if they wish. If this requires some States to use less funds for this program than they would wish, the Secretary shall make that determination.

Mr. DON H. CLAUSEN. Mr. Chairman, I agree.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. DON H. CLAUSEN).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. SMITH OF IOWA

Mr. SMITH of Iowa. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SMITH of Iowa: On page 133 after line 18 insert the following:

USE OF INTERSTATE SYSTEM RIGHT OF WAY

SEC. 149. The second sentence of section 111 of title 23, United States Code is amended by striking the period at the end thereof and substituting in lieu thereof a comma and the following: "except the State Highway department may permit the construction and operation of small food service establishments in rest stop areas."

Mr. HARSHA (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

Mr. SMITH of Iowa. Mr. Chairman, I believe the amendment acts as an anti-crime amendment by permitting the States to put coffeeshops at rest stops to encourage the presence of people.

Mr. WRIGHT. Mr. Chairman, we have examined the amendment and approve it.

Mr. HARSHA. Mr. Chairman, we likewise accept the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa (Mr. SMITH).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. WOLFF

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

The Clerk read as follows:

Amendment offered by Mr. WOLFF: Page 107, strike out line 9 and all that follows down through and including the line after line 20 on page 108 and insert in lieu thereof the following:

"§ 217. Bicycle transportation and equestrian trails

"(a) To encourage the multiple use of highway rights-of-way, including the development, improvement, and use of bicycle transportation and the development and improvement of equestrian trails on or in conjunction with highway rights-of-way, the States may, on projects carried out with sums apportioned in accordance with subsection (b) of section 104 of this title, include to the extent practicable, suitable, and feasible, the construction of separate or preferential bicycle lanes or paths, bicycle traffic control devices, shelters and parking facilities to serve bicycles and persons using bicycles and equestrian trails in conjunction or connection with Federal-aid highways. Projects authorized under this section shall be located and designed pursuant to an overall plan which will provide due consideration for safety and contiguous routes.

"(b) For all purposes of this title, a project authorized by subsection (a) of this section shall be deemed to be a highway project, and the Federal share payable on account of such project shall be that provided in section 120 of this title.

"(c) Funds authorized and appropriated for forest highways, forest development roads and trails, public lands development roads and trails, park roads and trails, parkways, Indian reservation roads, and public lands highways shall be available, at the discretion of the department charged with the administration of such funds, for the construction of bicycle routes in conjunction with such trails, roads, highways, and parkways.

"(d) No motorized vehicles shall be permitted on trails and walkways authorized under this section except for maintenance purposes."

(b) The analysis of chapter 2 of title 23 of the United States Code is amended by inserting at the end thereof the following:

"217. Bicycle transportation and equestrian trails."

Mr. WOLFF. Mr. Chairman, a city boy wants to inject some horsesense into this bill.

Mr. Chairman, my amendment deals with the section of the bill before us that is entitled "Bicycle Transportation." My amendment broadens this section to include, not only bicycle transportation, but equestrian trails. Very simply, my amendment would allow use of highway funds for the development and improvement of equistrian trails in connection with Federal-aid highways.

Mr. Chairman, the Senate highway bill passed last month included a provision virtually identical to the amendment I am offering. The Senate bill recognized the need for improved equestrian trails, not only to promote the safety of equestrians, but also to ease the flow of motor traffic. The Senate bill specifically encourages the multiple use of highway rights-of-way as that relates to bicycles, pedestrians, and equestrians. The House bill should not differ from the Senate version on this point, it is important that we give due consideration to the safety and convenience of equestrians and motorists alike by allowing for the development of equestrian trails.

In making this small addition to the House highway bill, we are supporting and encouraging a recreational activity enjoyed by countless Americans, one that complements and promotes a healthy, active citizenry and a wholesome environment. Many of the Members I am

certain, have experienced the enthusiasm of equestrians in their districts. I know that my own district boasts an active and growing equestrian organization and that riding is an extremely popular pastime in New York State in general. I would not like to see this mounting enthusiasm and wholesome recreation discouraged by a lack of safe and appropriate trail facilities along our highway routes. I urge my colleagues to join with me in following the Senate initiative by adopting my amendment to promote the development and improvement of equestrian trails.

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

The amendment was rejected.

AMENDMENT OFFERED BY MR. M'CLOSKEY

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

The Clerk read as follows:

Amendment offered by Mr. McCLOSKEY: On page 108, lines 16 and 17, strike out "and, when snow conditions permit, snowmobiles."

Mr. McCLOSKEY. A point of order, Mr. Chairman, that is the wrong amendment.

The CHAIRMAN. The Chair will order the correct amendment reported.

Mr. McCLOSKEY. May I read the amendment, Mr. Chairman?

The CHAIRMAN. Does the gentleman have his amendment in writing?

Mr. McCLOSKEY. I do, Mr. Chairman.

The CHAIRMAN. The gentleman may read the amendment.

Mr. McCLOSKEY. The amendment is:

Page 108, line 16, after "snow conditions" insert the following: "and State or local regulations".

Mr. McCLOSKEY. Mr. Chairman, all this amendment does is permit State and local governments to ban snowmobiles from the trails created under this bill. The way the bill is written today, it would deny the right of such governments to ban snowmobiles from these trail systems; and I suggest that it is appropriate that we let the State and local governments deny snowmobiles if they wish to do so.

Mr. WRIGHT. Will the gentleman from California (Mr. McCLOSKEY) yield?

Mr. McCLOSKEY. I yield to the gentleman from Texas (Mr. WRIGHT).

Mr. WRIGHT. Mr. Chairman, we have no objection to the gentleman's amendment on this side.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. McCLOSKEY).

The amendment was agreed to.

The CHAIRMAN. The gentleman from Texas (Mr. WHITE) is recognized.

(By unanimous consent, Mr. WHITE yielded his time to Mr. WRIGHT.)

AMENDMENTS OFFERED BY MR. WRIGHT

Mr. WRIGHT. Mr. Chairman, I offer two technical and comforming amendments, which are offered on behalf of the committee, and I ask unanimous consent that they may be considered en bloc.

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

Mr. HARSHA. Mr. Chairman, reserving the right to object, may we have copies of those amendments so that we may understand what they are?

Mr. WRIGHT. Copies will be made available.

Mr. HARSHA. Mr. Chairman, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read as follows:

Amendments offered by Mr. WRIGHT: Page 82, line 16, strike out "and".

Page 82, line 17, after "1975," insert the following: "and June 30, 1976,".

Page 128, line 18, strike out the quotation marks and insert in lieu thereof the following: No financial assistance shall be provided under this paragraph for the purchase of buses to any State or local public body or agency thereof which, after the date of enactment of this paragraph, has engaged or proposes to engage directly or indirectly in charter bus operations in competition with private bus operators outside the urbanized area within which such State or local public body or agency provides mass transportation service. No financial assistance shall be provided under this paragraph to any State or local public body or agency thereof which engages directly or indirectly in the transporting of schoolchildren and school personnel to and from school and school-authorized functions or which proposes to expand present routes, schedules, service, or facilities for the purposes of providing transportation for schoolchildren and school personnel to and from school and school-authorized functions in competition with or supplementary to the service currently provided by a private transportation company, or other person, engaged in so transporting such children and personnel. The preceding sentence shall not apply unless such private transportation company is able to provide adequate transportation at reasonable rates, and in conformance with applicable safety standards, and such sentence shall not apply with respect to any State or local public body or agency thereof if it (or a direct predecessor in interest from which it acquired the function of so transporting such children and personnel along with facilities to be used therefor) was so engaged any time during the twelve-month period immediately prior to the date of the enactment of this paragraph. The provision of assistance under this paragraph shall not be construed as bringing within the application of chapter 15 of title 5, United States Code, any nonsupervisory employee of an urban mass transportation system (or of any other agency or entity performing related functions) to whom such chapter is otherwise inapplicable. Funds available for expenditure to carry out the purposes of this paragraph shall be supplementary to and not in substitution for funds authorized and available for obligation pursuant to the Urban Mass Transportation Act of 1964, as amended. The provisions of section 3(e)(4) of the Urban Mass Transportation Act of 1964, as amended, shall apply in carrying out this paragraph."

Mr. WRIGHT (during the reading). Mr. Chairman, I ask unanimous consent that the amendments be considered as read and printed in the RECORD.

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

There was no objection.

Mr. WRIGHT. Mr. Chairman, these two amendments are simply technical and conforming amendments, and I urge their adoption.

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

Mr. WRIGHT. I yield to the gentleman from Ohio (Mr. HARSHA).

Mr. HARSHA. Mr. Chairman, we accept the amendments and the explanation for them.

The CHAIRMAN. The question is on the amendments offered by the gentleman from Texas (Mr. WRIGHT).

The amendments were agreed to.

The CHAIRMAN. All time has expired on title I.

The Clerk will read.

The Clerk read as follows:

TITLE II

SHORT TITLE

SEC. 201. This title may be cited as the "Highway Safety Act of 1973".

HIGHWAY SAFETY

SEC. 202. The following sums are hereby authorized to be appropriated:

(1) For carrying out section 402 of title 23, United States Code (relating to highway safety programs), by the National Highway Traffic Safety Administration, out of the Highway Trust Fund, $200,000,000 for the fiscal year ending June 30, 1974, $300,000,000 for the fiscal year ending June 30, 1975, and $300,000,000 for the fiscal year ending June 30, 1976.

(2) For carrying out section 403 of title 23, United States Code (relating to highway safety research and development), by the National Highway Traffic Safety Administration, out of the Highway Trust Fund, $115,000,000 for the fiscal year ending June 30, 1974, $115,000,000 for the fiscal year ending June 30, 1975, and $115,000,000 for the fiscal year ending June 30, 1976.

(3) For carrying out section 402 of title 23, United States Code (relating to highway safety programs), by the Federal Highway Administration, out of the Highway Trust Fund, $35,000,000 for the fiscal year ending June 30, 1974, $45,000,000 for the fiscal year ending June 30, 1975, and $45,000,000 for the fiscal year ending June 30, 1976.

(4) For carrying out sections 307(a) and 403 of title 23, United States Code (relating to highway safety research and development), by the Federal Highway Administration, out of the Highway Trust Fund, for each of the fiscal years ending June 30, 1974, June 30, 1975, and June 30, 1976, not to exceed $10,000,000 per fiscal year.

RAIL-HIGHWAY CROSSINGS

SEC. 203. (a) Each State shall conduct and systematically maintain a survey of all highways to identify those railroad crossings which may require separation, relocation, or protective devices, and establish and implement a schedule of projects for this purpose. At a minimum, such a schedule shall provide signs for all railroad-highway crossings.

(b) In addition to funds which may be otherwise available to carry out section 130 of title 23, United States Code, there is authorized to be appropriated for projects for the elimination of hazards of railway-highway crossings $150,000,000 for the fiscal year ending June 30, 1974, $225,000,000 for the fiscal year ending June 30, 1975, and $225,000,000 for the fiscal year ending June 30, 1976. Two-thirds of all funds authorized and expended under authority of this section in any fiscal year shall be appropriated out of the Highway Trust Fund. At least half of the funds authorized and expended under this section shall be available for the installation of protective devices at railway-highway crossings. Such sums shall be avail-

able for obligation in the same manner and to the same extent as if such funds were apportioned under this chapter.

(c) Funds authorized by this section shall be available for expenditure as follows:

(1) two-thirds for projects on any Federal-aid system (other than the Interstate System);

(2) one-third for projects on highways not included on any Federal-aid system.

(d) Funds made available in accordance with paragraph (1) of subsection (c) shall be apportioned to the States in the same manner as sums authorized to be appropriated under paragraph (1) of section 105 of the Federal-Aid Highway Act of 1970. Funds made available in accordance with paragraph (2) of subsection (c) shall be apportioned to the States in the same manner as is provided in section 402(c) of title 23 of the United States Code, and the Federal share payable on account of any such project shall not exceed 90 per centum of the cost thereof.

(e) Each State shall report to the Secretary of Transportation not later than September 30, 1974, and not later than September 30 of each year thereafter, on the progress being made to implement the railroad-highway crossings program authorized by this section and the effectiveness of such improvements. Each State report shall contain an assessment of the costs of the various treatments employed and subsequent accident experience at improved locations. The Secretary of Transportation shall submit a report to the Congress not later than January 1, 1975, and not later than January 1 of each year thereafter, on the progress being made by the States in implementing projects to improve railroad-highway crossings. The report shall include, but not be limited to, the number of projects undertaken, their distribution by cost range, road system, nature of treatment, and subsequent accident experience at improved locations. In addition, the Secretary's report shall analyze and evaluate each State program, identify any State found not to be in compliance with the schedule of improvements required by subsection (a), and include recommendation for future implementation of the railroad-highway crossings program.

(f) Funds authorized by this section may be used to provide local government with funds to be used on a matching basis when State funds are available which may only be spent when local government produces matching funds for the improvement of railroad crossings.

BRIDGE RECONSTRUCTION AND REPLACEMENT

SEC. 204. (a) Subsection (b) of section 144 of title 23, United States Code, is amended by striking out "on any of the Federal-aid systems".

(b) Subsection (e) of section 144 of title 23, United States Code, is amended by striking out "1972; and" and inserting in lieu thereof "1972,"; by inserting immediately after "1973," the following: "$225,000,000 for the fiscal year ending June 30, 1974, $450,000,000 for the fiscal year ending June 30, 1975, and $450,000,000 for the fiscal year ending June 30, 1976,"; by striking out "out of the Highway Trust Fund," in the first sentence; and by inserting after the first sentence the following: "Two-thirds of all funds authorized and expended under authority of this section in any fiscal year shall be appropriated out of the Highway Trust Fund.".

(c) Subsection (f) of section 144 of title 23, United States Code, is relettered as subsection (g) (including references thereto); and immediately after subsection (e) the following new subsection (f) is inserted:

"(f) Funds authorized by this section shall be available for expenditure as follows:

"(1) two-thirds for projects on any Federal-aid system; and

"(2) one-third for projects on highways not included on any Federal-aid system."

(d) Existing subsection (g) of section 144 of title 23, United States Code, is relettered as subsection (h) (including references thereto).

PAVEMENT MARKING DEMONSTRATION PROGRAM

SEC. 205. (a) Chapter 1 of title 23, United States Code, is amended by adding at the end thereof the following new section:

"§ 151. Pavement marking demonstration program

"(a) Congress hereby finds and declares it to be in the vital interest of the Nation that a pavement marking demonstration program be established to enable the several States to improve the pavement marking of all highways to provide for greater vehicle and pedestrian safety.

"(b) Notwithstanding the provisions of the last sentence of subsection (a) of section 105 of this title, the Secretary may approve under this section such pavement marking projects on any highway whether or not on any Federal-aid system, but not included in the Interstate System, as he may find necessary to bring such highway to the pavement marking standards issued or endorsed by the Federal Highway Administrator.

"(c) In approving projects under this section, the Secretary shall give priority to those projects which are located in rural areas and which are either on the Federal-aid secondary system or are not included on any Federal-aid system.

"(d) The entire cost of projects approved under subsections (b) and (f) of this section shall be paid from sums authorized to carry out this section.

"(e) For the purpose of carrying out the provisions of this section by the Federal Highway Administration, there is hereby authorized to be appropriated for each of the fiscal years ending June 30, 1974, and June 30, 1975, out of the Highway Trust Fund, the sum of $125,000,000. Such sums shall be available for obligation in the same manner and to the same extent as if such funds were apportioned under this chapter.

"(f) Funds apportioned to a State but not required by it for pavement-marking projects authorized by this section may be released by the Secretary to such State for expenditure for projects to eliminate or reduce the hazards to safety at specific locations or sections of highways which are not located on any Federal-aid system and which have high accident experiences or high accident potentials. Funds may be released by the Secretary under this subsection only if the Secretary has received satisfactory assurances from the State highway department that all nonurban area highways within the State are marked in accordance with the pavement-marking standards issued or endorsed by the Federal Highway Administrator for carrying out this program.

"(g) Each State shall report to the Secretary of Transportation not later than September 30, 1974, and not later than September 30 of each year thereafter, on the progress being made in implementing the program and the effectiveness of the improvements made under it. Each report shall include an analysis and evaluation of the number, rate and severity of accidents at improved locations and the cost-benefit ratio of such improvements, comparing an adequate time period before and after treatment in order to properly assess the benefits occurring from such pavement markings. The Secretary of Transportation shall submit a report to the Congress not later than January 1, 1975, and not later than January 1 of each year thereafter, on the progress being made in implementing the program and the safety benefits achieved under it."

(b) The analysis of chapter 1 of title 23, United States Code, is amended by adding at the end thereof the following:

"151. Pavement marking demonstration program.".

PAVEMENT MARKING RESEARCH AND DEMONSTRATION PROGRAMS

SEC. 206. (a) In addition to the research authorized by section 307(a) of title 23, United States Code, the Secretary of Transportation is authorized to conduct research and demonstration programs to improve the the effectiveness and durability of various types of pavement markings and related delineators, to develop improved equipment and techniques for applying, erecting, and maintaining such markings and delineators, and to develop new traffic control materials, devices, and related delineators to assist the traveling public during adverse weather and nighttime driving conditions.

(b) There is authorized to be appropriated to carry out this section by the Federal Highway Administration, out of the Highway Trust Fund, $15,000,000 for the fiscal year ending June 30, 1974, and $25,000,000 for the fiscal year ending June 30, 1975.

DRUG USE AND DRIVER BEHAVIOR HIGHWAY SAFETY RESEARCH

SEC. 207. (a) Section 403 of title 23, United States Code, is amended by inserting "(a)" immediately before the first sentence thereof, and by striking out "this section" each place it appears and inserting in lieu thereof "this subsection", and by adding at the end thereof the following new subsections:

"(b) In addition to the research authorized by subsection (a) of this section, the Secretary, in consultation with such other Government and private agencies as may be necessary, is authorized to carry out safety research on the following:

"(1) The relationship between the consumption and use of drugs and their effect upon highway safety and drivers of motor vehicles; and

"(2) Driver behavior research, including the characteristics of driver performance, the relationships of mental and physical abilities or disabilities to the driving task, and the relationship of frequency of driver accident involvement to highway safety.

"(c) The research authorized by subsection (b) of this section may be conducted by the Secretary through grants and contracts with public and private agencies, institutions, and individuals."

(b) There is authorized to be appropriated to carry out the amendments made by this section by the National Highway Traffic Safety Administration, out of the Highway Trust Fund, the sum of $15,000,000 for the fiscal year ending June 30, 1974, and $25,000,000 for the fiscal year ending June 30, 1975.

PROJECTS FOR HIGH-HAZARD LOCATIONS

SEC. 208. (a) Chapter 1 of title 23, United States Code, is amended by adding at the end thereof the following new section:

"§ 152. Projects for high-hazard locations

"(a) Each State shall conduct and systematically maintain an engineering survey of all highways to identify high-hazard locations which may constitute a danger to vehicles and to pedestrians, assign priorities for the correction of such locations, and establish and implement a schedule of projects for their improvement.

"(b) For projects to eliminate or reduce the hazards at specific locations or sections of highways which have high accident experiences or high accident potentials, by the Federal Highway Administration, there is hereby authorized to be appropriated for each of the fiscal years ending June 30, 1974, June 30, 1975, and June 30, 1976, the sum of $100,000,000, except that two-thirds of all funds authorized and expended under authority of this section in any fiscal year shall be appropriated out of the Highway Trust Fund. Such sums shall be available for obligation in the same manner and to the same extent as if such funds were apportioned under this chapter.

"(c) Funds authorized by this section shall be available for expenditure as follows:

"(1) two-thirds for projects on any Federal-aid system (other than the Interstate System); and

"(2) one-third for projects on highways not included on any Federal-aid system.

"(d) Funds made available in accordance with subsection (b) shall be apportioned to the States in the same manner as is provided in section 402(c) of this title, and the Federal share payable on account of any such project shall not exceed 90 per centum of the cost thereof.

"(e) Each State shall report to the Secretary of Transportation not later than September 30, 1974, and not later than September 30 of each year thereafter, on the progress being made to implement projects, for high-hazard locations and the effectiveness of such improvements. Each State report shall contain an assessment of the cost of, and safety benefits derived from, the various means and methods used to mitigate or eliminate hazards and the previous and subsequent accident experience at these locations. The Secretary of Transportation shall submit a report to the Congress not later than January 1, 1975, and not later than January 1 of each year thereafter, on the progress being made by the States in implementing projects for improvements at high-hazard locations. The report shall include, but not be limited to, the number of projects undertaken, their distribution by cost range, road system, means and methods used, and the previous and subsequent accident experience at improved locations. In addition, the Secretary's report shall analyze and evaluate each State program, identify any State found not to be in compliance with the schedule of improvements required by subsection (a) and include recommendations for future implementation of the spot improvements program."

(b) The analysis of chapter 1 of title 23, United States Code, is amended by adding at the end thereof the following:

"152. Projects for high-hazard locations.".

PROGRAM FOR THE ELIMINATION OF ROADSIDE OBSTACLES

SEC. 209. (a) Chapter 1 of title 23, United States Code, is amended by adding at the end thereof the following new section:

"§ 153. Program for the elimination of roadside obstacles

"(a) Each State shall conduct and systematically maintain an engineering survey of all highways to identify roadside obstacles which may constitute a hazard to vehicles and to pedestrians, assign priorities for the correction of such obstacles and establish and implement a schedule of projects for their elimination. Such a schedule shall provide for the replacement, to the extent necessary, of existing sign and light supports which are not designed to yield or break away upon impact. Yielding or breakaway sign and light supports shall be used, where appropriate, on all new construction or reconstruction of highways.

"(b) For projects to correct roadside hazards by the Federal Highway Administration, there is hereby authorized to be appropriated for each of the fiscal years ending June 30, 1974, June 30, 1975, and June 30, 1976, the sum of $75,000,000 except that two-thirds of all funds authorized and expended under authority of this section in any fiscal year shall be appropriated out of the Highway Trust Fund. Such sums shall be available for obligation in the same manner and to the same extent as if such funds were apportioned under this chapter.

"(c) Funds authorized by this section shall be available for expenditure as follows:

"(1) two-thirds for projects on any Federal-aid system (other than the Interstate System); and

"(2) one-third for projects on highways not included on any Federal-aid system.

"(d) Funds made available in accordance with subsection (c) shall be apportioned to the States in the same manner as is provided in section 402(c) of this title, and the Federal share payable on account of any such project shall not exceed 90 per centum of the cost thereof.

"(e) Each State shall report to the Secretary of Transportation not later than September 30, 1974, and not later than September 30 of each year thereafter, on the progress being made in implementing the program for the removal of roadside obstacles and the effectiveness of such improvements. Each report shall contain an assessment of the costs and safety benefits of the various means and methods used to mitigate or eliminate roadside obstacles. The Secretary of Transportation shall submit a report to the Congress not later than January 1, 1975, and not later than January 1 of each year thereafter, on the progress being made by the States in eliminating roadside obstacles and the effectiveness of the improvements made under this program. The Secretary's report shall include, but not be limited to, an analysis and evaluation of each State program, identification of any State found not to be in compliance with the schedule of improvements required by subsection (a) and shall include recommendations for future implementation of the roadside obstacle removal program. In addition, to assess the safety benefits of varying roadside obstacle treatments, the report shall contain an assessment of the costs and safety benefits of the various means and methods used to mitigate or eliminate roadside obstacles."

(b) The analysis of chapter 1 of title 23, United States Code, is amended by adding at the end thereof the following:

"153. Program for the elimination of roadside obstacles.".

HIGHWAY SAFETY EDUCATIONAL PROGRAMING AND STUDY

SEC. 210. (a) The Secretary of Transportation, in cooperation with interested government and nongovernment authorities, agencies, organizations, institutions, businesses, and individuals, shall conduct a full and complete investigation and study of the use of mass media for informing and educating the public of ways and means for reducing the number and severity of highway accidents. Such a study shall include, but not be limited to, ways and means for encouraging the participation and cooperation of television and radio station licensees, for measuring audience reactions to current educational programs, for evaluating the effectiveness of such programs, and for developing new programs for the promotion of highway safety. The Secretary shall report to the Congress his findings and recommendations by June 30, 1974.

(b) For the purpose of carrying out subsection (a) of this section, there is hereby authorized to be appropriated the sum of $1,000,000 out of the Highway Trust Fund.

(c) The Secretary of Transportation, in consultation with State and local highway safety officials, shall develop a series of highway safety television programs of varying length, up to and including five minutes, for use in accordance with the provisions of the Communications Act of 1934. At least 50 per centum of the funds authorized and expended under subsection (d) of this section shall be allocated to the States at the discretion of the Secretary for approved programing projects. To the maximum extent feasible, the services of private individuals shall be utilized in carrying out this subsection.

(d) For the purpose of carrying out subsection (c) of this section, there is hereby authorized to be appropriated the sum of $4,000,000 out of the Highway Trust Fund.

CITIZEN PARTICIPATION STUDY

SEC. 211. (a) The Secretary of Transportation, in cooperation with State and local highway safety authorities, shall conduct a full and complete investigation and study of ways and means for encouraging greater citizen participation and involvement in highway safety programs, with particular emphasis on traffic enforcement and accident detection, response, and reporting, including, but not limited to, the creation of citizen adjuncts to assist professional traffic enforcement agencies and highway rescue agencies in the performance of their duties. The Secretary shall report to the Congress his findings and recommendations by June 30, 1974.

(b) For the purposes of carrying out this section, there is authorized to be appropriated the sum of $1,000,000 out of the Highway Trust Fund.

FEASIBILITY STUDY—NATIONAL CENTER FOR STATISTICAL ANALYSIS OF HIGHWAY OPERATIONS

SEC. 212. (a) The Secretary of Transportation shall make a study of the feasibility of establishing a National Center for Statistical Analysis of Highway Operations designed to acquire, store, and retrieve highway accident data and standardize the information and procedures for reporting accidents on a nationwide basis. Such study should include, but not be limited to, an estimate of the cost of establishing and maintaining such a center, including the means of acquiring the accident information to be stored therein, the methods to be used for its evaluation and the criteria needed to assure its proper utilization by appropriate public and private agencies and groups. The Secretary shall report to the Congress his findings and recommendations not later than January 1, 1975.

(b) For the purpose of carrying out this section, there is authorized to be appropriated the sum of $5,000,000 out of the Highway Trust Fund.

PEDESTRIAN SAFETY STUDY

SEC. 213. (a) The Secretary of Transportation shall make a full and complete investigation and study of pedestrian safety. Such an invesigation and study shall include, but not be limited to, the following:

(1) A review and evaluation of State and local ordinances, regulations, and laws and the enforcement policies, procedures, methods, practices, and capabilities for enforcing them.

(2) The relationship between alcohol and pedestrian safety, with special emphasis on problem drinkers, both drivers and pedestrians.

(3) An evaluation of ways and means of improving pedestrian safety programs.

(4) An analysis of present funding allocations for pedestrian safety programs and an assessment of the capabilities of Federal, State, and local governments to fund such activities and programs.

In the conduct of such investigation and study, the Secretary shall cooperate and consult with other agencies of the Federal Government, the States, and their political subdivisions, and other interested private organizations, groups, and individuals.

(b) The Secretary shall, not later than January 31, 1975, report to the Congress the results of this investigation and study together with his conclusions and recommendations for appropriate legislation.

(c) There is hereby authorized not to exceed $5,000,000 from the Highway Trust Fund to carry out this section.

MANPOWER TRAINING AND DEMONSTRATION PROGRAMS

SEC. 214. (a) The first sentence of subsection (c) of section 402 of title 23, United States Code, is amended by inserting im-

mediately after "approved in accordance with subsection (a)," the following: "including development and implementation of manpower training programs, and of demonstration programs that the Secretary determines will contribute directly to the reduction of accidents, and deaths and injuries resulting therefrom. Such funds".

PUBLIC ROAD MILEAGE

SEC. 215. Subsection (c) of section 402 of title 23, United States Code, is amended by inserting immediately after the third sentence the following: "Public road mileage as used in this subsection shall be determined as of the calendar year preceding the year in which the funds are apportioned and shall be certified to by the Governor of the State and subject to approval by the Secretary."

MINIMUM APPORTIONMENT

SEC. 216. Subsection (c) of section 402 of title 23, United States Code, is amended by striking "one-third of 1 per centum" in the fifth sentence thereof as amended, and inserting "one-half of 1 per centum".

HIGHWAY SAFETY PROGRAM APPLICABILITY

SEC. 217. Section 401, title 23, United States Code, is amended by adding at the end thereof the following: "For the purposes of this chapter, the term 'State' means any one of the fifty States, the District of Columbia, Puerto Rico, the Virgin Islands, Guam, and American Samoa, except that all expenditures for carrying out this chapter in the Virgin Islands, Guam, and American Samoa shall be paid out of money in the Treasury not otherwise appropriate."

INCENTIVES FOR COMPLIANCE WITH HIGHWAY SAFETY PROGRAMS

SEC. 218. Section 402 of title 23, United States Code, is amended by adding the following new subsection:

"(i)(1) In addition to other grants authorized by this section, the Secretary may make incentive grants in each fiscal year to those States which have adopted legislation requiring the use of seatbelts in accordance with criteria which the Secretary shall establish and publish. Such grants may only be used by recipient States to further the purposes of this chapter. Such grants shall be in addition to other funds authorized by this section. There is hereby authorized to be appropriated to carry out this paragraph, out of the Highway Trust Fund, not to exceed $50,000,000 for the fiscal year ending June 30, 1974, not to exceed $75,000,000 for the fiscal year ending June 30, 1975, and not to exceed $75,000,000 for the fiscal year ending June 30, 1976.

"(2) In addition to other grants authorized by this section, the Secretary may make additional incentive grants to those States which have made the most significant progress in reducing traffic fatalities based on the reduction in the rate of such fatalities per one hundred million-vehicle miles during the calendar year immediately preceding the fiscal year for which such incentive funds are authorized compared with the average annual rate of such fatalities for the four calendar year period preceding such calendar year. Such incentive grants shall be made in accordance with criteria which the Secretary shall establish and publish. Such grants may only be used by recipient States to further the purposes of this chapter. Such grants shall be in addition to other funds authorized by this section. There is hereby authorized to be appropriated to carry out this paragraph, out of the Highway Trust Fund, not to exceed $25,000,000 for the fiscal year ending June 30, 1974, not to exceed $35,000,000 for the fiscal year ending June 30, 1975, and not to exceed $35,000,000 for the fiscal year ending June 30, 1976.

"(3) Incentive awards authorized by this section shall not exceed 25 per centum of each States apportionment as authorized by this chapter."

HIGHWAY SAFETY RESEARCH AND DEVELOPMENT

SEC. 219. The second sentence of subsection (a) of section 403 of title 23, United States Code, is amended to read as follows: "In addition, the Secretary may use the funds appropriated to carry out this section, either independently or in cooperation with other Federal departments or agencies, for making grants to or contracting with State or local agencies, institutions, and individuals for (1) training or education of highway safety personnel, (2) research fellowships in highway safety, (3) development of improved accident investigation procedures, (4) emergency service plans, (5) demonstration projects, and (6) related activities which the Secretary deems will promote the purposes of this section. The Secretary shall assure that no fees are charged for any meetings or services attendant thereto or other activities relating to training and education of highway safety personnel."

TRANSFER OF DEMONSTRATION PROJECT EQUIPMENT

SEC. 220. Section 403 of title 23, United States Code, is amended by adding at the end thereof the following new subsection:

"(d) The Secretary may, where he deems it to be in furtherance of the purposes of section 402 of this title, vest in State or local agencies, on such terms and conditions as he deems appropriate, title to equipment purchased for demonstration projects with funds authorized by this section."

ADMINISTRATIVE ADJUDICATION OF TRAFFIC INFRACTIONS

SEC. 221. Section 403 of title 23, United States Code, is amended by adding at the end thereof the following new subsection:

"(e) In addition to the research authorized by subsection (a) of this section, the Secretary shall, either independently or in cooperation with other Federal departments or agencies, conduct research into, and to make grants to or contracts with State or local agencies, institutions, and individuals for projects to demonstrate the administrative adjudication of traffic infractions. Such administrative adjudication demonstration projects shall be designed to improve highway safety by developing fair, efficient, and effective processes and procedures for traffic infraction adjudication, utilizing appropriate punishment, training, and rehabilitative measures for traffic offenders. The Secretary shall report to Congress by July 1, 1975, and each year thereafter during the continuance of the program, on the research and demonstration projects authorized by this subsection, and shall include in such report a comparison of the fairness, efficiency, and effectiveness of administrative adjudication of traffic infractions with other methods of handling such infractions."

NATIONAL HIGHWAY SAFETY ADVISORY COMMITTEE

SEC. 222. Subsection (a)(1) of section 404 of title 23, United States Code, is amended by inserting immediately after "Federal Highway Administrator," the following: "the National Highway Traffic Safety Administrator,".

DATE OF ANNUAL REPORT

SEC. 223. The first sentence of subsection (a) of section 202 of the Highway Safety Act of 1966 (80 Stat. 736) is amended by deleting "March 1" and substituting in lieu thereof the following: "July 1".

UNDERPASS DEMONSTRATION PROJECT

SEC. 224. (a) The Secretary of Transportation shall carry out a demonstration project in Anoka, Minnesota, for the construction of an underpass at the Seventh Avenue and County Road 7 railroad-highway grade crossing.

(b) The Secretary shall make a report to the President and Congress with respect to his activities pursuant to this section.

(c) There is authorized to be appropriated not to exceed $3,000,000 to carry out this section.

HIGHWAY SAFETY NEEDS STUDY

SEC. 225. In order to provide the basis for evaluating the continuing highway safety programs authorized in title 23, United States Code, and to furnish Congress with the information necessary for the authorization of appropriations for such programs, the Secretary of Transportation, in cooperation with the Governors and appropriate State and local highway officials, shall make a full and complete study of highway safety needs and shall prepare recommendations and estimates of the costs for meeting such needs. Such estimates and recommendations shall identify the requirements to meet highway safety needs of the States, Puerto Rico, and the District of Columbia and would also consider those of Guam, American Samoa, the Virgin Islands and such other United States territories the Secretary shall determine. The Secretary shall submit such detailed estimates and recommendations to the Congress not later than January 10, 1976.

DRIVER EDUCATION EVALUATION PROGRAM

SEC. 226. (a) Section 403 of title 23, United States Code, is amended by adding at the end thereof the following new subsection:

"(f) In addition to the research authorized by subsection (a) of this section, the Secretary shall carry out research, development, and demonstration projects to improve and evaluate the effectiveness of various types of driver education programs in reducing traffic accidents and deaths, injuries, and property damage resulting therefrom. The research, development, and demonstration projects authorized by this subsection may be carried out by the Secretary through grants and contracts with public and private agencies, institutions, and individuals. The Secretary shall report to the Congress by July 1, 1975, and each year thereafter during the continuance of the program, on the research, development, and demonstration projects authorized by this subsection, and shall include in such report an evaluation of the effectiveness of driver education programs in reducing traffic accidents and deaths, injuries, and property damage resulting therefrom."

(b) For the purpose of carrying out the amendment made by subsection (a) of this section, there is authorized to be appropriated $10,000,000 out of the Highway Trust Fund.

TRANSFER OF FUNDS AMONG HIGHWAY SAFETY PROGRAMS

SEC. 227. Section 104 of title 23, United States Code, is amended by adding at the end thereof the following new subsection:

"(g) Not more than 30 per centum of the amount apportioned in any fiscal year to each State in accordance with sections 144, 152, and 153 of this title, or section 203(d) of the Highway Safety Act of 1973, may be transferred from the apportionment under one section to the apportionment under any other of such sections if such a transfer is requested by the State highway department and is approved by the Secretary as being in the public interest. The Secretary may approve such transfer only if he has received satisfactory assurances from the State highway department that the purposes of the program from which such funds are to be transferred have been met."

CURB RAMPS FOR THE HANDICAPPED

SEC. 228. Paragraph (1) of subsection (b) of section 402 of title 23, United States Code, is amended by adding at the end thereof the following:

"(F) provide adequate and reasonable access for the safe and convenient movement

of physically handicapped persons, including those in wheelchairs, across curbs constructed or replaced on or after July 1, 1976, at all pedestrian crosswalks throughout the State."

DEMONSTRATION PROJECT—RAIL-HIGHWAY CROSSINGS

SEC. 229. (a) The Secretary of Transportation shall carry out a demonstration project for the elimination or protection of certain public ground-level rail-highway crossings in, or in the vicinity of, Springfield, Illinois.

(b) The Secretary shall make a report to the President and Congress with respect to his activities pursuant to this section.

(c) There is authorized to be appropriated not to exceed $36,000,000 to carry out subsections (a) and (b) of this section.

(d) The Secretary of Transportation shall enter into such arrangements as may be necessary to carry out a demonstration project in Lincoln, Nebraska, for the relocation of railroad lines from the central area of the city in conformance with the methodology developed under proposal numbered DOT-FR-20037. The city shall (1) have a local agency with legal authority to relocate railroad facilities, levy taxes for such purpose, and a record of prior accomplishment; and (2) have a current relocation plan for such lines which has a favorable benefit-cost ratio involving and having the unanimous approval of three or more class 1 railroads and multi-civic, local, and State agencies, and which provides for the elimination of a substantial number of the existing railway-road conflict points within the city.

(e) Federal grants or payments for the purpose of subsection (d) of this section shall cover 70 per centum of the costs involved.

(f) The Secretary shall make annual reports and a final report to the President and the Congress with respect to his activities pursuant to subsection (d) of this section.

(g) For the purpose of carrying out subsections (d), (e), and (f) of this section, there is hereby authorized to be appropriated the sum of $2,500,000 out of the Highway Trust Fund, and not to exceed $9,500,000 out of any money in the Treasury not otherwise appropriated.

(h) The Secretary of Transportation shall enter into such arrangements as may be necessary to carry out demonstration projects in Brownsville, Texas, and Matamoros, Mexico, for the relocation of railroad lines from the central area of the cities in conformance with the methodology developed under proposals submitted to the Secretary by the Brownsville Navigation District, providing for the construction of an international bridge and for the elimination of a substantial number of existing railway-road conflict points within the cities.

(i) The Secretary of Transportation shall enter into such arrangements as may be necessary to carry out a demonstration project in East Saint Louis, Illinois, for the relocation of rail lines between Thirteenth and Forty-third Streets, in accordance with methodology approved by the Secretary. The Secretary of Transportation shall carry out a demonstration project for the relocation of rail lines in the vicinity of Carbondale, Illinois.

(j) The Secretary of Transportation shall enter into such arrangements as may be necessary to carry out a demonstration project in New Albany, Indiana, for the elimination of the existing rail loop and relocation of rail lines to a location between Vincennes Street and East Eighth Street, in accordance with methodology approved by the Secretary.

(k) The Federal share payable on account of projects under subsections (h), (i), and (j) of this section shall be that provided in section 120 of title 23 of the United States Code.

(l) There is authorized to be appropriated not to exceed $2,150,000 in the case of Brownsville, Texas, $15,000,000 in the case of East Saint Louis and $10,000,000 in the case of Carbondale, Illinois, from the Highway Trust Fund, and not to exceed $4,300,000 in the case of Brownsville, Texas, and $1,000,000 in the case of New Albany, Indiana, from money in the Treasury not otherwise appropriated, for carrying out the provisions of subsections (h), (i), and (j) of this section.

(m) The Secretary of Transportation shall carry out demonstration projects for the construction of an overpass at the rail-highway grade crossing on Cottage Grove Avenue between One Hundred Forty-second Street and One Hundred Thirty-eighth Street in the village of Dolton, Illinois, and the construction of an overpass at the rail-highway grade crossing at Vermont Street and the Rock Island Railroad tracks in the city of Blue Island, Illinois.

(n) The Secretary shall make a report to the President and the Congress with respect to his activities pursuant to subsection (m) of this section.

(o) For the purpose of carrying out subsection (m) of this section, there is authorized to be appropriated, out of the Highway Trust Fund, not to exceed $5,250,000.

(p) The Secretary of Transportation shall carry out a demonstration project for the elimination or protection of certain public ground level railroad-highway crossings in, or in the vicinity of Elko, Nevada.

(q) The Secretary shall make a report to the President and the Congress with respect to his activities pursuant to subsection (p) of this section.

(r) For the purpose of carrying out subsection (p) of this section, there is authorized to be appropriated the sum of $1,400,000 out of the Highway Trust Fund, and not to exceed $2,800,000 out of any money in the Treasury not otherwise appropriated.

(s) The Secretary of Transportation shall carry out a demonstration project for the elimination of the ground level railroad highway crossing on United States Route 69 in Greenville, Texas. He shall report to the President and Congress with respect to his activities under this subsection. There is authorized to be appropriated not to exceed $1,200,000 to carry out this subsection, except that local interests shall contribute $800,000 to the cost of such project.

Mr. WRIGHT. Mr. Chairman, I ask unanimous consent that title II be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

AMENDMENT OFFERED BY MR. GRAY

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

The Clerk read as follows:

Amendment offered by Mr. GRAY: Page 165, after line 3, insert the following:

HIGHWAY SAFETY STANDARDS

SEC. 230. Subsection (h) of section 402 of title 23, United States Code, is amended to read as follows:

"(h) Each uniform safety standard promulgated under this section on or before January 1, 1973, shall continue in effect unless otherwise specifically provided by law enacted after the date of enactment of the Federal-aid Highway Act of 1973. The Secretary shall not promulgate any other uniform safety standard under this section (including my revision of a standard continued in effect by the preceding sentence) unless otherwise specifically provided by law enacted after the date of enactment of the Federal-aid Highway Act of 1973."

Mr. GRAY (during the reading). Mr. Chairman, I ask unanimous consent that further reading of the amendment be dispensed with, and that it be printed in the RECORD.

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

There was no objection.

Mr. GRAY. Mr. Chairman, this amendment is designed to bring some order into what is becoming a very confusing situation in the matter of administering the Highway Safety Act.

There are currently 18 safety standards in effect which are more or less the rules of the road in conducting the safety program. These vary from driver licensing and driver education to pedestrian safety and emergency medical services.

In many cases, it has taken a long time to get the proper State legislation to conform to these standards so that the program could proceed. From the Federal standpoint these standards can be revised at any time without any reference to the Congress, but in the establishing of a new standard the Secretary of Transportation must submit it to the Congress and if no action is taken by the Congress in 90 days, he may proceed to promulgate the standard.

The problem that has arisen is that the Department of Transportation on August 3, 1972, published in the Federal Register a proposal to reduce the 18 standards down to 9. Much of the material in the new standards is different than the old ones. They have entirely different headings and in one case the proposed new standard No. 1 is not in the category of a standard at all, but makes the safety program, in effect, a Federal rather than a State program.

If promulgated these new standards would present a new thrust in some areas of the safety program where there is not now general agreement among the States.

When the new nine standards were proposed for comment in the Federal Register the chairman of the Committee on Public Works submitted a letter to the Register indicating that the committee intends to hold hearings on these standards this year to insure that all parties were heard and the necessary congressional input assured in these new areas.

The effect of the amendment is merely to continue the program moving with the present standards until this new condensation of the standards is properly reviewed by the public and the Congress. It will in no way hold up the safety program or any of the safety proposals in this bill.

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

Mr. GRAY. I yield to the gentleman from Ohio (Mr. HARSHA).

Mr. HARSHA. I wish to inform the gentleman that we on this side will accept the amendment of the gentleman from Illinois (Mr. GRAY).

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

The amendment was agreed to.

AMENDMENT OFFERED BY MR. RONCALIO OF WYOMING

Mr. RONCALIO of Wyoming. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. RONCALIO of Wyoming: Page 142, line 5, add a new section as follows and renumber all following sections:

HIGHWAY SAFETY ON INDIAN RESERVATIONS

SEC. 207. Section 402 of title 23 of the United States Code is amended by adding a new subsection (1) as follows:

"(1) For the purpose of the application of this section on Indian reservations, 'State' and 'Governor of a State' includes the Secretary of the Interior and 'political subdivision of a State' includes an Indian tribe: *Provided*, That, notwithstanding the provisions of subparagraph (C) of subsection (b) (1) hereof, 95 per centum of the funds apportioned to the Secretary of the Interior shall be expended by Indian tribes to carry out highway safety programs within their jurisdictions: *And provided further*, That the provisions of subparagraph (E) of subsection (b) (1) hereof shall be applicable except in those tribal jurisdictions in which the Secretary determines such programs would not be practicable."

(b) Subsection (d) of section 402 of title 23, United States Code, is amended by inserting at the end of the first sentence thereof the following: "and except that, in the case of a local highway safety program carried out by an Indian tribe, if the Secretary is satisfied that an Indian tribe does not have sufficient funds available to meet the non-Federal share of the cost of such program, he may increase the Federal share of the cost thereof payable under this Act to the extent necessary."

Mr. RONCALIO of Wyoming. My colleagues, this is language taken from S. 502. It deals with safety on Indian reservations and does nothing more than provide machinery whereby the chief of the tribal council can make application for additional funds when the safety or the lack of safety on roads on the reservation warrants it.

In the light of the statistics which show a tremendous death rate so much higher on reservations than otherwise, there should be a more equitable method of distributing highway safety funds.

American Indians appear to suffer more than any other group as a result of highway accidents. The counties adjacent to Indian reservation lands typically have highway death rates several times the national average. Information from the Department of Transportation indicates that highway fatalities on reservations in the North Central States run two to four times the national rate, in the Southwest three to eight times the national rate, and in some parts of the South almost 20 times the national rate.

In light of these statistics, there must be a more equitable method of distributing available highway safety funds to Indian tribes. The amendment would allow an Indian tribe to be considered to be a "political subdivision of a State" for the purposes of receiving Federal funds under section 402 of the Highway Safety Act. The Secretary of the Interior could be considered the "State" or the "Governor of a State" for the purposes of administering highway safety funds, although 95 percent of the funds apportioned to the Secretary of the Interior for this purpose must be expended by the tribes themselves to carry out highway safety programs within their jurisdictions.

The highway safety problems on Indian reservations warrant special attention. This provision should measurably improve highway safety on the reservations.

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

Mr. RONCALIO of Wyoming. I am glad to yield to the gentleman.

Mr. WRIGHT. I commend the gentleman on his amendment, and we accept it on our side.

Mr. DON H. CLAUSEN. Will the gentleman yield?

Mr. RONCALIO of Wyoming. I yield to the gentleman from California.

Mr. DON H. CLAUSEN. We will accept the amendment on the minority side.

Mr. GROSS. Will the gentleman yield?

Mr. RONCALIO of Wyoming. I am happy to yield to the gentleman from Iowa.

Mr. GROSS. If this bill were in effect, would this take care of the situation at Wounded Knee?

Mr. RONCALIO of Wyoming. I am afraid it would not, because of the fact that they probably have a few wounded heads now at Wounded Knee.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wyoming (Mr. RONCALIO).

The amendment was agreed to.

(Mr. BAFALIS asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. BAFALIS. Mr. Chairman, title II of this committee bill is truly one of the most creative and detailed pieces of legislation that has come before us. In this bill we see thoughtful consideration of what to do about a problem that affects every American. Is there anyone here who has not been touched in his life by death and carnage on our highways? Are there many Americans who have not?

Regrettably, highway tragedy is a result of the incalculable benefits of the automobile to the common man of America. And, regrettably, it strikes possibly the most active, most enterprising, most mobile part of our society. In the age group 18 to 44, death by auto is the leading cause of death. We have heard that in addition to these deaths, there are 600,000 severe injuries.

Title II of this bill contains a highly realistic new approach to the problem of making highways safer. The projects of pavement working, improving high hazard locations, rail crossing improvements, bridge reconstruction, and hazard removal deal with the most serious deficiencies on our highways today. There is no other way that these measures can be accomplished without highly positive leadership from the Congress. Every other approach has failed. We must now take those that can succeed. If the safety of road environment, particularly on those roads which claim over half the deaths and severe injuries is not identified, there is no hope for progress on the total issue.

There is dire need to raise the levels of the present activities as this bill does. There is need to plan for the future as this bill provides. In particular, the provision calling for the development of a national center for highway statistics is the most critical. The quantification of the problem we now have is adequate for generalized decisionmaking, but much more hard data is needed for future action. This was mandated in 1966. Now we must see that it is done. The new ideas in communication called for are also most critical and they represent bold thinking. Indeed, bold thinking is needed.

The committee staff has information to the effect that in certain countries in Europe the death toll on highways has been brought under control. In Great Britain and Sweden, in particular, total deaths are now no higher than they were in 1964. In the United States the increase in the 1960's was 4 percent per year, and it returned to 4 percent in 1972. These other countries have sustained much greater increases in traffic than did the United States. In these other countries, much stronger, well-managed total safety programs are in evidence.

America has different problems. But we are a people traditionally concerned with one another and where preserving human values is utmost in the purpose of Government. We are also a country with a tradition of solving big problems and of big accomplishments. We can land on the moon; we can build the great interstate system of highways; we can produce the highest real income per capita in the world. We can also control and reduce the serious injuries and deaths and human suffering on our total road systems and this bill will lead the way toward that goal.

This bill represents increased investment, but will produce predictable results. President Nixon has cited the cost in economic terms of highway accidents at $45 billion per year. Surely the authorization is justified to reduce these losses and to reduce the human suffering which highway tragedy causes.

The CHAIRMAN. If there are no further amendments to be proposed to title II, the Clerk will read.

The Clerk read as follows:

TITLE III

URBAN MASS TRANSPORTATION ACT OF 1964

SEC. 301. (a) The fifth sentence of section 4(a) of the Urban Mass Transportation Act of 1964 is amended to read as follows "The Federal grant for any such project to be assisted under section 3 shall be in an amount equal to 80 per centum of the net project cost."

(b) The amendment made by subsection (a) shall apply only with respect to projects which were not subject to administrative reservation on or before July 1, 1973.

(c) Section 4(c) of the Urban Mass Transportation Act of 1964 is amended by striking out "$3,100,000,000" in the first and third sentences and inserting in lieu thereof "$6,100,000,000".

(d) Section 9 of the Urban Mass Transportation Act of 1964 is amended—

(1) by striking out "to make grants" in the first sentence and inserting in lieu thereof "to contract for and make grants";

(2) by striking out "and designing" in the first sentence and inserting in lieu thereof "designing, and evaluation":

(3) by striking out "and (3)" in the second sentence and inserting in lieu thereof "(3) evaluation of previously funded projects; and (4)";

(4) by inserting "or contract" after "A grant" in the third sentence; and

(5) by striking out all that follows "Secretary" in the third sentence and inserting in lieu thereof a period.

(e) The provision of assistance under the amendments made by this section shall not be construed as bringing within the application of chapter 15 of title 5, United States Code, any nonsupervisory employee of an urban mass transportation system (or of any other agency or entity performing related functions) to whom such chapter is otherwise inapplicable.

(f) Section 12 of the Urban Mass Transportation Act of 1964 is amended by adding at the end thereof the following new subsection:

"(f) No person shall on the ground of sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal assistance under this Act or carried on under this Act. This provision will be enforced through agency provisions and rules similar to those already established, with respect to racial and other discrimination, under title VI of the Civil Rights Act of 1964. However, this remedy is not exclusive and will not prejudice or cut off any other legal remedies available to a discriminatee."

(g) Section 16(b) of the Urban Mass Transportation Act of 1964 is amended to read as follows:

"(b) In addition to the grants and loans otherwise provided for under this Act, the Secretary is authorized to make grants and loans—.

"(1) to States and local public bodies and agencies thereof for the specific purpose of assisting them in providing mass transportation services which are planned, designed, and carried out so as to meet the special needs of elderly and handicapped persons, with such grants and loans being subject to all of the terms, conditions, requirements, and provisions applicable to grants and loans made under section 3(a) and being considered for the purposes of all other laws to have been made under such section; and

"(2) to private nonprofit corporations and associations for the specific purpose of assisting them in providing transportation services meeting the special needs of elderly and handicapped persons for whom mass transportation services planned, designed, and carried out under paragraph (1) are unavailable, insufficient, or inappropriate, with such grants and loans being subject to such terms, conditions, requirements, and provisions (similar insofar as may be appropriate to those applicable to grants and loans under paragraph (1)) as the Secretary may determine to be necessary or appropriate for purposes of this paragraph.

Of the total amount of the obligations which the Secretary is authorized to incur on behalf of the United States under the first sentence of section 4(c), 2 per centum may be set aside and used exclusively to finance the programs and activities authorized by this subsection (including administrative costs)."

IMPOUNDING OF FUNDS

SEC. 302. Section 12 of the Urban Mass Transportation Act of 1964, as amended, is amended by adding at the end thereof a new subsection, as follows:

"(g) No part of any sums authorized to be obligated, appropriated, or expended pursuant to the provisions of this Act shall be impounded or withheld from obligation, for purposes and projects as provided in this Act, by any officer or employee in the executive branch of the Federal Government."

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

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

There was no objection.

AMENDMENT OFFERED BY MR. HARSHA

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

The Clerk read as follows:

Amendment offered by Mr. HARSHA: Page 168, strike lines 11 through 20, inclusive.

Mr. HARSHA. Mr. Chairman, this provision prevents the impounding of urban mass transit funds. The administration is entirely committed to the mass transit program, and it has in its budget for fiscal year 1974 $1 billion, the same level previously authorized for the funding of mass transit programs, but under this legislation it says "no part of any sums authorized to be obligated, appropriated, or expended pursuant to the provisions of this act shall be impounded or withheld from obligation for purposes and projects as provided in this act by any officer or employee in the executive branch of the Federal Government."

Under the construction of this provision of the bill, Mr. Chairman, the entire $3 billion in title III would have to be obligated immediately upon the enactment of the legislation. I do not think anybody who has any sense of fiscal responsibility intends that situation to occur. Yet the language in this bill is subject to that interpretation.

Mr. Chairman, the administration has taken a very definite stand on infringement of its prerogatives in dealing with expenditures of funds from the national budget. We have been advised that if the language in the bill prevails the way it is that the bill would be subject to a veto. I would much rather have a bill than just an issue to debate in the coming months. If we are really interested in having highway legislation, and having authorizations for mass transit programs, then we will delete this section of the bill. Do not tie the impoundment issue to a specific bill dealing with benefits to all America, deal with the issue by separate legislation.

Mr. Chairman, the administration has the courage to do what the Congress will not. President Nixon on behalf of the U.S. taxpayer has chosen to bite the bullet. He has taken it upon himself to assure there will be no tax increase and in doing that we must not react irresponsibly for forcing him to spend money that will insure a tax increase. President Nixon has the courage of his convictions and unless we provide him the necessary flexibility he will veto this legislation. Too much is at stake to risk a veto—adopt my amendment.

Mr. BLATNIK. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Ohio (Mr. HARSHA).

Mr. Chairman, I do so with full reservation and recognition of some of the very valid points that have been made by the extremely able and hard-working ranking minority member on the Committee on Public Works, the gentleman from Ohio (Mr. HARSHA). However, I feel that to be that rigid as he suggests in removing any limitation on impoundment would be wrong.

This exercise of full impoundment authority has presented serious obstacles all over America. Indeed, in my own State of Minnesota, in northern Minnesota and also in those States just adjacent thereto, the weather up there is an extreme factor in highway construction. If the bids for highway construction are not put out before May, or at least June, then you have to have a race against time before the freeze sets in shortly after Thanksgiving. And yet I have found that in these States, when they are ready to proceed, ready to ask for bids and to award contracts, they cannot do so because for apparently no reason whatsoever, and upon extremely short notice anywhere from 3 months or less than that, they are told that they will not have the funds that they were told they would have 6 months earlier.

They had been told that they would have those funds, and upon that basis those States went forward.

So I would suggest to the gentleman from Ohio that perhaps in conference we can come to some form of modification on this subject. Maybe the way it is in the bill it is too rigid. I for one would be against a total impoundment, but I would not oppose a certain amount of flexibility in the committee's provision dealing with Presidential impoundment.

So, Mr. Chairman, I do hope that the amendment offered by the gentleman from Ohio (Mr. HARSHA) is defeated so that we may work out a little more flexible version through a conference.

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

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

Mr. HANNA. Mr. Chairman, I thank the gentleman from Minnesota for yielding me this time.

I think the gentleman from Minnesota is acquainted with the proposal the gentleman from California (Mr. DANIELSON) has been proposing, and which, in its present form, is I think applicable not only here, but in many of the instances in which we want to protect the position of the House.

As I understand the measure proposed by the gentleman from California (Mr. DANIELSON) it would send directions from the Congress of the United States to the Comptroller General that he shall not issue the money that is set aside unless and until certain guidelines are followed, to wit, that all moneys for all programs within any bill shall not be less than 25 percent of what has been appropriated.

I think the gentleman from Minnesota would agree with me that if we could come up with an approach of this nature that this House would then be able to act effectively, and would say to the man who is the one who countersigns each and every check made out by the President of the United States, because, as I understand the process, the President cannot get one dime unless he has the

approval of the Comptroller on every check that is issued. Is that correct?

Mr. BLATNIK. That is correct.

And may I say regarding the amendment proposed by the gentleman from California (Mr. DANIELSON) that to my regret we received the amendment with such short notice—and we have discussed the amendment very briefly, may I say, with the minority counsel and the minority staff, and the majority counsel and the majority staff, but in it, as I understand, there we do have the phraseology that will allow the President to make a certain percent, say, 20 or 25 percent of a total amount across the board in those cases, and of course where there is no money authorized by the Congress, then of course there would naturally be no impoundment because you cannot impound a percentage of zero.

So I would say that it does appear as though the approach suggested by the gentleman from California (Mr. DANIELSON) is a much more important approach, based on constitutional law, and based on the authority vested in the House of Representatives and in the Congress as a whole, and this would give us the phraseology for the authority of allowing the President to have some permission for impoundment.

Mr. HANNA. I thank the gentleman.

Mr. Chairman, I would ask unanimous consent when we get into the House that there be printed in the RECORD the Danielson proposal for all of the Members to study carefully, and I suggest that they do so, because this present President—and I should think every President from now on—will have to be impressed far more than now seems to be the impression with how closely this House handles the purse strings for which we have such great constitutional power.

The CHAIRMAN. The gentlewoman from New York is recognized.

Ms. ABZUG. Mr. Chairman, I rise in opposition to this amendment, which would strike from the bill section 302, relating to the impounding of funds under the Urban Mass Transportation Act.

This provision, of which I am proud to be the author, is similar to the impounding provision which already appears in the law with regard to Federal-aid highway funds at section 101(c) of title 23, United States Code. It provides as follows:

> No part of any sums authorized to be obligated, appropriated, or expended pursuant to the provisions of this Act shall be impounded or withheld from obligation, for purposes and projects as provided in this Act, by any officer or employee in the executive branch of the Federal Government.

Let me state at the outset that I have some doubt as to whether this prohibitory language is necessary, for I believe that impounding by the Executive is impermissible unless the applicable statute specifically permits or authorizes it. There is absolutely nothing in the Constitution which supports impounding by the Executive, and the U.S. Court of Appeals for the Eighth Circuit recently held that unless an act expressly grants discretion to withhold funds for a given reason or purpose, they may not be withheld. In further support of this approach is a memorandum written in 1969 by William H. Rehnquist, then an Assistant Attorney General:

> With respect to the suggestion that the President has a constitutional power to decline to spend appropriated funds, we must conclude that existence of such a broad power is supported by neither reason nor precedent.

I believe that Mr. Rehnquist was correct. However, the open-ended nature of UMTA funding led me to propose section 302 just to make the intent of Congress "perfectly clear."

This provision in no way abrogates or limits the requirement of UMTA that the Secretary not make any grant unless he determines that the grantee possesses: First, the legal, financial, and technical capacity to carry out the proposed project; and, second, satisfactory continuing control, through operation or lease or otherwise, over the use of the facilties and equipment.

Nor does it alter any of the other requirements under the act, such as certain limitations on the making of grants and loans for identical purposes, or requirements regarding public hearings, or requirements that proposed projects be found to be needed to carry out a coordinated urban transportation program in an area.

What this provision does assure is that the administration may not withhold or refuse to obligate funds available under UMTA for any reasons other than those specified by law.

It is designed to make sure that these funds are not impounded at some future date, because of reasons not directly related to this program, reasons such as "the status of the economy" or "inflationary pressures."

In additional views contained in the report on this bill, a number of members of the committee stated that section 302 is not necessary, because the administration is already committed to fully carry out this legislation. I am pleased to know of the administration's commitment; if it is carried out as stated, then this provision will not come into the picture and all will be well. I note, however, that in 1977, we will have a new administration, and I want to protect this program against any attempt on its part to impound funds that Congress has decided should be spent. Also, this administration impounded a third—$300 of $900 million—of the UMTA funds in fiscal 1972.

Let me close by noting that this provision does not commit these funds for obligation irrevocably. If the administration decides at some future time that the funds should be spent elsewhere, it is always free to seek legislation transferring them to another program or legislation simply deleting them. That is the way in which reduction of appropriated funds for programs should be accomplished, not by the unilateral action of one branch of our Government.

I urge the defeat of the amendment.

Mr. HOLIFIELD. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I want to thank the chairman of the committee for his interchange with my colleague from California (Mr. HANNA).

This impoundment process has been used by all Presidents we admit, to begin with, but never before has it been used to the degree which the present occupant of the White House has used it. The amount runs between $12 and $16 billion over the last year or so of impoundments. I feel there must be a better way to establish comity between the White House and the legislative body than this circumvention—and I use that word literally—of the will of Congress. I use it even more deliberately when it comes to the point where a bill under the Constitution and under our procedures is passed by a majority vote, and then goes to the White House and is vetoed. It comes back here and is passed over the President's veto, and yet the President can, by circumvention, stop the constitutional process of legislation by refusing to spend moneys not from a standpoint always of fiscal responsibility but from a standpoint of ideological and philosophical objection to the type of legislation which Congress passes.

I am glad that the gentleman is considering the Danielson language. I am sure if he were on the floor he would not press it at this time, but it is something that I think the House should consider if they value the integrity and the honor and the purpose of the legislative branch.

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

Mr. HOLIFIELD. I yield to the gentleman from Minnesota.

Mr. BLATNIK. With all due respect to the gentleman, we want to stick to restraining impoundment on a specific program or procedural basis rather than get involved in ideological or philosophical differences on issues. Would the gentleman allow us that?

Mr. HOLIFIELD. Yes.

Mr. BLATNIK. We would appreciate that very much.

Mr. GROSS. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I will not take the 5 minutes, but I must say a few words with respect to impoundment and the remarks of the gentleman from California (Mr. HANNA).

I cannot think of a greater delegation of power for impoundment of funds than his committee, the Banking and Currency Committee, gave to the President of the United States by way of legislation. That law delegates to the President, who would use the Federal Reserve Board, the power to take over every dollar of credit in this country.

Can Members think of a greater delegation of power than the power to impound every dollar of credit in this country, and that without an explanation before or after the fact of having imposed this takeover.

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

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

Mr. HANNA. I have found myself many times, although admiring the gentleman

in the well, not always agreeing with him, but having seen the utilization of power, which the committee I am a member of and the great will of this House supported, as it has been used in phase III, I now would be glad to join with the gentleman as I did in my vote the other day to just tell the President: Enough already.

Mr. GROSS. The gentleman is saying then that he got caught where the hair is short. Is that it?

Mr. HANNA. That is a very quick and a very incisive and a very clever analysis, as the gentleman always provides. However it is just a matter of fact that there are always two things involved: There is the power which we give and then the man who wields it. I think the power as it was intended to be wielded is one thing, but the way in which it was wielded is very bad.

Mr. GROSS. I have never been able to understand why the Committee on Banking and Currency, of which the gentleman is a member, ever brought to the floor of this House that kind of bill with all the awesome power it delegates to any President, no matter who he may be.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio (Mr. HARSHA).

The amendment was rejected.

AMENDMENT OFFERED BY MR. WRIGHT

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

The Clerk read as follows:

Amendment offered by Mr. WRIGHT: Page 168, after line 20, insert the following:

UNFAIR COMPETITION

SEC. 303. The Urban Mass Transportation Act of 1964 is amended by adding at the end thereof the following new section:

"UNFAIR COMPETITION

"SEC. 17. No financial assistance will be provided under this Act for the purchase of buses to any State or local public body or agency thereof which, after the date of enactment of this section, has engaged or proposes to engage directly or indirectly in charter bus operations in competition with private bus operators outside the urban area within which such State or local public body or agency provides mass transportation service. No financial assistance shall be provided under this Act to any State or local public body or agency thereof which engages directly or indirectly in the transporting of schoolchildren and school personnel to and from school and school-authorized functions or which proposes to expand present routes, schedules, service, or facilities for the purpose of providing transportation for schoolchildren and school personnel to and from school and school-authorized functions in competition with or supplementary to the service currently provided by a private transportation company, or other person, engaged in so transporting such children and personnel. The preceding sentence shall not apply unless such private transportation company is able to provide adequate transportation, at reasonable rates, and in conformance with applicable safety standards and such sentence shall not apply to any State or local public body or agency thereof if it (or a direct predecessor in interest from which it acquired the function of so transporting such children and personnel along with the facilities to be used therefor) was so engaged any time during the 12-month period immediately prior to the date of the enactment of this section."

Mr. WRIGHT (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

Mr. HARSHA. Mr. Chairman, if the gentleman will yield, as long as this is a technical perfecting amendment I would advise the gentleman the minority accepts it.

Mr. WRIGHT. Mr. Chairman, this amendment is similar to one which already applies to the mass transit provision which appears in title I of the bill. It is in the nature of a technical and conforming amendment and applies to the unfair competition language dealing with charter buses and schoolbuses to the Urban Mass Transportation Act of 1964 and the funding thereunder.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. WRIGHT).

The amendment was agreed to.

AMENDMENT OFFERED BY MS. ABZUG

Ms. ABZUG. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Ms. ABZUG: Page 168, after line 20, add the following new section:

ASSISTANCE FOR OPERATING EXPENSES

SEC. 303. (a) Section 3(a) of the Urban Mass Transportation Act of 1964 is amended by inserting immediately after the second sentence the following sentence: "The Secretary is also authorized, on such terms and conditions as he may prescribe, to make grants to assist States and local public bodies and agencies thereof in the payment of operating expenses incurred in connection with the provision of mass transportation service in urban areas, allocating any funds made available for assistance under this sentence among the various State and local public bodies and agencies thereof in the manner provided in subsection (g): *Provided*, That no assistance shall be provided under this sentence to any State or local public body or agency thereof unless the applicant agrees and gives satisfactory assurances, in such manner and form as may be required by the Secretary and in accordance with such terms and conditions as the Secretary may prescribe, that the rates charged elderly and handicapped persons during nonpeak hours for transportation utilizing or involving the facilities and equipment financed with such assistance will not exceed one-half of the rates generally applicable to other persons, whether the operation of such facilities and equipment is by the applicant or is by another entity under lease or otherwise."

(b) Section 3(c)(2) of such Act is amended by inserting "(including grants for payment of operating expenses)" after "project grants".

(c) Section 3 of such Act is further amended by adding at the end thereof the following new subsections:

"(f) No financial assistance shall be provided to any State or local public body or agency thereof for payment of operating expenses incurred in connection with the provision of mass transportation service unless the applicant State or public body or agency has submitted to the Secretary a comprehensive mass transportation service improvement plan which is approved by him and which sets forth a program meeting criteria established by the Secretary for capital or service improvements to be undertaken for the purpose of providing more efficient, economical, and convenient mass transportation service in the urban area or areas involved, and for placing mass transportation operations in such area or areas on a sound financial basis.

"(g) The funds made available for assistance in the payment of operating expenses under the third sentence of subsection (a) for any fiscal year shall be allocated by the Secretary among the various States and local public bodies and agencies thereof (without regard to section 15) on the basis of a formula under which the urbanized areas of eligible applicants in any State will be entitled to receive an amount equal to the sum of—

"(1) one-third of the total amount so allocated multiplied by a fraction the numerator of which is the total population of the urbanized areas of eligible applicants in that particular State, and the denominator of which is the total population of the urbanized areas of eligible applicants in all the States;

"(2) one-third of the total amount so allocated multiplied by a fraction the numerator of which is the total number of revenue passengers carried by mass transportation systems in the urbanized areas of eligible applicants in that particular State and the denominator of which is the total number of such passengers carried by mass transportation systems in the urbanized areas of eligible applicants in all the States; and

"(3) one-third of the total amount so allocated multiplied by a fraction the numerator of which is the total mass transportation revenue vehicle miles traveled in the urbanized areas of eligible applicants in that particular State and the denominator of which is the total mass transportation revenue vehicle miles traveled in the urbanized areas of eligible applicants in all the States."

(d)(1) Section 4 of such Act is amended by redesignating subsection (d) as subsection (e), and by inserting after subsection (c) the following new subsection:

"(d) To finance grants to assist States and local public bodies and agencies thereof in the payment of operating expenses under the third sentence of section 3(a), there is authorized to be appropriated not to exceed $400,000,000 for the fiscal year ending June 30, 1974, and $400,000,000 for the fiscal year ending June 30, 1975. Any amount so appropriated shall remain available until expended; and any amount authorized but not appropriated for either such fiscal year may be appropriated for any succeeding fiscal year."

(2) The first sentence of section 4(c) of such Act is amended by inserting after "under sections 3, 7(b), and 9 of this Act" the following: "(other than grants made under the third sentence of section 3(a))".

Mr. WRIGHT (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

Ms. ABZUG. Mr. Chairman, title III of the bill before us recognizes what we have all known for a long time—the close relationship between highways and mass transit. It has long been obvious to anyone who has sat in bumper-to-bumper traffic that every 40 cars in front of him could be replaced by a single mass transit vehicle. The committee has acted on

the evidence of this by taking the appropriate step of recommending an additional $3 billion for mass transit capital expenses, but it has failed to do all that must be done by declining to include operating assistance in its bill.

More new equipment alone is not going to save—let alone rejuvenate—mass transit in our cities. Federal operating assistance is the key. Without it, mass transit will just be going to the poorhouse in a newer bus.

My amendment authorizes $800 million over the next 2 years in operating subsidies to mass transit. The funds would be allocated among localities on a formula based one-third on population, one-third on the revenue passenger carried by the local transit system, and one-third on the vehicle miles of that system.

The program embodied in this amendment is not new. It has been reported to this House twice, each time with bipartisan support, and it has passed the Senate by substantial margins three times in the last 2 years.

A program of operating subsidies achieves three major goals for transit:

First, it will stop the spiral of higher fares, service cutbacks and dwindling ridership that plagues so many transit systems.

Second, it relieves the unbearable financial pressure on local governments who are hard-pressed to find new revenues to support their transit systems. More than 150 American cities now subsidize local transit operations—at a cost of over $500 million annually—and more are on the way.

Third, by offering Federal funds based largely upon vehicle miles and revenue passengers, it creates a powerful incentive for an efficient and attractive service operation.

These days, no one in his right financial mind expects mass transit to pay for itself out of the fare box—just as highways are not paid for exclusively by means of user taxes. One in every four dollars spent for highways comes from the same source as most local mass transit operating assistance—the burdensome, regressive property tax. If we want to maximize the usefulness of the new buses which we expect to buy with the capital grant money, we should adopt this amendment. Mass transit gets people out of their automobiles only if it costs them less out of pocket; this cannot be assured unless we provide funds for operating assistance.

If title III of this bill is to have any real meaning, and if mass transit is to have any real future, we must provide operating assistance and provide it this year. I urge the adoption of this amendment.

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

Ms. ABZUG. I yield to the gentleman from New York (Mr. BIAGGI).

Mr. BIAGGI. Mr. Chairman, I rise in support of the amendment and wish to associate myself with the remarks of the gentlewoman from New York.

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

Ms. ABZUG. I yield to the gentleman from New Jersey (Mr. HOWARD).

Mr. HOWARD. Mr. Chairman, I wish to congratulate the gentlewoman from New York for her amendment. I support the amendment, and I hope the committee will accept it.

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

I think most of us on both sides of the aisle on the committee really have to oppose this amendment for one very simple and straightforward reason. On the very first day of our public hearings, the Secretary of Transportation, Mr. Brinegar, testified before our committee. Very clearly and unequivocally, he stated that if this bill should contain operating subsidies out of the Federal Treasury for mass transit, he would recommend a Presidential veto of the entire bill.

Mr. Chairman, we are not seeking a confrontation nor an opportunity to override a veto. We would like to have a bill which we hopefully would expect the President to sign. If we were to adopt this amendment, I think we would be deliberately inviting a veto.

For that very simple reason, Mr. Chairman, I believe we must vote against this amendment.

Mr. DANIELSON. Mr. Chairman, I opposed the amendment, which was just defeated, to strike section 302, on impoundment, from the bill. We badly need some protection against the impoundment of funds which have been appropriated by the law of the land for the purpose of carrying out the policies of our Government which have been established by the laws of the land.

Although I opposed the motion to strike, I feel that the anti-impoundment language of section 302 is both feeble and futile. To me it makes no sense that there should even be an amendment which would strike the section, which cannot stop impoundment, and will not stop it if the Executive should choose to impound.

The most that can happen under that language is—if there is an impoundment—then someone with standing to sue will sue, and in 2 or 3 years there will be a judgment of a court holding that the impoundment was, indeed, illegal, and directing the appropriate Government agency to release the funds. Meanwhile, the evil effects of impoundment will have prevailed, Government policy will have been frustrated, and the effects of this law will have been nullified.

The trouble with the language of section 302 is that all it does is tell the Executive, "Thou shalt not impound!"

There is nothing new in this. The present laws of the land, in effect, say the same thing, for the Executive has no constitutional right to impound, no inherent right to impound, and no statutory right to impound. The Constitution already places on the Executive the absolute duty to "take care that the laws be faithfully executed."

And that means all of the laws of the land, not just some of them. That means appropriation laws as well as all other laws. The Executive does not have the right selectively to choose—cafeteria style—those laws which he will execute and those laws which he will not execute. Thus he does not have the right to impound and thereby to nullify the laws of the land.

Section 302 of the bill merely restates the above by providing that the funds authorized by the act shall not be impounded by the Executive.

The fallacy of this and all the other anti-impoundment efforts which have been made to date is that they do not address themselves to the real problem. We all know that the Executive does not have the right to impound, but it is obvious to us all that he nevertheless has the power to do so. He has the power to impound by simply not applying the money to its intended purpose.

In order to prevent impoundment we must reach the heart of the problem—we must take away the Executive's power to impound. There is only one way to take away the power to impound and that is by making it impossible for the Executive to do so. That the Congress can easily do, by carefully wording the language of the authorization and appropriation bills so that the Executive can no longer select those activities he chooses to execute—those laws he chooses to obey—and then disregard the others.

A simple and effective way to achieve that end in the bill before us, S. 502, would be to add a section 303 to the bill to read as follows:

Sec. 303. Unless the Congress shall provide otherwise in language expressly made applicable to this section, at any time during the fiscal year 1974, the amount obligated or expended pursuant to this Act for any program or activity provided for by this Act, expressed as a percentage of the amount appropriated pursuant to this Act for purposes of such program or activity, shall be not more than 25 percentage points greater than the amount obligated or expended at that time during such fiscal year for any other program or activity authorized by this Act, expressed as a percentage of the amount appropriated by the Congress for purposes of such program or activity for the fiscal year 1974."

That language would prevent the Executive from fully executing any portion of the law without executing the other portions of the law to a reasonable degree. How would this be accomplished?

Article I, section 9, clause 7, of the Constitution provides that "No money shall be drawn from the Treasury but in consequence of appropriations made by law; * * *" The Congress has, by law, provided for carrying the foregoing constitutional provision into execution by directing that all warrants for the disbursement of money from the Treasury be first duly audited and settled and certified by the General Accounting Office and that disbursements shall be made upon such warrants, and not otherwise.

These existing provisions require the Comptroller General to examine whether the terms of an appropriation bill are met before he is permitted to certify a warrant for the disbursement of money from the Treasury. Thus there would be no way for the Executive to favor one category of appropriation while nullifying the other through neglect or refusal to implement. In order to imple-

ment his favorite programs, he would be required to implement the others. It would be impossible for him to nullify through impoundment. We would have solved the impoundment problem.

My suggested language would impose a consequence, or, if you prefer, a condition or a limitation, on appropriations, so that the Executive must execute all of the laws with reasonable impartiality.

My plan is not a spendthrift plan. On the contrary, it would encourage thrift and economy since the Executive could obligate and expend all funds frugally. My plan would not be disruptive or obstructionist. On the contrary, it would promote harmony and cooperation between the legislative and executive branches. Whenever the Executive, in the management of the Government's business, would determine that money could be saved, all he would have to do is notify the Congress and by resolution the Congress could provide for an appropriate change in the rate of expenditure—could terminate it altogether. The Congress and the Executive, working together as they should, could economize whenever a need is removed, or could accelerate expenditure where a need is increased. Changing needs, based on changing circumstances, could be quickly accommodated.

My plan also provides for a reasonable and responsible flexibility. Recognizing that all things in Government do not move at exactly the same pace, the language I suggest provides a flexibility of 25 percent in the implementation of the various programs under the law. That amount could be varied, in the wisdom of the legislative or appropriations committee, to meet the needs of the particular subject matter.

In addition, my proposed language provides, at the outset, a means by which the Executive and the Congress, working together, can quickly vary the formula to adjust to a changing need resulting from changed circumstances. All the Executive has to do, if he finds a need to change the formula, is to send a message to the Congress asking for a variance and the Congress, by resolution, can quickly approve.

This is not a personal matter; I am not dealing in personalities. This is not a partisan matter; I am not distinguishing political parties. I have been informed that Presidents other than the incumbent, and of other political parties, have impounded funds from time to time. The separation of powers under our Constitution is the foundation of American Government. We must preserve and protect it.

Presidents come and Presidents go. Congressmen come and Congressmen go. Majority parties change from time to time. With each change the burdens and responsibilities of government shift from one to another. But our Constitution and our form of representative self-government must not go. It has served us well for nearly 200 years and, God willing, it can serve America for 200 years yet to come. The threat of impoundment is a threat to our Constitution and to our entire structure of government. We must meet and end that threat, and this is the way to do it. There is no other choice.

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

Mr. WRIGHT. I yield to the gentleman from Pennsylvania (Mr. DENT).

Mr. DENT. Mr. Chairman, this amendment provides the best answer for defeating attempts to break the trust. It is a peculiar twist, is it not? We are asked here to contribute to the operating costs of so-called mass transit systems.

Have the Members ever traveled upon the first mass transit—successful mass transit system in the country? It is the Pennsylvania Turnpike. If the Members do not believe it, I recommend they ride it some time on a Sunday afternoon or any other day, for that matter.

What is it we do? We provide revenues for the trust fund. We collect taxes on that private property, and it is private property. We are paying the bonds off with the charges we make for using it. Yet, we pay the taxes we collect on gasoline to the trust fund which does not give us any money for either operating costs or maintenance of the road itself.

The people who use that pay. If we ever get away from the principle of use and paying for the use of any kind of transportation or transit system, we will open up a can of worms we will never on God's earth be able to capture again, because there is not enough money in gasoline, motor use, or any kind of consumption of that fuel to meet the needs and demands for people moving. It is impossible to do so.

We pay for our own. The city of Philadelphia and the city of Pittsburgh would get a very nice sized chunk of money out of this, but from where would it come? It would come from the people in the rural areas.

We have thousands and thousands of miles of road, compared to the few city blocks, if we measure them. We have to maintain them. The townships have to maintain them. We have a road tax in every township in our great State, to maintain roads, for city people to go out to homes in the mountains, on the lakes and the streams, and to get food into the markets.

We have to pay taxes. We have road taxes. Many other places do not have road taxes.

These folks in the city might say, "We are only going to use this in lieu of something else. We want the option." The best option they can take for using money they get from mass transit now, by way of the gasoline tax allocation, would be to fill in some of the pot holes in the doggoned cities. I do not know one city which has too much money in its treasury now to take care of its streets. But they cannot take money out of this, go back and say, "You can use it for whatever you want."

Use it to fix up the streets. Use it to fix the pot holes. Use it for transportation purposes only.

Mr. DON H. CLAUSEN. Mr. Chairman, I rise in opposition to the amendment.

There can be no doubt that the Nation's urban transportation systems are in trouble. Because of rising operating costs, falling ridership, and other ills they are not able to make ends meet.

And so, at the very time they are soliciting the Congress to authorize vast new capital grants and equipment purchasing programs, mass transit proponents are advocating the approval of operating subsidies.

Yet, as Secretary of Transportation Brinegar has pointed out, while most of the Nation's urban transit systems appear to be sustaining operating losses in varying degrees, it is by no means clear that either the causes or the solutions to those deficits are simple enough to be addressed by the type of subsidy grant provisions being advanced. The reason for his concern is that just five systems, those of New York, Boston, Chicago, Philadelphia and Los Angeles are responsible for approximately 70 percent of the operating deficits reported. Losses sustained in New York City amount to half this total.

The remaining large systems around the country report only moderate deficits.

In considering approval of operating deficits, the questions must be asked: Why do such differences exist? Are they the result of different objectives being pursued by the different systems in different cities? If this latter question is answered in the affirmative, would it not be reasonable for those cities sustaining such deficits to solve the problem locally, rather than by seeking to secure a massive new Federal subsidy program?

Realistically, the establishment of fare structures, routes, manpower levels and wage rates are local problems and can best be solved at the local level. By providing operating subsidies, we would, in effect, be relieving local areas of the pressure that is required to make the tough decisions that are necessary for efficient operation of mass transit systems.

Take the case of New York. Between 1968 and 1972, its deficit went from $77 to $179 million annually. In Boston. the same thing happened. A 1960 deficit of $42 million escalated to $71 million in 1972. In Chicago it went from $3 million in 1968 to $44 million last year.

Surely, if we establish the precedent of providing $400 million a year to divide up among the Nation's transit systems, we will not arrest the basic causes of the galloping deficits, nor will we, unless we earmark the funds for those systems which operate the least efficiently, do much to relieve their deficit problems.

Such deficits are created in the first place because of the priorities chosen by local governments in earmarking local tax revenues and the funds they receive under Federal revenue sharing for other purposes. I submit it is not the job of the Federal Government to relieve the effects of establishing such priorities.

There are over 1,000 grant systems in America. Over 300 of them serve metropolitan areas of over 50,000. If we once open the Pandora's box of operating subsidies, as many as 500 might manage to qualify for financial assistance. The administrating problems that would be presented in judging needs, operational plans, and the efficiency of each system would be herculean. While I am not un-

sympathetic, I do not believe the operating deficit problem can be solved by the creation of yet another Federal subsidy program. The only lasting solution can come from local initiatives, local pressures, and local trade offs.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from New York (Ms. ABZUG).

The amendment was rejected.

The CHAIRMAN. Are there further amendments to be proposed to title III? If not, the Clerk will read.

The Clerk read as follows:

TITLE IV

PROHIBITION OF DISCRIMINATION ON THE BASIS OF SEX

SEC. 401. (a) Title 23, United States Code, is amended by adding at the end thereof the following new chapter:

"Chapter 6—DISCRIMINATION ON THE BASIS OF SEX PROHIBITED

"Sec.

"601. Prohibition of discrimination on the basis of sex.

"§ 601. Prohibition of discrimination on the basis of sex

"No person shall on the ground of sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal assistance under this title or carried on under this title. This provision will be enforced through agency provisions and rules similar to those already established, with respect to racial and other discrimination, under title VI of the Civil Rights Act of 1964. However, this remedy is not exclusive and will not prejudice or cut off any other legal remedies available to a discriminatee."

(b) The analysis of chapters at the beginning of title 23, United States Code, is amended by adding at the end thereof the following:

"6. Discrimination on the basis of sex prohibited ---------- 601".

TITLE V

INAPPLICABILITY OF TIME REQUIREMENTS

SEC. 501. The time requirements in section 104(b) of title 23, United States Code, shall not be applicable to the apportionment of sums authorized for the fiscal year ending June 30, 1974, in any title of this Act, and the Secretary shall apportion such sums for such fiscal year as soon as practicable after the date of enactment of this Act.

Mr. WRIGHT (during the reading). Mr. Chairman, I ask unanimous consent that the remainder of the committee amendment in the nature of a substitute be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

Mr. ANDERSON of California. Mr. Chairman, I rise at this time to first, commend the Public Works Committee—and especially our great and able chairman—my friend—JOHN BLATNIK, for the way the committee considered the Federal Aid Highway Act of 1973.

The meetings were open to the public. Every member was given an equal opportunity to participate and to voice his or her opinion. All of us—from the most junior member to the most senior—were able to participate in the writing of the act.

It was completely fair to all—something that should not surprise anyone who knows JOHN BLATNIK.

Second, I would like to commend the chairman of the Transportation Committee—JOHN KLUCZYNSKI—for the leadership and guidance he has given to all of us. And, especially, for the help he has given me in this fight.

Third, obviously, congratulations must go to our colleague JIM WRIGHT for his brilliance in drafting the House bill and for his articulate defense in behalf of the bill. But, especially, I want to commend JIM for the honesty and the integrity of the debate. We differed on one point—how to best finance mass transit—an honest difference that divided us on this issue, but did not divide our friendship. My admiration for the gentleman from Texas, which was immense, is now even greater.

Fourth, I want to commend the leadership for their actions in permitting debate and allowing a vote on this important amendment. I appreciate their actions and I know the people, and the House itself, are much the better because of our leaders.

Mr. GUYER. Mr. Chairman, when the highway trust fund was first set up, it was done so in good faith, earmarking funds for highway construction, principally for the new Interstate System. This fund was raised and paid for by the people who use our highways by the revenue collected by the fuel tax; tube tire tax; general tire tax; manufacturers' tax on trucks, buses, and trailers; weight taxes on heavy trucks or buses; and the retread tax.

Why should we break the faith and spirit of the act by diverting these funds to other purposes? If moneys are allowed to be taken from the highway trust fund, it would be like the camel in the tent—just the beginning of a takeover. This will only set a precedent for Congress to take moneys from other in trust funds such as the airport fund or social security. Perhaps even our pensions would not be safe from similar actions.

Highway requirements in my State of Ohio for 1973–1990 are projected at $27 billion. Our share of the existing fund will not begin to fulfill the needs of Ohio's highway system, much less answer growing needs for a mass transit system.

In the interest of both the need for highways and the safety of users of highways, I am voting against the Anderson amendment to the Federal-Aid Highway Act of 1973. We must insure safety on our highways. More Americans have been killed in the last quarter of a century from highway accidents than have been killed in all the wars our country has ever fought. Certainly, highway safety, alone, merits top priority from the funds that were established for such purposes, along with construction, improvement, expansion, and highway modernization, to meet our exploding population and vehicle increases.

If Congress allows a change in a taxing process that has proven very satisfactory in funding our highway system, it is acting most irresponsibly. The fund has produced the intended results; those who use our highways are receiving benefits, which they paid for.

May I stress, however, that I am not unmindful of the need of mass transit systems. I fully share the concern of our friends in large urban areas and their need for mass transit systems; but these moneys should come from general revenue or special revenue, but not from a fund that is earmarked for highways.

The words above the Speaker's dais read: "In God We Trust."

I subscribe to their meaning and their spirit. Let us also learn to trust one another as well, and a good beginning would be to honor the word, "trust," and the measures men of good faith have made by revering deeds done in trust.

Mr. ALEXANDER. Mr. Chairman, I rise in support of section 147, which provides that the Secretary of Transportation shall report to Congress by January 1, 1975, on the feasibility and necessity for constructing to appropriate standards proposed highways along the following route for the purpose of including such highways in the National System of Interstate and Defense Highways: A route from Brunswick, Ga., or its vicinity, to Kansas City, Mo., or its vicinity, so alined to serve the following intermediate locations, or vicinities thereof: Columbus, Ga.; Birmingham, Ala.; Tupelo, Miss.; Memphis, Tenn.; Batesville or Jonesboro, Ark.; and Springfield, Mo.

I urge the House of Representatives to approve the provision in this Federal Aid Highway Act for a study of the feasibility and necessity of constructing to interstate standards a highway which would link Arkansas with Kansas City, Mo., and Tennessee.

The provision to which I refer appears as section 147 of the bill before us today. It provides for a study of a route from Kansas City, Mo., through north central and northeast Arkansas, Tennessee, Mississippi, and Alabama to the Atlantic coast of Georgia.

This route linking Arkansas with its neighbors to the northwest and to the southeast is one which I have long supported and worked for. Upon the decision which the Congress makes with regard to this provision hangs the economic future of thousands of Arkansans. The value of an adequate highway system which equitably serves all parts of this Nation is unchallenged.

In taking note of this value, the House Committee on Public Works, in its publication titled "Benefits of Interstate Highways," said:

> Advances in highway service have been closely associated with the growth of the American economy. . . .

Arkansas is rich in natural resources—its people and its scenic and fertile lands—and in potential for well-planned growth. Therefore, it is of grave concern to me when I see that one of the most scenic and picturesque regions of our Nation, though blessed with abundant natural resources, is being shortchanged in its efforts to develop its economic potential—being shortchanged by a lack

of adequate highways over which its people and visitors can travel.

I am especially referring to the north central and northeast portions of Arkansas, which would be served by the route for which this feasibility study is proposed. I believe that the economic health of a nonmetropolitan area such as this, and many of the other regions which would be served by this highway, is closely tied with its transportation network.

A lack of balanced economic development has long plagued the First Congressional District of Arkansas. And, generally, poor economic health has also been its fortune. Through 1972, 19 of the 21 counties in this district were designated redevelopment areas. That was at a time when there were only 52 such areas in the whole State.

Eighteen of the 21 counties have regularly been afflicted by high rates of unemployment. Eleven of them lost population during the last decade. Six of these had losses of 10 percent or more.

The counties of Arkansas which experienced a population and economic gain in the last decade generally were urban, adjoined urban counties, had interstates within their boundaries, and/or contained some of Arkansas' most attractive scenic and recreation areas.

Most all of them had adequate highway networks. There have been some remarkable exceptions. I refer to counties like Fulton, Independence, Sharp, Van Buren, Izard, and Stone. They have experienced from 8.6 to 30.3 percent increases in population. Yet, they have wretchedly inadequate highway systems. But, they also have some of the most enticing scenery and folkways in the Nation.

The counties of the Ozark foothills in north Arkansas contain a treasure trove of folklore—in the form of practicing craftsmen, art exhibitions, hootenannies—to be shared with visitors from across the Nation. These trips into the Ozarks region will bring our visitors into a new understanding of their national heritage and will help bring a new prosperity to a region which has been struggling to join the economic mainstream of the Nation.

In the delta counties where the population has been dwindling—or hardly growing—there is potential for achieving a desirable economic mix of agriculture, business, and industry. But, the goal for this region, and others like it along this proposed highway route, can only be reached if the region is provided with a good quality highway system over which to transport products and raw materials.

In the Ozarks we have an opportunity to create a sprawling recreation area which can be beneficial to the Nation as a whole by employing a well-devised plan which would protect, preserve, and wisely utilize our natural resources.

But, to achieve the full potential of these prospects, we must see that this area, and others like it, have high quality highway networks. It has been my growing concern over this need that led me to introduce in the 92d Congress, and again this year (H.R. 124), a bill to expand the National System of Interstate and Defense Highways. When it was originally authorized, the system was intended to link every part of the Nation with every other part. Without the route which we propose, that objective will not be reached.

Passage of the Federal Highway Act of 1973 with section 147 included in it as it is now proposed is an essential step toward that objective. Directing the Secretary of Transportation to make this feasibility study will tell our people in the Nation's countryside that Congress is serious about its commitment to treat all regions of the Nation fairly and to implement a balanced national growth policy.

For the reasons that I have outlined, I urge the Members of this House and of the Congress to direct the Secretary of Transportation to make a study of the feasibility of constructing an interstate highway along this route.

Mr. PRICE of Illinois. Mr. Chairman, I am particularly interested in section 229, title II, of the 1973 Federal Aid Highway Act authorizing the Secretary of Transportation to carry out rail-highway demonstration projects throughout the United States. I want to commend the House Public Works Committee for its continuing leadership in promoting highway safety by relocating on-grade rail-highway crossings.

This problem is especially acute in the east St. Louis, Ill., area. In recognition of the severity and magnitude of the problems, the committee has authorized the Secretary of Transportation to enter into the necessary arrangements to carry out a demonstration project in east St. Louis for the relocation of rail lines between 13th and 43d Streets along Route 460, one of the major east-west corridors in this metropolitan area. The total project cost of relocation of four rail tracks is an estimated $30 million. Fifteen million dollars is authorized to start the project and depending upon the Secretary's determination of the scope of the project, funds can be obtained from the State of Illinois' Federal aid apportionment which amounts to approximately $300 million annually.

For motorists who use Route 460 this project is welcome relief. Delays of 30 minutes are not uncommon for them. Public safety and health are well served by this project. Reports of police cars, fire trucks and ambulances being delayed at rail crossings occur with disturbing frequency. Traffic fatalities resulting from automobile and railroad car collisions are cruel reminders of the need for this project.

The East St. Louis area serves as a major railroad hub. As such, efficient, effective and safe rail operations are essential for the area to remain competitive and to provide badly needed employment. This project promotes economic growth by improving rail operations and by enhancing the area's potential as a distribution center for the Midwest.

I strongly support this section of the bill. It is important and beneficial to the people of the 23d District of Illinois.

Mr. TAYLOR of Missouri. Mr. Chairman, I rise to speak in support of the Federal-Aid Highway Act of 1973, a comprehensive response to the current transportation needs of the Nation, and a measure in harmony with the Public Works Committee record of studied attention to the evolving needs of the traveling public.

Missouri was the first State to undertake the construction of an interstate project when a contract was let to build a section of I–70 across the Missouri River. Since that time, the ambitious Federal highway program has proven to be one of the most successful public works ventures ever undertaken by the Government. Today, I–70 can be driven from the Nation's Capitol straight through to Denver, Colo., and 42,500 miles or 80 percent of the interstate program has been completed.

The benefits to the State of Missouri from the highway trust funded program during this period have been wide ranging with all citizens enjoying the opportunities of increased mobility and sharing in the economic rewards brought about by better roads. The improvements in road systems have resulted in the safer, swifter movement of people, goods, and services, and stimulated growth in agricultural, manufacturing, and recreational sectors of activity.

In addition to fostering the physical upgrading of Missouri's roadways, the highway trust fund support occasioned the setting and meeting of ever higher standards by the personnel involved in managing and building road work projects. Perhaps the finest example of this occurrence is the career of Rex M. Whitton, a Missourian whose contributions to the field has won him national and international commendation.

Rex Whitton joined the Missouri Highway Department as a chain man for a survey team, in 1920, and through the exercise of his abilities rose to the position of chief engineer of the department. In 1956, he was elected President of the American Association of State Highway Officials and later served as Chairman of National Academy of Science Highway Research Board. In 1961, after 40 years of service in Missouri, he was appointed Federal Highway Administrator when the interstate highway program was in the formulative stage.

During his 5-year administration, Rex Whitton provided the leadership and drive which accelerated the completion of the interstate project and made possible the accomplishments we see today. During his service, Rex Whitton earned almost every award of recognition available in the highway field: The George S. Bartlett Award, the Thomas H. MacDonald Award, the Roy W. Crum Award, and in 1966 he became the first American to be named the Outstanding Highway Man of the Year Award by the International Road Federation. Rex Whitton retired in 1966 and is currently a consultant in the highway field.

Today, I received a letter from Rex Whitton which concerns the Federal-aid highway program which I would like to insert, at this point, in the RECORD.

REX M. WHITTON,
Independence, Mo., April 12, 1973.

The Honorable GENE TAYLOR,
Congress of the United States,
Rayburn House Office Building,
Washington, D.C.

DEAR CONGRESSMAN: I am hopeful that you

find it possible to support House Bill HR-6288 introduced by Jim Wright of Texas and Don Clausen of California. It is my firm belief that the Interstate program and the Road program, both Rural and Urban, needs are much greater than the Trust Fund will provide. Therefore it seems to me that it is entirely implausible to consider spending Highway Trust Fund money for building rail transit or for the purchase of busses. It seems most logical to me that general funds should be used for rail transit and bus purchase.

After the Interstate System is complete, and I certainly feel that it should be completed at the earliest possible date, the Trust Fund money should then be used in its entirety to improve, reconstruct and rehabilitate our primary, secondary and urban roads.

Again, I am most hopeful that you see your way to support the above-mentioned bill.

With kindest personal regards and best wishes.

Sincerely,

REX M. WHITTON.

I recommend to you the wise counsel of Rex Whitton on the subject of "busting the trust." The national transportation report of 1972 contains estimates which support the greater highway needs forecast in the letter. The figures indicate that the highway needs during the 1970–90 decades total about $600 billion, and needs for mass transit total about $63 billion the completion of the Interstate Highways program will not release loose money.

As allowed for in this Federal-Aid Highway Act of 1973, the separate financing of both types of transportation can be provided independently of each other, so that both ends can be met at the same time without one need having to be sacrificed to meet the other one.

As the demands of the Interstate System decline, we need to redirect our attention to the condition of Federal-State primary and secondary roads, and place a new emphasis on their reconstruction. Department of Transportation figures show that, in 1971, injuries on rural highways numbered 518,974; more than three times the injuries reported on our modern interstate highways. The road conditions represented by this record of wreckage must be corrected.

Some other provisions of merit which lend to the passage of this bill include authorizations for forest highways, forest development roads, and trails, and clarification of the committee's intent in regard to the control of outdoor advertising. The committee notes with particular concern the need for motorists to get information about such travel-oriented services such as lodging, food service, camping areas, and travel attractions. The committee authorizes the Secretary of Transportation to promulgate national standards which will allow directional and informational signs.

Mr. Chairman, this is a good bill, a responsible bill, and one that provides for the transportation needs of urban, suburban, and rural. The committee has provided funding for mass transit without reneging on those who have been taxed to maintain better highways. I urge the adoption of this bill without encumbering amendments.

Mr. CULVER. Mr. Chairman, I want to call attention to section 131 of the Highway Act which provides funds for the Great River Road. The Mississippi River is the most significant North-South scenic corridor in the United States. It is within easy driving distance of millions of American families. Since the 1930's farsighted planners have hoped to see a scenic highway bring the beauty of the Mississippi within easy access of these millions. From Canada to the Gulf through Minnesota, Iowa, Wisconsin, Illinois, Missouri, Arkansas, Kentucky, Tennessee, Mississippi, and Louisiana, the Great River Road remains the dream of those who want to preserve and enhance the esthetic values of the Mississippi.

Over 8 years ago the President's Council on Recreation and Natural Beauty recommended the establishment of a system of scenic and recreational roads. The Council recommended a 10-year program to provide the American people with the kind of roads they deserve, if they are really going to be able to enjoy the scenic and recreational values of this vast and beautiful expanse of America and its people.

A study of outdoor recreation in Iowa suggests that the demand for decent, safe, and attractive scenic roads is far outpacing the roads we are providing.

In Iowa as in the rest of the country, pleasure driving is the most popular outdoor recreation activity—78.7 percent of all Iowans average 18 days of such driving—or a total of more than 28.1 million user-days a year.

Driving is then followed by other activities closely associated with and available along the Great River Road—77 percent picnicking; 59 percent sightseeing; 58 percent hiking and walking; 40 percent fishing; and 35 percent boating.

Clearly the demand for the access and the recreational facilities that would be provided by roads such as the Great River Road is overwhelming. It is reflected in a bill now being considered in the Iowa General Assembly providing State funds for this and other scenic highways within the State.

Mr. Chairman, I hope that before too long we will see winding along the banks of the Mississippi the scenic road that Americans deserve. Clearly the need is there. But the Great River Road will not be completed in a year or two, and with each passing year we see some of our fears realized. Unplanned, unsightly development threatens to deface the beauty and environmental value of the Mississippi.

One of the major aspects of the Great River Road bill that I introduced in January, and which has been incorporated in this Highway Act, is the acquisition of properties and easements along the banks of the river. While the bill would provide some beginning help in upgrading road surfaces along existing rights-of-way, it is designed principally to protect the route and to provide the scenic viewing points and roadside parks necessary for proper enjoyment of the vistas the Mississippi affords.

This year we are celebrating the 300th anniversary of the disovery of the Mississippi by Marquette and Joliet. It is an auspicious time to begin the realization of the dream of a road from Canada to the gulf. But the Great River Road will be more than a beautiful scenic highway along the Mississippi; it will also serve as a prototype of a national system of scenic highways we will eventually enjoy.

Mr. Chairman, in closing I want to thank the chairman of the Public Works Committee for sponsoring the Great River Road bill with me. His guidance and encouragement has been indispensable to those of us who hope to see this long delayed and vital project.

Mr. BIAGGI. Mr. Chairman, I rise in support of the Abzug amendment which would provide the kind of funding critically needed in so many major metropolitan areas to maintain adequate mass transit systems. By making $800,000,000 in UMTA funds available for mass transit operating subsidies over a 2-year period, we would at least put a temporary halt to the deterioration of our present city transit services.

Lack of funds for proper mass transit maintenance has up to now resulted in car-congested, polluted city streets. Other effects will include an escalation of the big business exit from downtown locations, and the further deterioration of inner city areas.

It is for this reason, Mr. Chairman, that I have constantly expressed support for use of highway trust funds to aid mass transit, as expressed in the Anderson amendment. It is for this reason that I voted against the Hanley amendment, which discriminates against the cities.

Mr. Chairman, in light of the fact that this body has today voted down the use of highway trust funds for urban mass transportation systems, it is imperative that we pass the Abzug amendment. The formula for allocating the funds is eminently fair, being based on the three operative variables: Namely, population, number of passengers, and total system mileage.

We cannot afford to deny to the cities sufficient funding to revitalize their public transportation services. I therefore call upon the Members of the House to adopt the Abzug amendment, and to grant urban transit networks a desperately needed reprieve.

Mr. VANIK. Mr. Chairman, the bill before the House tonight provides authorizations of $25.6 billion for highway transportation needs during the next 3 years. It is vital, Mr. Chairman, that this bill be substantially amended.

Amendments are needed to provide regular and large-scale funding of mass transit programs in our urban areas. Assistance is needed for more than just mass transit capital grants—our Nation's transit systems need daily operating assistance. An amendment is needed to provide that sections of Interstate Highway routes in urban areas which are no longer wanted can be deleted—and the money saved in the trust fund can be used to develop other forms of transportation in that urban area. In addition, new billion dollar additions to the Federal-Aid Highway System must be deleted; the proposal for a new 10,000 mile highway system has not been adequately studied. It is an extravagance

that must be deleted, and a balanced program of National Transportation substituted in its place.

If amendments are not accepted which provide our Nation's urban areas with greater flexibility and freedom in developing more rational transportation systems, then I feel, Mr. Chairman, that I must oppose the passage of this legislation.

OUR CITIES CANNOT STAND ANYMORE HIGHWAYS

Mr. Chairman, in his introduction to the National Academy of Sciences' February report on automotive emissions, the President of the Academy, Mr. Philip Handler, pointed out that the automobile has been such a success that it is beginning to defeat us. It has accelerated depletion of several critical natural resources, including the petroleum which fuels it. It has scarred the land and choked the city, contributing seriously to deterioration of the quality of urban life. In the long run, the truly effective mechanisms for emission control must include a significant reduction in the number of cars operated in a city—a solution dependent upon acceptable public mass transit systems and substantial reduction in the mean size of those automobiles which do function in the city.

URBAN AIR POLLUTION

The automobile is the single most important contributor to urban air pollution. It is responsible for about 35 percent of the Nation's air contamination and, in our major cities causes as much as 80 percent of the downtown air pollution. While the auto companies have just been granted a delay of 1 year for reducing the levels of auto pollutants, our urban areas must still meet 1975–76 standards for clean and healthful air. As a result, the EPA has estimated that as many as 67 cities may have to place some restrictions on traffic into the central city areas. But this is only feasible, if some form of alternative mass transit is available.

URBAN CONGESTION

In most large cities, nearly 50 percent of the central business area is devoted to highway use—freeways, streets, and parking lots. Not only has over-reliance on the auto created terrible distortions in urban land use, but it has rendered our cities almost impassable. Someone has figured out that in downtown New York City, transportation by horse and carriage was about 3 or 4 miles per hour faster than it is today in the bumper-to-bumper automotive age. The highways have contributed to "sprawl city": The disruption of neighborhood communities and totally unplanned and inefficient land use in populated areas. It is no wonder that some 37 segments of the urban Interstate System costing some $5.25 billion are stalled due to environmental, economic and community objections. One of those segments which has aroused particularly bitter feelings is the Clark Freeway which was scheduled to plow through the eastern suburbs of Cleveland, Ohio.

HIGHWAY TRANSPORTATION AND THE ENERGY CRISIS

The automobile is probably the most inefficient, energy-consuming contraption man could devise. Automobiles effectively use only 5 percent of the potential energy they burn—fully 95 percent is wasted. Per passenger, an auto consumes five times as much fuel as a train and six times as much as a bus. These facts alone would not be so bad except that our Nation, for a variety of reasons, has become over-reliant on the automobile.

All this means that the Nation is annually presented with a tremendous energy bill from the automobile. In terms of energy consumed—and largely wasted—13 percent of the total domestic energy budget is allocated directly to gasoline consumption. This translates into over 60 million gallons of gas a day. Moreover, gasoline demand, like automobile sales, shows no sign of slowing down. Over the 10 year period from 1960 to 1970, the annual demand for gasoline grew by over 60 percent. In the next decade, demand is expected to continue to rise at a rate of between 6 and 7 percent each year. At the present rate, transportation demands could burn up the entire proven Alaskan oil reserves in 7 years.

As the President said in his energy message, delivered to the Congress yesterday afternoon:

> There are other ways, too, in which government can exercise leadership in this field of energy conservation. I urge again, for example, that we allow local officials to use money from Highway Trust Fund for mass transit purposes. Greater reliance on mass transit can do a great deal to help us conserve gasoline.

In the face of the incredible drain on our Nation's resources that the automobile represents, we must begin now to reexamine the role the automobile shall play in our transportation future. The present energy crunch and our increasingly scarce supply of petroleum makes it even more imperative that we seek more efficient ways to use our resources. The growing energy crisis can only be resolved through new energy research, increased energy efficiency, and a dedication to energy conservation. Until substitutes for gasoline can be developed, in the field of transportation, the energy crisis may mean altering the entire pattern of travel in this country: shifting intercity freight from truck to rail, shifting short-haul passengers from air to ground, shifting urban passengers from automobile to mass transport.

The simple fact is that we are constructing new highways for automobiles at a time when we are running out of fuel for the cars. The money we are spending for these roads might better be spent on finding new energy sources. Today, we are only building future monuments to our present folly.

THE NEED FOR MASS TRANSIT

It is obvious that improved system of mass and rapid transit could do much to alleviate some of the problems which I have outlined. Increased use of transit systems could save on energy consumption, reduce congestion and air pollution in our major cities, as well as provide increased mobility for millions of non-car-owning Americans.

Yet the vast proportion of our Nation's ground transportation expenditures are made for highways. In fiscal year 1972, the Federal Government spent $8.8 billion on all forms of transportation, of which highways got about $6 billion. Total expenditures on roads by all levels of government in 1972 was $21.9 billion. As of last year, my own State of Ohio had spent $4.5 billion on highways since 1956—but not a penny for mass transit.

Not only do we need to provide for a more balanced program of transportation development, but immediate efforts are necessary to save the present inadequate mass transit systems. It is reported that since the establishment of the highway trust fund in 1956, a total of 268 city transit systems have gone out of business. While 23 billion people were carried annually in 1945 by mass transit systems, only 7.3 billion use such systems now. The Department of Transportation estimates that the cost of bringing our mass transit systems up to necessary standards by the end of the decade will cost between $28 and $34 billion. The Federal Government's level of assistance out of general revenues, however, is about $1 billion annually.

The need for increased support for mass transit on a regular, dependable basis is obvious. The need for a more balanced transportation program—less highways and more mass and rapid transit—is obvious. This Federal aid to highway bill, with its automatic funding from the highway trust fund, must be amended to provide trust fund financing of other urban area ground transportation programs.

WEAKNESS OF MASS TRANSIT PROVISIONS IN THE EXISTING BILL

The committee has reported out a bill which would permit an urban area to decide to give up the use of its share of the $700 million per year urban system allocation, return the money to the highway trust fund, and receive a like amount of funds on a contract authority basis from general revenues. These funds could then be used for various public transportation construction projects.

Mr. Chairman, this approach is simply not good enough. As we have seen in program after program in the last decade, and particularly in the past few years, appropriations almost never equal the authorizations which we provide. Through impoundment, the executive can act to suspend a program or cripple it. Indeed, the Federal Government has been in a chronic deficit budget situation. To expect further funding of transportation programs out of general revenues is unrealistic.

Yet regular, dependable funding is what is required to encourage communities to construct the necessary rapid and mass transit facilities. Last year, and again last month, the Senate passed highway-aid legislation which would permit urban system funds to be used for either highway or for mass transit programs. The same amendment is being offered to this bill and should be adopted.

MASS TRANSIT AND REGIONAL TRANSPORTATION PLANNING IN NORTHEAST OHIO

The provision for regular funding of mass transportation systems will provide an invaluable base for the development of truly comprehensive and coordinated regional transportation plans. While a number of communities have been able to develop such programs, most have not.

With the support of the Federal Government the Greater Washington, D.C., area has started a massive subway program. The BART system has just gone into operation in the San Francisco area, and Atlanta has started work on their new transportation system. But these are the exceptions. Almost every other urban center of the Nation needs such a program or must up-grade its present system.

The densely populated Cleveland-Akron area in northeast Ohio is a prime example of a region which needs to—and with regular funding could—develop a regional mass transit system.

In 1970, the administration's fiscal year 1971 budget message specifically indicated that the Greater Cleveland Area would be a prime candidate for participating in some $636 million in urban mass transportation development. In fact, the Cleveland area was given first priority in the listing of possible urban areas which could receive assistance.

Unfortunately, despite years of discussion, our community has not yet moved to institute a mass transit system throughout the area. Yet the promise and potential remains. In March of 1970, I testified before the Housing Subcommittee of the House Banking and Currency Committee in support of urban mass transportation legislation. Because I have received a number of requests over the years for copies of this testimony, and because it is still applicable to the situation in northeast Ohio, I would like to enter portions of this statement in the RECORD. I might add, Mr. Chairman, that I get rather depressed in reviewing this testimony. There is so much potential for development in my community and so little has been done. I would hope that if the mass transit funding amendment is accepted, some of the types of ideas and proposals contained in this testimony will be acted on—before another 3 years go by.

My testimony follows:

STATEMENT OF HON. CHARLES A. VANIK, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF OHIO

Mr. Chairman and members of the committee: I appreciate the opportunity to speak before you today on the subject of amendments to the Urban Mass Transportation Act.

As you know, the purpose of H.R. 11081, of which I am a cosponsor, is to establish an urban mass transportation fund.

In both large and small cities, demonstration and capital improvement programs assisted by the Federal Urban Transportation Program have shown that people will welcome and use improved mass transportation facilities. Perhaps the clearest proof thus far is in Cleveland where extension of the rail rapid transit line to Hopkins International Airport has produced twice the traffic estimated in the course of project planning and where acquisition of additional rail cars representing a fifty percent increase in the original order has already been decided.

In November of 1968, the Cleveland Transit System opened this four-mile extension of its rapid transit line providing through service between Hopkins Airport and downtown Cleveland. Total cost was $18.6 million, of which $12.2 million was a Federal grant. The local share was provided by the city of Cleveland and Cuyahoga County.

By the spring of 1969, there were approximately 2000 round-trips per day between the airport and downtown. At a fare of forty cents one way, this volume will produce annual gross revenue of about $500,000. Estimated annual operating costs are $266,175 with a resulting net operating income of $233,825. The best alternative would have been bus service which CTS estimates would have had annual operating costs of approximately $687,000.

Presently, half of all rush hour trips to and from downtown Cleveland are assisted by mass transit. One-fourth of all rush hour traffic within Cuyahoga County is by means of mass transit, even though in many square miles of the county there is no public transit. The transit systems "park 'n' ride" lots provide 7000 parking spaces (including 1700 in the Shaker transit network).

The proposed Clark Freeway, Interstate 290, in Cleveland, which would have cut through the Cleveland and Shaker Heights area, was overwhelmingly and justifiably opposed by the citizens whom it was intended to aid. It has since been vetoed at the state level.

I believe that the majority will of the people has been shown to prefer rapid transit extension rather than highway construction in this situation. The President's Budget Message, indicates that the Greater Cleveland area will participate in $636 million urban mass transportation development scheduled to begin in fiscal 1971. Cleveland was given first priority in the listing of urban areas to receive assistance. This provides our community with a greater opportunity to develop a rational metropolitan mass transit system to the Northeast, East and South.

With the assistance of adequate trust funds, our community can move forcefully ahead, taking advantage of our head start, to prove feasible alternatives to extensive highway construction which destroys community values.

My community is ready and waiting for a mass transit program and for Federal inducements which can permit long-range planning. The Cuayahoga County Mayor's Committee headed by Mayor Irving Konisberg of University Heights in my District is already on the move in developing a master plan to serve the entire metropolitan area. There is widespread interest and support in a metropolitan transit authority. Just last week, the Ohio State adopted legislation to authorize the establishment of such an authority with multi-county jurisdiction.

Cleveland is one of the leading proponents of a mass transit in America. The Cleveland Transit system extends from the Cleveland-Hopkins Airport to Windermere in the City of East Cleveland—a distance of 19 miles. The Shaker Rapid Transit System operated by the City of Shaker Heights is a 9.7-mile system—extending from downtown Cleveland to and through Shaker Heights and the City of Beachwood in two spurs.

The last costly extension of a rapid transit system in America is a possible extension of the Shaker Boulevard line of the Shaker Heights Rapid Transit System for three additional miles from Shaker Heights through the City of Beachwood. The right-of-way has already been acquired. The over-passes have already been constructed. All that remains to be done is extend the tracks, over head power lines, and passenger platforms.

There is no reason why the extension of the Shaker Rapid could not be projected into the next county and become part of a new service complex to serve future housing needs. This extension would serve to justify the elimination of a high-cost, extensive land-consuming freeway which has just been stricken from the Interstate System because of community protest.

The Cleveland Transit System which presently extends to Windermere in the City of East Cleveland could be extended through the City of Euclid along the existing and available railroad right-of-way at relatively moderate expense—

Shortly after this testimony was delivered, I received a copy of a resolution from the Euclid City Council in support of an extension of "the Rapid Transit System from the Windermere Station in East Cleveland through Euclid and to Lake County," Resolution No. 25, 1970—

A further extension into Wickliffe and Mentor in the next county would reach into high density housing developments. New links of the Cleveland Transit System to the south and the southeast would make the Cleveland plan one of the best metropolitan systems in America.

One of the problems of mass transit results from piecemeal development. A system cannot become efficient and economically sound until it begins to totally serve a large metropolitan area. In the interim, high-cost partial operations with traffic below expectations, serve to discourage mass transit programs before they are developed.

If my community can proceed with its master plan, we can develop a sound, efficient and economical total system at a fraction of the cost of developing a comparable system in metropolitan Washington—a metropolitan area of comparable size.

In the event, your legislation should strive toward the completion of those systems of mass transit which can be comprehensive. This would be infinitely preferable to proliferating mass transit funds in bits and pieces.

I fully support the concept of the Mass Transit Trust Fund and will support the establishment of such a fund if the issue is presented to the Ways and Means Committee. We have just completed comparable legislation for the Aviation Facilities Expansion Act in conjunction with Interstate and Foreign Commerce Committee. As you undoubtedly know, this legislation was developed in two portions by each committee to develop a trust fund concept for Aviation Facilities.

There will be some protest by automobile groups resulting from the allocation of automobile excises for mass transit. However, every highway user must realize that every convert to mass transit develops more highway space for those who have no other alternative. Mass transit, therefore, develops opportunities for more effective utilization of highways.

And this brings me to a major point: the inter-relationship between rapid transit and new cities and housing projects. Your committee is in a unique position of being able to require that all new town projects and federally-assisted housing projects are on rapid transit routes.

In view of the fact that federal resources are drastically limited both in respect to outlays for housing and outlays for mass transit, it seems to be in the public interest to combine the two programs in a practical way to permit the Federal programs of mass transit and housing to complement each other.

In view of the warning by Secretary Maurice Stans that the next thirty years will bring America to the 300 million level, of whom 255,000,000 will live in urban areas, it becomes absolutely essential that federal programs meet the increased need for housing and transportation.

Federal programs in housing must be directed toward the utilization of mass transportation. Federal programs in mass transit must be directed toward new housing.

Under these circumstances, a substantial allocation of mass transit funds must be set-aside for mass transit extensions in density populated urban centers and into the countryside to serve new town developments.

While we struggle to preserve urban life in crowded, congested, polluted and crime-infested cities—we must recognize that a

second front must be developed for urban life—into the countryside.

We must encourage the extension of mass transit into the countryside, with a "planned community of high density housing at every transit station." One station could be designed for industry and commerce, or education, another for medium and low-cost high density housing, another for more expensive high-rise complexes. The objective would be to place high density housing at the transit station, with underground connections. A ten mile extension into the countryside with a 30,000 high density population on each transit stop would provide rapid transit for 300,000 people and insure the success of the transportation system—

I have since read some details of the urban planning and transportation system of Copenhagen, Denmark. Shortly after World War II, the Danes established a "Finger Plan" for the suburban development of the Greater Copenhagen Area. The Urban Extension Act of 1949 introduced the concepts of inner zones, where urban development should be accepted—within the framework of local town plans—and outer zones—the wedges—which were preserved as green areas for agricultural and recreational purposes. Transit lines ran out from central Copenhagen through the "finger" suburbs, leaving large areas open for recreation and public parks. We should begin planning our own urban development and growth in a similar manner—

This approach would also offer people a safer, better environment than would be possible in the center city and still permit access to the business and cultural benefits of the center city.

Several years ago, I recommended that this Committee encourage the development of mass transit authorities which would have the power to establish new mass transit extensions and acquire all land areas within a half-mile of a transit stop on an interchange to insure high density housing in close proximity to the transit stop and prevent land speculators from reaping the benefit of transit extensions into new areas. If the transit extension multiplies land values, the increment in value should enure to the benefit of the transit authorities whose decision made the value—rather than for the benefit of the speculator—"who happened in." We should not repeat the mistakes of the Interstate Highway System which provided "instant riches" to those who owned land adjacent to interchanges. This unjust enrichment for a few resulted from the huge public investment.

If the increment in land values were retained for the development authority, the sale or lease of land by the transit authority near new transit stops to housing or commercial developers would create resources which could be utilized to (1) offset the cost of right-of-way; or (2) provide for extending the system further out.

The development of mass transit and high density housing into the countryside will provide more of each at considerably less cost and help meet the crisis in both housing and transportation which is about us.

I sincerely hope that this committee will write into the law a dramatic set-aside of resources for this purpose in both housing and mass transit.

Mass transit grants and loans must be made contingent upon high density rezoning at stops and interchanges. Mass transit grants must be made conditional upon housing plans which provide for full and better utilization of both housing and mass transit

There is now an opportunity to develop both housing and mass transit. We should not have one without the other.

THE USE OF EXISTING RAILROAD LINES FOR MASS TRANSIT PURPOSES

In addition to developing comprehensive plans for regional transportation, Mr. Chairman, I believe that we should give greater consideration to the use of existing railroad lines in our urban areas for short-haul commuter service. Most of our Nation's cities are crisscrossed with railroad tracks. With the decline of railroad passenger service, the merger of railroads, and some reduction in track useage, many of these right of ways could be used by local transit authorities to provide high speed commuter service. Rather than building new transit routes at enormous cost, every effort should be made to coordinate local commuter service with existing railroad lines. On many lines which are used only once or twice a day by the railroads, a schedule could be worked out to provide commuter service—at high speed and minimum cost.

In the Cleveland area which I represent, public authorities could take over portions of the Erie Lackawanna commuter service which that railroad is now requesting to discontinue. Through better service, attractive equipment, and more adequate station stops, such a commuter run could provide an important mass transit service into the area's southeastern suburbs.

One of my constituents, Mr. Frank Seiler of Northfield, Ohio, a community which lies between Cleveland and Akron, has provided me with detailed maps of the railroad lines which stretch south from Cleveland. Some of these right-of-ways have been abandoned. Others are seldom used—yet there is no good commuter service between these two major metropolitan cities!

As Mr. Seiler writes in part:

Northern Summit County is definitely oriented toward metropolitan Cleveland, physically, economically, culturally, and socially.

Complete dependence on automobile transportation dictated by absence of any mass transit availability.

Congestion and winter road hazards overwhelm any over-the-highway plan of movement safely or efficiently.

A railroad right-of-way leading into a metropolitan area my be ideal for a sophisticated mass transit model. Ample in width and with unused acreage available for collector and parking stations, such properties might well be preserved in the public domain for possible mass transportation corridors.

The bill which we are considering today—and legislation which we will be considering in the years to come—should contain provisions for the use of railroad right of ways in the development of urban mass transit systems. As everyone knows, we are facing a massive railroad crisis in the Northeast part of the country this year due to the financial difficulties of the Penn Central. Now I am personally opposed to any approach to that problem which involves huge financial commitments to that company by the Federal Government. We do not need to continue the tradition of Lockheed loans and the bail-out of inefficient companies. But I do think that if any legislation is passed involving commitments from the Federal Government, then some provision should be made for obtaining "shared-time" in the use of railroad routes in urban areas. This would enable a rapid, and low-cost expansion of needed mass transit facilities. In addition, perhaps it is time that the railroads themselves considered the possibility of leasing their right of ways to local transit authorities. The cash flow which could result from such leases could then enable them to support and improve their intercity transportation facilities.

Mr. FRASER. Mr. Chairman, I am pleased to note that the Public Works Committee has seen fit to include my amendment on freeway noise in the bill now before us, S. 502, the Federal Aid Highway Act.

The freeway noise amendment, section 115 of the Highway Act, broadens the authority of the Secretary of Transportation to fund noise control projects along existing Federal-aid highways. These projects may include, but are not limited to, construction of physical barriers, landscaping, and acquisition of additional right of way.

Funding along the Federal Interstate System would be on a 90–10 basis. For other Federal-aid highways, the funding arrangements that now apply to new construction would apply to these noise control activities.

Our amendment also enables the Secretary to set noise standards for existing highways. Under current law he has the authority to establish standards for new projects approved after July 1, 1972.

Mr. Chairman, freeway noise is becoming an increasingly severe problem—particularly in our urban areas. Last year, a group of constituents took me to listen to the problem at first hand at the edge of one of our freeways in Minneapolis. In this neighborhood, which abuts the right-of-way for Interstate 94, local residents have found that they can no longer use their backyards, because of the din from the freeway.

Decibel readings in the area often approach 90, the level at which prolonged exposure can cause permanent hearing loss.

Experiments have shown that freeway noise can be reduced significantly either by construction of noise barriers on the right-of-way itself, or through acquisition of additional right-of-way to serve as a noise buffer zone.

One such experiment is now underway along Interstate 35W in Minneapolis. This project has received Federal support but only because it is a demonstration. Section 115 would permit funding for other projects, such as the one in the planning stages for Interstate 94, on a regular basis.

Hopefully, noise will be less of a pollutant in the future as ways are found to design quieter freeways. Quieter engines and tires will also help considerably. But we have to live more comfortably with the freeways we already have and that is what section 115 will help us do.

The CHAIRMAN. Are there any amendments to be proposed to title IV?

Are there any amendments to be proposed to title V?

The question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. UDALL, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (S. 502) to authorize appropriations for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes, pursuant to House Resolution 356, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the committee amendment in the nature of a substitute adopted in the Committee of the Whole?

Ms. ABZUG. Yes, Mr. Speaker.

The SPEAKER. Will the gentlewoman from New York (Ms. ABZUG) state on which amendment she demands a separate vote?

Ms. ABZUG. Mr. Speaker, I demand a separate vote on the so-called Hanley amendment.

The SPEAKER. The Clerk will report the amendment on which a separate vote has been demanded.

The Clerk read as follows:

Amendment: Page 124, strike out line 10 and all that follows down through and including the line following line 12 on page 125.

Renumber succeeding sections and references thereto accordingly.

The SPEAKER. The question is on the amendment.

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

Mr. HARSHA. Mr. Speaker, on that I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 292, noes 93, not voting 48, as follows:

[Roll No. 111]

YEAS—292

Abdnor	Broomfield	Conlan
Alexander	Brotzman	Conte
Anderson, Ill.	Brown, Calif.	Coughlin
Andrews, N.C.	Brown, Mich.	Crane
Andrews, N. Dak.	Brown, Ohio	Cronin
Arends	Broyhill, N.C.	Culver
Armstrong	Broyhill, Va.	Daniel, Dan
Ashbrook	Burgener	Daniel, Robert W., Jr.
Ashley	Burke, Fla.	Daniels, Dominick V.
Aspin	Burleson, Tex.	Danielson
Bafalis	Burlison, Mo.	Davis, Ga.
Baker	Butler	Davis, S.C.
Beard	Byron	Davis, Wis.
Bergland	Camp	de la Garza
Bevill	Carney, Ohio	Dellenback
Biester	Carter	Denholm
Blackburn	Cederberg	Dennis
Boland	Chappell	Dent
Bolling	Clausen, Don H.	Derwinski
Bowen	Clawson, Del	Devine
Brademas	Cleveland	Dickinson
Bray	Cochran	Dingell
Breaux	Cohen	Donohue
Brinkley	Collier	Dorn
Brooks	Conable	Downing
Drinan	Landgrebe	Rose
Duncan	Landrum	Roush
du Pont	Leggett	Rousselot
Edwards, Ala.	Lent	Roy
Edwards, Calif.	Litton	Runnels
Esch	Long, La.	Ruth
Eshleman	Long, Md.	St Germain
Evans, Colo.	Lott	Sandman
Fascell	Lujan	Sarasin
Findley	McCloskey	Satterfield
Fish	McCollister	Saylor
Fisher	McDade	Schneebeli
Flood	McEwen	Sebelius
Flowers	McFall	Seiberling
Flynt	McKay	Shipley
Foley	McKinney	Shoup
Ford, Gerald R.	McSpadden	Shriver
Ford, William D.	Mahon	Shuster
Forsythe	Mallary	Sikes
Fountain	Mann	Sisk
Frelinghuysen	Maraziti	Skubitz
Frenzel	Martin, N.C.	Slack
Frey	Mathis, Ga.	Smith, Iowa
Froehlich	Mayne	Smith, N.Y.
Fuqua	Mazzoli	Snyder
Gaydos	Meeds	Staggers
Gettys	Melcher	Stanton, J. William
Giaimo	Michel	Steed
Gilman	Milford	Steele
Ginn	Miller	Steiger, Ariz.
Goodling	Mills, Ark.	Steiger, Wis.
Grasso	Minish	Stephens
Gross	Minshall, Ohio	Stratton
Gubser	Mitchell, N.Y.	Stubblefield
Gude	Moakley	Symms
Guyer	Mollohan	Taylor, Mo.
Haley	Montgomery	Taylor, N.C.
Hammer-schmidt	Moorhead, Calif.	Teague, Calif.
Hanley	Mosher	Thomson, Wis.
Hanna	Moss	Thone
Hanrahan	Myers	Thornton
Hansen, Idaho	Natcher	Tiernan
Harsha	Nelsen	Towell, Nev.
Hastings	Nichols	Treen
Hays	Obey	Ullman
Hechler, W. Va.	O'Brien	Vander Jagt
Heinz	O'Hara	Vanik
Helstoski	Owens	Veysey
Hillis	Parris	Vigorito
Hinshaw	Pepper	Waggonner
Hogan	Perkins	Walsh
Holifield	Pettis	Wampler
Holt	Peyser	Ware
Horton	Pickle	Whalen
Hosmer	Pike	White
Huber	Poage	Whitehurst
Hudnut	Price, Tex.	Whitten
Hungate	Quie	Widnall
Hunt	Quillen	Wiggins
Hutchinson	Railsback	Williams
Johnson, Calif.	Randall	Wilson, Charles H., Calif.
Johnson, Colo.	Rarick	Winn
Johnson, Pa.	Regula	Wydler
Jones, N.C.	Rinaldo	Wyman
Jones, Okla.	Roberts	Yatron
Jones, Tenn.	Robinson, Va.	Young, Alaska
Karth	Robison, N.Y.	Young, Fla.
Kastenmeier	Rodino	Young, S.C.
Keating	Roe	Young, Tex.
Kemp	Rogers	Zion
Ketchum	Roncalio, Wyo.	Zwach
Kuykendall	Roncalio, N.Y.	
	Rooney, Pa.	

NAYS—93

Abzug	Eckhardt	Mezvinsky
Adams	Eilberg	Mink
Addabbo	Erlenborn	Mitchell, Md.
Anderson, Calif.	Fraser	Moorhead, Pa.
Annunzio	Fulton	Murphy, Ill.
Archer	Gonzalez	Murphy, N.Y.
Badillo	Gray	Nedzi
Barrett	Green, Oreg.	Nix
Bell	Green, Pa.	O'Neil
Bennett	Harrington	Price, Ill.
Biaggi	Hébert	Pritchard
Blatnik	Heckler, Mass.	Rangel
Boggs	Henderson	Rees
Brasco	Hicks	Reid
Breckinridge	Holtzman	Reuss
Buchanan	Howard	Rhodes
Burke, Calif.	Jordan	Riegle
Burke, Mass.	Kazen	Rosenthal
Burton	Kluczynski	Rostenkowski
Carey, N.Y.	Koch	Roybal
Chisholm	Kyros	Sarbanes
Clancy	Lehman	Schroeder
Conyers	Macdonald	Stark
Corman	Madden	Steelman
Delaney	Mailliard	Stokes
Dellums	Matsunaga	Studds
	Metcalfe	Sullivan
Symington	Wilson, Charles, Tex.	Wylie
Thompson, N.J.	Wolff	Yates
Udall	Wright	Young, Ga.
Van Deerlin	Wyatt	Zablocki
Waldie		

NOT VOTING—48

Bingham	Harvey	Podell
Casey, Tex.	Hawkins	Powell, Ohio
Chamberlain	Ichord	Preyer
Clark	Jarman	Rooney, N.Y.
Clay	Jones, Ala.	Ruppe
Collins	King	Ryan
Cotter	Latta	Scherle
Diggs	McClory	Spence
Dulski	McCormack	Stanton, James V.
Evins, Tenn.	Madigan	Stuckey
Gibbons	Martin, Nebr.	Talcott
Goldwater	Mathias, Calif.	Teague, Tex.
Griffiths	Mills, Md.	Wilson, Bob
Grover	Morgan	Young, Ill.
Gunter	Passman	
Hamilton	Patman	
Hansen, Wash.	Patten	

So the amendment was agreed to.

The Clerk announced the following pairs:

Mr. Rooney of New York with Mr. King.
Mr. Cotter with Mr. Latta.
Mr. Dulski with Mr. Groves.
Mr. Patten with Mr. Bob Wilson.
Mr. James V. Stanton with Mr. Chamberlain.
Mr. Teague of Texas with Mr. Collins.
Mr. Stuckey with Mr. Powell of Ohio.
Mr. Ichord with Mr. Madigan.
Mrs. Hansen of Washington with Mr. Martin of Nebraska.
Mr. Casey of Texas with Mr. Harvey.
Mr. Clark with Mr. Young of Illinois.
Mr. Diggs with Mr. Podell.
Mr. Hawkins with Mrs. Griffiths.
Mr. Clay with Mr. Bingham.
Mr. Jones of Alabama with Mr. Spence.
Mr. Jarman with Mr. Goldwater.
Mr. Morgan with Mr. Ruppe.
Mr. Passman with Mr. McClory.
Mr. Gunter with Mr. Mathias of California.
Mr. McCormack with Mr. Scherle.
Mr. Evins of Tennessee with Mr. Talcott.
Mr. Hamilton with Mr. Mills of Maryland.
Mr. Gibbons with Mr. Preyer.
Mr. Ryan with Mr. Patman.

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the amendment.

The amendment was agreed to.

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

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

MOTION TO RECOMMIT OFFERED BY MR. HARSHA

Mr. HARSHA. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. HARSHA. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. HARSHA moves to recommit the bill, S. 502 to the Committee on Public Works.

Mr. HARSHA. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

The motion to recommit was rejected.

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

The bill was passed.

A motion to reconsider was laid on the table.

Mr. WRIGHT. Mr. Speaker, I ask unanimous consent that the engrossment of the House amendment to S. 502, the Clerk be authorized to make changes in section numbers, cross-references, and punctuation as may be necessary to reflect the amendments adopted in the Committee of the Whole.

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

There was no objection.

APPOINTMENT OF CONFEREES

Mr. WRIGHT. Mr. Speaker, I ask unanimous consent that the House insist on its amendment to the Senate bill (S. 502) to authorize appropriations for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes, and request a conference with the Senate thereon.

The SPEAKER. Is there objection to the request of the gentleman from Texas? The Chair hears none, and appoints the following conferees: Messrs. WRIGHT, BLATNIK, KLUCZYNSKI, JOHNSON of California, JAMES V. STANTON, HARSHA, CLEVELAND, DON H. CLAUSEN, and SNYDER.

APPOINTMENT OF CONFEREES ON HOUSE JOINT RESOLUTION 393, AMENDING EDUCATIONAL AMENDMENTS OF 1972

Mr. O'HARA. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the joint resolution (H.J. Res. 393) to amend the Education Amendments of 1972 to extend the authorization of the National Commission on the Financing of Post-Secondary Education and the period within which it must make its final report, with a Senate amendment thereto, disagree to the Senate amendment, and request a conference with the Senate thereon.

The SPEAKER. Is there objection to the request of the gentleman from Michigan? The Chair hears none, and appoints the following conferees: Messrs. PERKINS, O'HARA, and QUIE.

PROVIDING FOR THE PRINTING OF REMARKS OF TRIBUTE TO THE LATE PRESIDENT OF THE UNITED STATES, LYNDON BAINES JOHNSON

Mr. BRADEMAS. Mr. Speaker, by direction of the Committee on House Administration, I submit a privileged report (Report No. 93–150) on the concurrent resolution (H. Con. Res. 109) providing for the printing of remarks of tribute to the late President of the United States, Lyndon Baines Johnson, and ask for immediate consideration of the resolution.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 109

Resolved by the House of Representatives (the Senate concurring), That there be printed, with illustrations, as a House document and bound, under the direction of the Joint Committee on Printing, all of the speeches and remarks which constitute tributes to the life, character, and public service of the late President of the United States, Lyndon Baines Johnson, and which were delivered on January 24 and 25, 1973, in the rotunda of the Capitol of the United States where the remains of the late President lay in state, at his funeral service held at the National City Christian Church, Washington, District of Columbia, and at his burial service in Texas, together with such additional explanatory matter as the joint committee may deem pertinent, and all speeches and remarks of tribute to the late President delivered in the Halls of Congress.

SEC. 2. There shall be printed and bound, as directed by the Joint Committee on Printing, thirty-two thousand four hundred additional copies of such document, of which twenty-two thousand one hundred copies shall be for the use of the House of Representatives and ten thousand, three hundred copies shall be for the use of the Senate.

With the following committee amendments:

Page 2, line 6, delete "two hundred and fifty" and insert "four hundred"; and on line 7, delete "twenty-one thousand nine hundred and fifty" and insert "twenty-two thousand one hundred"

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

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

Mr. GROSS. Do I understand that this is House Concurrent Resolution 109 which is being considered?

Mr. BRADEMAS. That is correct.

Mr. GROSS. What is the cost of this resolution?

Mr. BRADEMAS. It is estimated it will cost a total of $104,228.98.

The committee amendments were agreed to.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

PRINTING OF HEARINGS ENTITLED "YEAR-ROUND SCHOOLS"

Mr. BRADEMAS. Mr. Speaker, by direction of the Committee on House Administration, I submit a privileged report (Rept. No. 93–151) on the concurrent resolution (H. Con. Res. 126) to provide for the printing of 1,000 additional hearings entitled "Year-Round Schools", and ask for immediate consideration of the concurrent resolution.

The Clerk read the resolution, as follows:

H. CON. RES. 126

Resolved by the House of Representatives (the Senate concurring), That there shall be printed one thousand copies of the hearings entitled "Year-Round Schools", Ninety-second Congress, for use of the House Committee on Education and Labor.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

PRINTING OF HEARINGS ENTITLED "CORRECTIONS, FEDERAL AND STATE PAROLE SYSTEMS"

Mr. BRADEMAS. Mr. Speaker, by direction of the Committee on House Administration, I submit a privileged report (Rept. No. 93–152) on the concurrent resolution (H. Con. Res. 156) to provide for the printing of 1,000 additional hearings entitled "Corrections, Federal and State Parole Systems, parts VII–A and VII–B, serial 15, Ninety-second Congress," and ask for immediate consideration of the concurrent resolution.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 156

Resolved by the House of Representatives (the Senate concurring), That there shall be printed one thousand copies each of parts VII–A and VII–B of serial 15 hearings entitled "Corrections, Federal and State Parole Systems", Ninety-second Congress, for use of the House Committee on the Judiciary.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

PRINTING OF SENATE HEARINGS ENTITLED "RUNAWAY YOUTH"

Mr. BRADEMAS. Mr. Speaker, by direction of the Committee on House Administration, I submit a privileged report (Rept. No. 93–153) on the Senate concurrent resolution (S. Con. Res. 2), authorizing the printing of additional copies of Senate hearings entitled "Runaway Youth," and ask for immediate consideration of the Senate concurrent resolution.

The Clerk read the Senate Concurrent Resolution, as follows:

S. CON. RES. 2

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Senate Committee on the Judiciary three thousand copies of the hearings of its Subcommittee To Investigate Juvenile Delinquency during the Ninety-second Congress, second session, entitled "Runaway Youth".

The Senate concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

PRINTING OF SENATE HEARINGS ENTITLED "SATURDAY NIGHT SPECIAL HANDGUNS, S. 2507"

Mr. BRADEMAS. Mr. Speaker, by direction of the Committee on House Administration, I submit a privileged report (Rept. No. 93–154) on the Senate concurrent resolution (S. Con. Res. 3), authorizing the printing of additional copies of Senate hearings entitled "Saturday Night Special Handguns, S. 2507," and ask for immediate consideration of the Senate concurrent resolution.

The Clerk read the Senate concurrent resolution, as follows:

S. CON. RES. 3

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Senate Committee on the Judiciary three thousand additional copies of the hearings of its Subcommittee To Investigate Juvenile Delinquency during the Ninety-second Congress, first session, entitled "Saturday Night Special Handguns, S. 2507".

PRINTING OF SENATE HEARINGS ENTITLED "JUVENILE CONFINEMENT INSTITUTIONS AND CORRECTIONAL SYSTEMS"

Mr. BRADEMAS. Mr. Speaker, by direction of the Committee on House Administration, I submit a privileged report (Rept. No. 93–155) on the Senate concurrent resolution (S. Con. Res. 4), authorizing the printing of additional copies of the Senate hearings entitled "Juvenile Confinement Institutions and Correctional Systems," and ask for immediate consideration of the resolution.

The Clerk read the Senate concurrent resolution, as follows:

S. CON. RES. 4

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Senate Committee on the Judiciary two thousand additional copies of the hearings of its Subcommittee To Investigate Juvenile Delinquency during the Ninety-second Congress, first session, entitled "Juvenile Confinement Institutions and Correctional Systems".

The Senate concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

The Senate concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

PRINTING OF SENATE HEARINGS ON THE SUDDEN INFANT DEATH SYNDROME

Mr. BRADEMAS. Mr. Speaker, by direction of the Committee on House Administration, I submit a privileged report (Rep. No. 93–156) on the Senate concurrent resolution (S. Con. Res. 13), authorizing the printing of additional copies of Senate hearings on the sudden infant death syndrome, and ask for immediate consideration of the Senate concurrent resolution.

The Clerk read the Senate Concurrent resolution, as follows:

S. CON. RES. 13

Resolved by the Senate (the House of Representatives concurring), That there be printed two thousand additional copies of part 1 of the hearings held by the Subcommittee on Children and Youth of the Senate Committee on Labor and Public Welfare entitled "Rights of Children, 1972 (Examination of the Sudden Infant Death Syndrome)", dated January 25, 1972. Such additional copies shall be for the use of the Senate Committee on Labor and Public Welfare.

The Senate concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

LEGISLATIVE PROGRAM

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

Mr. GERALD R. FORD. Mr. Speaker, I take this time for the purpose of asking the distinguished majority whip the program for the remainder of this week, if any, and the schedule for the week beginning April 30.

Mr. McFALL. Mr. Speaker, will the distinguished minority leader yield?

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

Mr. McFALL. I will be happy to respond to the gentleman's inquiry. There is no further legislative business for today. As the gentleman knows, we have already adopted the resolution adjourning over until Monday, April 30.

The program for the House of Representatives for the week of April 30 is as follows:

For Monday we have listed the Economic Stabilization Act conference report. The Senate must act first, as the gentleman knows, and we will act when the Senate has finished.

Tuesday is the day for the call of the Private Calendar, and there are no bills.

There will be consideration of H.R. 3932, confirmation of Director of Office of Management and Budget, under an open rule with 1 hour of debate.

For Wednesday there is scheduled H.R. 6452, Urban Mass Transportation Act, subject to a rule being granted.

Thursday and the balance of the week there is scheduled H.R. 982, Immigration and National Act amendment, under an open rule with 1 hour of debate.

This statement is made with the usual reservation that conference reports may be brought up at any time and any further program will be announced later.

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

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

Mr. ROUSSELOT. I wonder if the gentleman from California, the majority whip, could tell us whether he plans to bring up the Economic Stabilization Act conference report under a suspension or in a normal procedure?

Mr. McFALL. I am advised that, if passed by the Senate, it will be eligible to be brought up in the regular way of a conference report on that Monday.

PARLIAMENTARY INQUIRY

I would perhaps make an inquiry of the Chair as to whether or not I am correct in this statement.

The SPEAKER. The gentleman's parliamentary inquiry is, How will the conference report be brought up? If passed by the Senate, it can be brought up in the House in the normal manner.

Mr. ROUSSELOT. In the normal manner.

Mr. McFALL. In the normal manner.

Mr. ROUSSELOT. Mr. Speaker, the reason I raised that question is because, in the suspension procedure, it differs as between the other body and the House, and it would not be adequately debated and, if we could be sure that it would be brought up in the normal manner, we would appreciate that assurance.

Mr. McFALL. I will state to the gentleman that the Speaker has just now assured us, and I would add one more thing: Since the suspension procedure requires a two-thirds vote, I would think we would have considerable difficulty in bringing it up in that fashion.

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

THE 83D ANNIVERSARY OF THE UNION OF AMERICAN REPUBLICS

The SPEAKER. Pursuant to House Resolution 284, this day has been designated as Pan-American Day.

The Chair recognizes the gentleman from Florida (Mr. FASCELL).

Mr. FASCELL. Mr. Speaker, I offer a resolution (H. Res. 363) and ask unanimous consent for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES 363

Whereas, April 14 ,1973, marked the eighty-third anniversary of the International Union of American Republics, now known as the Organization of American States:

Whereas, continued hemispheric cooperation is important to the cause of progress and freedom for all citizens of this hemisphere ;and

Whereas, the Organization of American States provides an essential forum for strengthening the common ties shared by the nations of the hemisphere.

Now, therefore, be it Resolved, That in honor of the founding of the Organization of American States, the House of Representatives of the United States of America extends greetings to the other Republics of the Western Hemisphere and to all citizens of those Republics, with the fervent hope that this new year of inter-American cooperation will be one of peace, understanding, and prosperity.

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

There was no objection.

The SPEAKER. The gentleman from Florida (Mr. FASCELL), is recognized for 1 hour.

(Mr. FASCELL asked and was given permission to revise and extend his remarks, and include extraneous matter.)

Mr. FASCELL. Mr. Speaker, I rise in support of the resolution.

First, I would like to again welcome to this Chamber one of this Nation's foremost advocates of inter-American unity and a distinguished religious leader, the Reverend Joseph F. Thorning. The invocation Father Thorning delivered this morning was the 29th consecutive time he has been present to join with the House of Representatives in celebrating Pan American Day, the anniversary of the Organization of American States. Father Thorning's long and distinguished career as priest, educator, scholar and author have won for him the deep respect and friendship of many throughout the Americas.

I know that all my colleagues join me in thanking Father Thorning for the inspirational assistance he has given to the Congress for almost three decades.

Mr. Speaker, today the House takes time away from its regular legislative schedule to celebrate the 83d anniversary of the founding of the Organization of American States and of the inter-American system. From its small and modest beginning in 1890 the International

Union of American Republics has grown in size, complexity and ability into the present day Organization of American States, now the world's oldest regional organization. But today we celebrate more than just the founding of the OAS. We celebrate the spirit of hemisphere cooperation and unity which has produced not only such important institutions as the OAS and the Inter-American Development Bank but also noble concepts such as the Alliance for Progress.

Today, as we honor the memory of those whose vision and hard work led to the creation of the OAS, I would like to take this opportunity to extend greetings to all the thousands of persons, inside and outside of the OAS, who daily carry on their work in behalf of understanding and friendship in the hemisphere. In particular, I extend best wishes to the very distinguished Secretary General of the Organization of American States, the Honorable Galo Plaza, to the able and respected president of the Inter-American Development Bank, Dr. Ortiz Mena, and especially to that great hemisphere statesman the outgoing chairman of the Inter-American Committee on the Alliance for Progress, Dr. Carlos Sanz de Santamaria.

Mr. Speaker, anomaly is becoming a word increasingly used of late in discussion of various aspects of U.S. policy toward Latin America. I am serving warning since I am about to use it again. Some would suggest that this entire celebration here today of inter-American unity is an anomaly—that it is at variance with the world as it is.

Is the inter-American system an idea whose time is over? Should the United States withdraw from the OAS? These are not questions we can ignore. They have been raised by serious students of hemisphere affairs, some of whom would—and some of whom have—answered yes to both questions. I am not prepared to go that far, not now, without a serious and probing analysis by this country of what role we should play in hemisphere organizations, particularly the OAS. But it is possible that our goals for Latin America, and those of the other nations, might be more effectively served by a substantially reduced U.S. presence.

The depth of concern within the United States over the future of the OAS was reflected in an editorial printed only last Friday in the Miami Herald, long a champion of inter-American cooperation. The editorial, entitled "An Odd Relationship With OAS" said that "the United States and the Organization of American States appear to have arrived at the unhappy point where they cannot live happily with or without each other," and went on to detail some of the many issues which are dividing the OAS "in a basic split that puts the United States on one side and the other OAS members on the other." This concern within the United States has increasingly led to the notion that the time has come for a thorough review of the structure of the inter-American system. This idea, however, is by no means strictly a subject for U.S. discussion. In fact, our own discussions have largely been sparked by Latin American initiatives, particularly that of Dr. Carlos Sanz de Santamaria, suggesting that the new realities of the new post cold war world require a rethinking and a restructuring of the mechanisms of hemisphere cooperation.

Earlier this week, the OAS General Assembly, meeting here in Washington, formally approved a study aimed at reviewing the basic purposes and entire structure of the organization. It is the kind of study suggested by many in the United States and Latin America. The United States supported the study and undoubtedly will provide financial backing, as it should. It is my hope, however, that our support for the study will not prevent consideration of the obviously fundamental question of whether or not the other member states continue to want full U.S. participation in the OAS and, if they desire continued U.S. presence, to what degree they are willing to more fully share financial responsibility for the OAS.

Mr. Speaker, Latin concerns about updating the OAS are clearly well founded. The entire political and economic climate of international relations has changed dramatically. The cold war has ended. China and the Soviet Union are increasingly being incorporated into the myriad political and economic activities of the rest of this world. The Common Market has become a major economic power and is on the verge of increasing its size to a point where its trade will probably surpass that of the United States, the Soviet Union and Japan combined. The dollar has become another vulnerable currency and the whole world monetary system is undergoing fundamental change.

Perhaps of even greater importance to the Latins in calling for a reexamination of the OAS, have been the changes in Latin America itself. Manufacturing, for example, has replaced agriculture as the most important sector of the regional economy. Few of us realize that manufacturing now accounts for 25 percent of Latin America's GNP. Despite high rates of population growth, there have been significant increases in per capita income over the last decade. Exports have grown steadily over the last 10 years, with manufacturing doubling its share of total exports. In summary, despite its less than favorable views in recent years, the Alliance for Progress has had a tremendous impact on Latin America.

Where does this leave us? The world has changed and the Latins recognize it and want to restructure the OAS so it can play a more meaningful role. Our best answer to date seems to have been, "That sounds reasonable," but I submit that such a position, while it may be tactically useful, is hardly a substitute for a coherent, realistic, United States policy toward the OAS. The need for such a policy should be clear if for no other reason that we are paying at least $37 million to support the organization, two-thirds of its entire budget. Clearly the time has come for the United States to reexamine our own policy toward the OAS, to carefully review whether or not that organization really serves our own interests or whether it is simply an expensive forum for largely anti-United States views.

Mr. Speaker, I do not make these comments lightly. We need to reexamine our OAS policy, not to vent our frustrations over the strident anti-U.S. rhetoric of many of its meetings, but because it should now be painfully clear that the organization is not fulfilling the purposes for which it was designed: The resolution of conflicts, serious consideration of issues of mutual concern, and the formulation of common hemisphere positions. Whether this is because of Latin shortsightedness or because of our own refusal to trust the organization and use it or for some other reason, I do not know. I do believe, however, that it is difficult to justify continuance of our present policy of substantial support for an organization which is long on rhetoric but short on action to resolve the disputes which seem to increasingly divide rather than unite the hemisphere. The United States should fully explore every option: Whether to withdraw from the OAS, whether to remain in the organization as presently constituted, whether to stay in a restructured OAS, or whether to give the OAS a larger and more significant place in our policy toward Latin America. It is my hope that the Secretary of State will direct that a thorough going review be made of U.S. participation in the OAS parallel to the OAS' own reexamination of itself.

Such a United States review could produce a needed new realistic policy toward the OAS in line with the new realities which are now confronting both Latin America and the United States.

Mr. Speaker, regardless of whether or not the Executive branch reviews our policy toward the OAS we in the Congress have our own responsibility to examine to what extent hard earned tax dollars should be used to support continued U.S. participation in the activities of the OAS. To carry out that responsibility the Inter-American Affairs Subcommittee will hold hearings on U.S. participation in the OAS this summer.

Conflicts, doubt and debate are no strangers to either viable and vigorous institutions or a happy marriage. We have no shortage of any of these in the OAS. Let us hope that our mutual desire to work out a new and better future for the organization will yet prove that it can fulfill the promise of providing for the world a model of how diverse countries, developed and developing, can work together for a more peaceful and prosperous future.

Mr. Speaker, I ask that the entire Miami Herald editorial to which I referred be incorporated at this point as a part of my remarks.

AN ODD RELATION WITH OAS

The United States and the Organization of American States appear to have arrived at the unhappy point where they cannot live happily with or without each other.

That, essentially, is what all the agonizing is about at the OAS meeting in Washington.

Clearly, Latins will no longer tolerate U.S. domination. But the traditional ties are so strong and the economic dependence still so evident, can they avoid it?

Present U.S. policies call the Latins to take charge of their own destinies, to turn elsewhere for trade and aid, and to end the paternal role of the United States.

Paradoxically, when faced with these policies, the Latins have grown cautious. They have been fearful of so sharp a separation.

The United States, too, has a contradiction. While it encourages Latin maturity and independence, and encourages a diversification of trade, it still worries about foreign penetration in such countries as Cuba and Chile.

The problems hinge around economic independence and political pluralism. They divide the OAS in a basic split that puts the United States on one side and the other OAS members on the other.

A further division in ranks develops over the issue of whether and how to admit new members, such as the Bahamas which become independent in July, and other even smaller prospective nations.

There is concern that the broadening of membership can alter the organization altogether. Rather than Latinizing, this would bring a dilution of Latin influence.

Carlos Sanz de Santamaria, the Columbian statesman and head of the coordinating committee for Inter-American economic and social development, has called for leadership and political vision comparable to that which opened new areas of cooperation between the United States, China and Russia.

But that kind of bold stroke has been absent from OAS councils and, unless U.S. policies change, probably will continue to be.

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

Mr. FASCELL. I am delighted to yield to my colleague from California.

Mr. LEGGETT. As the new Chairman of the Panama Canal Zone Subcommittee, I want to commend the gentleman on his bringing this resolution to the floor at this time.

While we do have problems with many of the Latin American States, I do not think any of them are of such magnitude that we need to throw up our hands and cast off our Latin neighbors whom we have learned to live with and to love in a good neighbor policy of prior Presidents.

We do have problems down there relating to tuna boats and fishing limits and the development of natural resources and many of these things. We have to learn to live with different forms of government other than our own. The United States has a lot of maturing to do before we draw the conclusion that we have come to age and nobody has in all of the Americas.

I commend the gentleman for his patience and restraint in this resolution and ask unanimous consent that my remarks follow those of the gentleman celebrating the 83d anniversary of the Union of American States.

Mr. Speaker, our celebration of the 83d anniversary of the Union of American Republics comes at a particularly crucial point in the history of United States-Latin American relations. Although the States in the Western Hemisphere have recognized the importance of regional cooperation in the struggle for freedom since 1890, the substance of that cooperation has been altered repeatedly over the last 80 years. It is my feeling that we are currently at another major turning point in this rich history.

It has now been 12 years since the launching of the Alliance for Progress in Punta del Este by President Kennedy. Some spokesmen have pointed to the failures of that Alliance, and have urged a reduced American presence in Latin America. It is true that the Alliance for Progress failed to meet many of its 10-year goals which included achieving; an economic growth rate of 2½ percent per annum, a more equitable distribution of income, a diversification of economic structures, an increase in agricultural productivity, and the adoption of broad programs in the health and welfare areas.

Latin America today suffers from many of the same ills that plagued it 10 years ago. The States of Central and South America still suffer from a chronic trade deficit, exacerbated by their inability to break out of the colonial pattern of trade in which they supply raw materials in exchange for manufactured goods.

There still exists the age old albatross of the undiversified economy dependent on the whims of the world commodity markets, and Latin America is still plagued by a gross maldistribution of wealth.

All of these problems still exist despite the existence of the Alliance for Progress, one of the most monumental aid programs in the history of the world.

Nevertheless, the solution to these problems is not to have the United States retreat into isolationism, and abdicate its responsibilities toward its less-developed neighbors to the South. Rather than disengage from Latin America, I would hope that the United States would seize upon the knowledge gained during the Alliance for Progress in order to structure a cooperative program based on the realities of the 1970's.

To begin with we must recognize that Latin America consists of 26 independent States displaying varying degrees of economic self-sufficiency and democratic stability, not one monolithic bloc. The Alliance for Progress recognized this fact too late. Its goal of regional development was destroyed as a result.

We must also recognize that our own economic history is not necessarily applicable to the States of Latin America. Economic history has shown that economic development is a function of a state's ability to accumulate a sufficient amount of capital. In the United States the process of accumulation was aided by the richness of the country, a lack of organized domestic opposition to industrialization, a large and willing labor force, and a sympathetic government. In contrast, the less-developed nations of the world must accumulate capital without a plethora of natural resources, without an educated elite, and in the face of opposition from the unions, military, and the civil service. Added to this, many times policies that are necessary for modernization violate the traditional beliefs and practices of the Latin American people.

Unfortunately, much of the United States aid to Latin America has gone for urban industrial development when, as a recent article in the Christian Science Monitor indicated, the cities have not succeeded in putting to work the landless peasants who migrate to urban areas. The spread of urban slums all over the world demonstrates that the type of capital-intensive development going on in the cities does not alone generate enough major new employment opportunities.

The capital-intensive industrial development that was appropriate in another time for the United States and Europe has only served to create a new class of urban elite. While the incomes of this elite have grown, the gap between them and the remainder of society has widened. It would be much wiser for the United States to structure an aid program that takes cognizance of Latin America's greatest resource—its people.

It is true that the per capita income of Latin American countries has risen during the years of the Alliance for Progress, but it has risen in so unbalanced and inequitable a way that the gains have gone almost entirely to the 20 percent of the population who live within the modern economy. The benefits accruing to the lower 80 percent have not even kept up with population growth, so that they have become both relatively and absolutely poorer.

This does not mean that the United States should somehow disengage itself from Latin America. Both the United States and Latin America have much to gain from continued regional cooperation. We cannot forget that Latin America already buys some $5 billion in goods from us each year, and that this market will grow to at least 7 or 8 billion dollars in the present decade. Moreover, United States direct private investment in Latin America amounts to $13 billion and brings a return of nearly $2 billion per year in royalties and profits. In light of these figures, it is clear that the United States has a practical as well as a moral responsibility to encourage cooperation between the North and South.

One major roadblock to any United States-Latin American aid program, of course, is the residual of anti-American sentiment in many areas of Latin America. We must face the fact that this sentiment is largely a result of the omnipresence of American corporations. I certainly do not want to appear to be antibusiness. But the fact is the past decade in Latin America has been very good for American business and very bad for the people of Latin America. According to Gary MacEoin, the author of "Revolution Next Door," U.S. companies withdraw $2 in dividends, royalties, and other payments for every new dollar they invest.

Business requires stability, but in most cases stability means a military dictatorship or an elitist oligarchy, neither of which is likely to feel much need to improve the lot of the average person.

So the people of Latin America, with considerable justification, hold us responsible for their stagnation.

Paradoxically, this is true even though our corporations frequently pay well above the prevailing wage. It is practically impossible for a nation to develop a strong modern economy unless profits are kept within the country; this is generally equivalent to saying the corporations must be domestically owned and controlled.

So we find ourselves facing instances of forced nationalization of American-owned installations without fair compensation, as we have seen in Cuba, Peru, and Chile. This cannot be condoned, but we have to face the fact that this is likely to be the pattern of the future unless our policies are changed.

And what has been our foreign policy in Latin America but some vague notion of support for the "free world forces" in an attempt to build a bulwark against the threat of "international communism?" At one point there may have been some validity for such a view, but no more. President Nixon's trip to China and Russia signaled a change in our view of the two major communist powers, away from the ridiculous notion that Moscow and Peking somehow controlled what happens in Santiago.

Despite the profound change in our attitudes toward Russia and China, we still harbor the same old antiquated views of the third world. President Nixon's proposed fiscal year 1974 budget includes nearly $2 billion in various forms of military assistance.

All too often, military assistance which begins as a misguided attempt to thwart revolutionary guerrilla movements ends up as the instrument used to keep second-grade dictators and oligarchs in power. If we are to restructure our policies in Latin America it is vital that we cease being the chief weapons financier for the despots of the world.

At one point a fear of guerrilla movements may have been justified, but no longer. It is clear that Fidelism is no longer a threat to the people of Latin America. The Cuban example has not been exported to the mainland. In fact, most of the guerrilla movements have been substantially diminished over the last few years. Even the election of Marxist Salvadore Allende Gossens in Chile amounts more to a phenomenon to be understood rather than a danger to be feared.

There is much to be done in order to realine our policies in Latin America. We must strive to eliminate the sore spots that damage the whole of United States-Latin American relations. It is incomprehensive to me how we can maintain our rigid position toward Cuba in light of President Nixon's rapprochement with Red China and the Soviet Union. They are Communist nations also, and represent a much greater threat to the security of this country.

Our policy toward Cuba has been justified as a legitimate response to Castro's attempt to export revolution, yet it is clear that Cuba has violated the principle of nonintervention no more so than ourselves.

To be sure the small bands of Cubans who drifted in and out of Latin American nations have violated that principle, but hardly in a way that is comparable to the landing of the U.S. Marines in the Dominican Republic in 1965, or the overthrow of Guatemalan leader, Jacabo Arbenz by the CIA in 1954.

Moreover, the threat from Cuba has been grossly exaggerated. Che Guevara, billed as a master of revolutionary strategy, failed miserably to turn the Andes into another Sierra Maestra. In essence Che made the same mistake we did; that is, he failed to realize that it is impossible to make people hate or like their government if they simply do not want to.

Recently, the Cuban Government, beset with internal difficulties, has moderated its view of the United States. I would hope that we could seize upon this unique opportunity and develop a more reasoned approach toward the Castro regime.

Our relations with Chile also needs an intense review. Over the last few weeks we have discovered that the CIA and ITT were deeply involved in both the 1964 and 1970 Chile elections. This involvement amounted to no less than a serious violation of the sovereignty of what is probably the strongest democratic nation in South America. Hopefully, the revelation of the ITT–CIA affair has exposed the idiocy of such action, and will act to deter future mistakes of that kind. Unfortunately, the incident promises to further exacerbate the Latin American distrust of the United States.

Still another sore spot in Latin America is the tiny island of Culebra. For the past 37 years this small island off of Puerto Rico has been subjected to an intense naval and aerial bombardment by the U.S. Navy as part of the Navy's Atlantic fleet weapons range. For almost as long, leaders of the Puerto Rican community and Members of Congress have been petitioning the Department of Defense to cease this unnecessary action considering that this island is also a home for some 1,000 Puerto Ricans.

For a time it did appear that the Navy would find an alternative to Culebra as a bomb site, and give the citizens of that tiny island a long-deserved respite from the some 2,000 yearly hours of shelling. On April 1, 1971, Secretary Laird issued a report stating that all Navy operations would be transferred away from Culebra by June 1975.

We discovered in December, however, that Secretary Laird apparently changed his mind on discontinuing the shelling of Culebra by 1975. Laird summarily announced that the shelling should be continued until at least 1985 and no reasons were given.

The issue of Culebra seems inconsequential. It is, after all, only a very small island. To the 1,000 inhabitants of Culebra and the entire Puerto Rican population, however, the issue is anything but minor. Furthermore, to a real extent, our handling of the Culebran problem will have a profound effect on the rest of our Latin American relations.

And then there is the Panama Canal. As the new chairman of the Panama Canal Subcommittee of the House Merchant Marine and Fisheries Committee I am now reviewing the progress of the negotiations with the Panamanians over the Canal.

Unfortunately, at the present time there is very little progress at all. Treaty negotiations for all intents and purposes were broken off in late 1972. Nevertheless, I am confident that the two nations can move forward and reach some mutual understanding over this issue. The Canal is one area where the United States has performed a credible job in reconciling the interests of the Panamanians with our own.

The Panamanians had been gearing up for the recently completed United Nations Security Council meeting in Panama City, but they failed in their attempt to stimulate worldwide concern. There is much to negotiate in Panama. I would hope that our two nations could sit down and reach some mutually beneficial position on the administration of the Canal and the Canal Zone.

This process of negotiations will certainly not be easy. The Panamanian problem has been raging since 1915, and understandably has captured the conscience of the Panamanian public. I can think of no better way to start a new era of relations with our Latin American neighbors than to reach an equitable solution in the Canal question.

Mr. FASCELL. I thank my distinguished colleague from California who has taken over the chairmanship of that important subcommittee. His remarks are certainly in the spirit that I not only personally feel but I feel that it is absolutely essential for you as policy. I think we can say it is a feeling that has emanated from the general assembly of the Organization of American States.

Everybody thought when they began that we would bring the house down in terms of confrontation, but it wound up in a quite moderate, conciliatory, and hopeful manner.

We must approach the problem, as the gentleman says, constructively and affirmatively. It is much too important to us.

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

Mr. FASCELL. I am delighted to yield to my colleague from Florida.

Mr. ROGERS. I thank the gentleman for yielding.

First of all, Mr. Speaker, I want to commend the gentleman in the well for bringing this resolution to the House floor. I want to commend him for his outstanding leadership in the field of foreign affairs and Latin America in particular. He has served in a distinguished manner as the chairman of the Subcommittee on Latin American Affairs on our great Committee on Foreign Affairs. He has been a true leader in this area and will continue to be. The House appreciates his leadership. If any area needs great leadership, it is our relations with Central and South America, and the gentleman from Florida has been handling this work in a magnificent manner. I salute him.

I also salute Father Joseph Thorning, who, as the gentleman from Florida has

already said, devoted so much of his time and talent in an attempt to try to bring to the attention of this Congress and the American people the importance of our relationships with South America. He has done a magnificent job and for 29 years has been faithful to this cause which he has espoused so eloquently over the years.

Finally, Mr. Speaker, may I say that I hope the passage of this resolution perhaps will begin to see us change our priorities with regard to foreign countries.

I am sure the gentleman with his leadership can help bring this about. I know that the gentleman has tried to do this, and is doing it. I believe we should give greater priority to our relations with our neighbors to the south, particularly the trade situation where we have a favorable trade with so many areas in South America, and whereas with certain European countries and other countries in the world we are in the opposite position. In order to really give it some attention, really give it some impetus, we should put top people into our relations with Latin America and set some goals so as to try to improve our relationships, because I believe we have ignored that area to an extent which I think has become alarming.

So I hope that the gentleman will, if he can, through his leadership, try to guide our Nation toward such a goal in this very important area of the world.

Mr. FASCELL. Mr. Speaker, I thank my colleague, the gentleman from Florida (Mr. ROGERS). Of course, the gentleman is a neighboring colleague, and has been over the years that the gentleman has been in the Congress, very, very genuinely interested in the relationship of the United States with the Latin American countries. I agree with what the gentleman says thoroughly. We must have such leadership. The importance of the priority is obvious, if nothing else, because of trade. But in addition there are so many other reasons, as the gentleman well knows, that make it vital for us in the United States to have the proper relationship with the Latin American countries.

I commend the efforts of the gentleman from Florida throughout the years in trying to bring this about.

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

Mr. FASCELL. I am most happy to yield to the gentleman from Florida, our colleague (Mr. PEPPER).

Mr. PEPPER. Mr. Speaker, I thank my distinguished colleague, the gentleman from Florida, for yielding me this time.

Mr. Speaker, I wish to commend our distinguished colleague, the gentleman from Florida (Mr. FASCELL) for the magnificent leadership the gentleman has given to the cause of our having an agreeable and cooperative relationship that is mutually beneficial both to the United States and Latin America.

I am pleased to join with him in this observance of Pan American Day. It is 83 years since the founding of the Union of American Republics, which we know today as the Organization of American States. Since the inception of the OAS, this vital organization has emphasized the friendship of the American peoples and the economic and social development of all of the countries of this hemisphere.

Today, more than ever, we must dedicate ourselves to upholding the goals of this great inter-American system.

Somehow over the years the commitment of the United States to our hemispheric neighbors has deteriorated. When we pitched in to rebuild Europe, we were too busy with the aftermath of World War II to give full attention to Latin America. The goals of the OAS were temporarily forgotten at a time when we should have been looking to the future and strengthening our ties with Latin America against the day when Europe would be our great competitor again.

Throughout the terrible involvement in Vietnam our relations with our Latin American neighbors have suffered from our preoccupation with Southeast Asia. I hope the damage this tragic war has done to us at home and in the world will not include irrevocable damage to our hemispheric relattionships.

I hope our Government will now give Latin America the priority attention it requires. Our relationships with the people of this hemisphere are still in a state of transition and I believe we can have significant influence on future developments.

We should not, I think, emphasize what we are going to do in Latin America and for Latin America. The day of paternalism has long since expired.

Today, we must extend the hand of friendship in sincerity and warmth, and we must open the door of opportunity to the people of Latin America on terms of mutual self-interest and cooperation.

I have traveled many times in Latin America and I know that the people of these countries do not want handouts from the people of the United States. They want the opportunity to earn their own way by selling the products of their labor and their genius in the United States, as they have sold in the past their raw materials, their agricultural products and their mineral riches.

We must, I believe, give the manufactured products of Latin America a welcome in our vast domestic market which matches the warmth of the friendship we profess for their peoples and their countries. If we will make it easier for Latin Americans to expand their trade with the United States, we will not have to fear for their identity with the cause of freedom and economic progress which we champion in this hemisphere. The lands that trade together have a much greater prospect of staying together than those that merely talk together of their mutual ideas and companionable political philosophies.

I hope we will, in the consideration of new trade legislation in this Congress, give the attention to the possibility of making the Western Hemisphere a great trading community undergirding a cultural and political New World.

Mr. FASCELL. Mr. Speaker, I want to thank my colleague, the gentleman from Florida (Mr. PEPPER). The gentleman has had a long and distinguished career in the Congress of the United States, first in the Senate and then in the House of Representatives. During all of those years the gentleman has always manifested a high interest in Latin America, and the relations between the United States and Latin America. The gentleman continues to do that to this day as a Member of the House, coming from the south Florida area as the gentleman does, not only because this is important there for us as local representatives, but mainly because we realize that it is in the deepest and best interests of the United States.

Again I thank the gentleman from Florida.

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

Mr. FASCELL. I yield to the distinguished gentleman from Iowa (Mr. GROSS).

Mr. GROSS. Mr. Speaker, I thank the gentleman from Florida for yielding to me. I want at this time to say how much I have appreciated the chairmanship of the Inter-American Subcommittee by the gentleman from Florida. He is an able and fair chairman and it is a pleasure to serve with him. I do differ with the gentleman on this resolution. It is not pleasant to sound a discordant note here today, but I am convinced, as a result of what has transpired especially in the last few years, that the Organization of American States has outlived its usefulness. And were it on another day, Mr. Speaker, I suspect that I would ask for a vote on this resolution. However, I simply want the RECORD to show my vote in opposition to the pending resolution.

Mr. FASCELL. Mr. Speaker, I thank the distinguished gentleman from Iowa. The gentleman from Iowa is a very valuable member of our subcommittee. The gentleman devotes a great deal of time and energy to the entire question of foreign affairs, and particularly to Latin American affairs.

As I said in the earlier part of my remarks, the issue which has been raised by the gentleman from Iowa is one which cannot be ignored. I thank the gentleman from Iowa for not calling a rollcall vote on this resolution at this time, because I think there is a better way of raising that issue, and I will discuss that right now.

At the last meeting of the General Assembly of the OES, one of the basic things that came out of this session, which as I said was moderate and conciliatory, was the designation of a special committee of the OES on which every country would be represented, to study the whole question of the OES, its strength, whether or not it should continue to live, how it should live, and what the participation should be, what to do about the Caribbean countries, and a whole host of other soul-searching questions.

The thrust of my remarks today, as we celebrate the need of inter-American unity—and I really believe this is funda-

mental so far as the U.S. policy is concerned—but what we need to do in the United States, with an open mind, as the gentleman from Iowa suggests, is review our own policy in terms of what is going to happen in the OES, or what should happen, or what the U.S. policy should be, and how we should participate.

After all, we are paying the major share of the upkeep of that organization, and therefore, while they themselves are doing their own soul searching—I think that is good—it is absolutely incumbent upon us for the U.S. executive branch to be examining very carefully and critically at the same time our own viewpoint and perspective of the OES.

I will say to the gentleman that it is also, I believe, incumbent on the Congress and, therefore, I am saying now that I propose to hold some hearings on this very subject. That is why I thank the gentleman for not calling the roll on this resolution tonight, because this is one of spirit and principle. When we get down to the substantive matters, there will be ample opportunity not only to explore different viewpoints, but perhaps to even have a vote on the issue. So I do say to the gentleman that I propose, as the chairman on the Inter-American Affairs Subcommittee, to hold ample hearings on this whole issue some time this summer.

Mr. GERALD R. FORD. Mr. Speaker, the policies of the United States are consistent with, and indeed encourage, productive trends in Latin America.

Latin America today is characterized by change and a push to development and modernization. Encouraging trends of economic growth are being sustained, but increasingly there is a recognition of the need to assure the common man a share in growth. New social and political institutions are growing up. New ties, within the region and outside of it, are being established.

Relationships between the United States and Latin America today are characterized by a growing understanding of the global setting in which we have to take up solutions to our problems, the encouragement of efforts to find national solutions to national development problems, and by the acceptance of differences.

Fundamental to this relationship are the principles initiated by President Nixon in 1969. These are: A firm commitment to the inter-American system; respect for national identity and dignity; continued U.S. assistance for hemispheric development; U.S. support for Latin American development initiatives; and a dedication to improving the quality of life.

These principles have been our guide as, over the last 4 years, the United States has done its part to build a more mature and realistic relationship.

There have been constraints in some areas, but as was noted in the House by Mr. FASCELL on April 12, the introduction of the "Trade Reform Act of 1973" shows that we are meeting our commitments, and that we are prepared, as we have always been, to do what we can "in the direction of inter-American economic partnership on a basis of equality."

The record is sound in other areas, too. Our economic assistance programs have become increasingly collaborative. The total U.S. assistance effort is as high now as it was in the peak period of the mid-1960's. Our economic assistance to Latin America in fiscal year 1971 was $602 million and in fiscal year 1972 it exceeded $1 billion.

Further, U.S. policy reflects a pragmatic approach to problems shared by sovereign governments and a determination to remove points of friction not related to our real interests in the hemisphere. In this context, there have been real successes in the past 3½ years. These are: Signing of an historic agreement with Mexico on determining the present 2,000-mile boundary; establishment of a mechanism for peaceful settlement of boundary issues resulting from meanderings of the Rio Grande; Swan Islands Agreement, recognizing Honduran sovereignty; abrogation of the Bryan-Chamorro Treaty, relinquishing all canal construction rights in Nicaragua; Quito Sueno agreement between United States and Colombia in which the United States renounced all claims to sovereignty; and resolution of the fisheries dispute with Brazil.

Of course, there are other remaining problems, but the scene is no longer cluttered up. We have before us the issues of the Panama Canal, Chile, expropriation, and the fisheries disputes.

But in every case we have made unmistakably clear our willingness to negotiate, to approach problems in a spirit of compromise, and to consider all proposals.

As can be seen, the new policy of President Nixon did not reflect any lessening of the importance we attach to Latin America or a retreat from commitments. It was a challenge to change the tone and character of our relationship, to replace the atmosphere of dependence with one of cooperation, and to use that cooperation not only to continue to address the problems of the hemisphere in more imaginative ways, but to tackle international problems of mutual concern.

The General Assembly of the OAS, which adjourned only a few days ago, is testimony to the success of the policy. It was clear that the nations of this hemisphere can address their problems in realistic terms and that the relationship permits us to challenge old ways of doing things.

So there is no doubt the administration policy is responsive to changes in Latin America and in the world, and that it means not only delivering on commitments already made but making sure that new commitments are relevant and realizable.

This is a reassuring conclusion as we mark Pan American Day.

Mr. ALBERT. Mr. Speaker, I join my distinguished colleague, the gentleman from Florida, in commemorating the 83d anniversary of the founding of the Pan American Union. The gentleman's remarks are of great interest to the House. It is well known that he is highly knowledgeable on the subject of hemispheric relations and the organizations of the inter-American system. It was my pleasure to appoint him recently to represent the House at the third regular session of the Organization of American States General Assembly in Washington, D.C. This organization along with the Pan American Union, the Inter-American Development Bank and the Inter-American Defense Board, is one of the main cooperative efforts we share with our Latin American neighbors.

Although these organizations have never functioned precisely as envisioned at the time of their founding, and have not achieved the high aims to which they were dedicated, it is important that they be maintained. They offer contact opportunities for discussion of our mutual problems, for while North and South America do not have a total community of interests, and for economic reasons have a different frame of reference, we do have many common problems—environmental problems, problems of urbanization, poverty, unemployment. In addition, the Pan American Union and its sister organizations provide a forum in which disputes between sister states can be discussed. The potential exists in the Pan American Union for consultation and peaceful and constructive resolution of the problems facing the nations of the Americas.

Perhaps structural changes, policy changes must be made in order to respond appropriately to the attitude and conditions which have developed with the passage of time. The hemisphere is undoubtedly in a new and more difficult period. Adjustments and accommodations may be advisable to improve and renew our efforts to maintain sound and productive relations with our Latin neighbors. United States-hemisphere relations are no less important than they have ever been, and on the occasion of the Pan American Union anniversary it seems appropriate to urge the rejuvenation of our inter-American organizations, recognizing the import of existing and emerging problems and the economic and security interests of our country as well as those of Latin America. It is certain that the integrity of the hemisphere is best protected against the appeals of communism by promoting the quality of life. Economic and social advancement continues to be the principal and mutually desired goal of these organizations and its accomplishment is well worth the effort and support required to build a strong hemisphere community.

Mr. MORGAN. Mr. Speaker, I welcome this opportunity to join my colleagues in celebrating Pan American Day. While many significant developments have taken place over the past year in relations between the United States and other more distant nations of the world—particularly with the People's Republic of China, the Soviet Union and the countries of Indochina—it is fitting, indeed, that we pause for a moment to consider the urgent problems we all face here in this hemisphere. Obviously, an improvement in inter-American relationships, a renewed effort to create mutual cooperation and understanding, remain high priority items on the American agenda.

Mr. Speaker, Pan American Day is more than an anniversary. It marks an

historic commitment by the nations of the Western Hemisphere to respect the sovereignty and independence of all American States, to appreciate our cultural diversity, and to work together to achieve political cooperation, economic progress, and social justice. In recent years, U.S. relations with Latin America have undergone a period of some strain. The search for a relaxation of those tensions and a resolution of our differences will require good faith on all sides. We will all have to resolve to reach a mutual accommodation of our respective interests through serious, patient negotiation. Although some progress has been made in that direction already, much unfinished business lies ahead.

Mr. Speaker, as chairman of the Committee on Foreign Affairs, I want to take this occasion to commend my good friend, the gentleman from Florida (Mr. FASCELL), for the important contribution made during the past year by the Subcommittee on Inter-American Affairs, which he chairs. The gentleman's subcommittee, I should point out, has not confined its activities to a review of pending legislative proposals submitted by the executive branch, but has taken the initiative in holding hearings on a broad range of topics of concern to our Government and Members of Congress. For instance, since February of 1972, the subcommittee has invited expert witnesses both from within and outside of the Federal Government to testify on such current issues as:

Fishing problems and United States-Latin American relations;

United States-Mexican trade relations;

The Inter-American Foundation—A review of its first year of operation;

United States-Venezuela relations;

Panama Canal negotiations;

Treasury Department management of U.S. participation in the Inter-American Development Bank;

United States-Chilean relations;

United States-Paraguay relations; and

Soviet activities in Cuba.

By focusing public attention on these matters, the subcommittee has performed a valuable service. It has increased the awareness of Congress and the public of the vital issues at stake and the highly complex political, economic and social factors affecting Latin American attitudes toward the United States. These factors, Mr. Speaker, must be clearly understood before they can be intelligently dealt with in the formulation of a viable and equitable U.S. policy toward Latin America. Again, I wish to congratulate the gentleman from Florida and all members of his subcommittee for having undertaken this challenging assignment.

Mr. WHALEN. Mr. Speaker, I am pleased to join Chairman FASCELL and my other colleagues in commemorating Pan American Day by saluting the citizens of the OAS-member States. I also am honored to serve as a member of the Inter-American Affairs Subcommittee of the House Foreign Affairs Committee which is so ably chaired by the gentleman from Florida (Mr. FASCELL). His diligent efforts in promoting hemispheric cooperation and better understanding between the peoples of the United States and Latin America are well known to this Chamber.

The OAS is the world's oldest regional organization. In varied and diverse ways, it has functioned as a forum for the exchange of ideas and information; as a cultural, social, and educational body; as an instrument for the peaceful settlement of disputes; and as a tool for the economic development of the member nations.

Nevertheless, as evidenced by the recent OAS meeting of foreign ministers held this month in Washington, these are important and critical times for the inter-American system. It even has been suggested in some quarters that the United States should quit the OAS, that the organization has outlived its usefulness, and that it is no longer a viable institution.

Thus, clearly the inter-American system is faced today with many problems and is challenged by the strains produced by nations in various stages of political and economic development. It is my belief that the United States should join our neighbors in the Western Hemisphere in reevaluating our hemispheric policies. We have strong political, economic, legal, and cultural ties with Latin America. Our relations should be characterized by continuing efforts to understand each others problems and by a commitment to work out any difficulties among us through negotiations and compromise.

Mr. Speaker, the work of OAS is unfinished. Thus, on this occasion of Pan American Day it is my hope that all nations of the Western Hemisphere will reaffirm their commitments toward hemispheric peace, cooperation, and prosperity.

Mr. LANDGREBE. Mr. Speaker, I wish to associate myself with the remarks made by the gentleman from Iowa, H. R. GROSS.

Mr. BYRON. Mr. Speaker, it gives me pleasure to relate a few facts about the Reverend Dr. Father Joseph F. Thorning, the priest-scholar from my Sixth District of Maryland and a devoted friend of my mother, father, my wife and children, as well as of myself. Dr. Thorning recently conducted seminars and gave several lectures in South American universities. His work took him to Buenos, Argentina; Santiago de Chile; Lima, Peru; La Paz, Bolivia; Panama City; Asunción, Paraguay and Quito, Ecuador. In some capitals he consulted, not only other scholars, but also Ambassadors of the United States of America. Father Thorning, who is an associate editor of "World Affairs," expressed high praise for Ambassador and Mrs. John Davis Lodge in Argentina; Ambassador and Mrs. Nathaniel Davis in Chile; and Ambassador and Mrs. Taylor Garrison Belcher in Peru. Dr. Thorning reports to me and others in Government, including Secretary of State and Mrs. William P. Rogers, that he found conversations with the aforesaid envoys and their charming wives "a liberal education."

The Maryland educator and author assures me that U.S. officials in the other American Republics he visited are providing splendid representation for the United States of America and impressing the nationals of the countries where they serve with their desire to cooperate with the governments and the peoples to whom they are accredited.

It may be worthy of mention that Father Thorning has acted as Dean of the Graduate School of Georgetown University and as professor of church history and social history at Mount St. Mary's Major Seminar and College, Emmitsburg, Md., one of the leading educational centers in my district. This is "the Padre's" 29th annual offering of the prayer on Pan American Day. My distinguished colleagues and I hope that he may be with us in the years to come.

Mr. REUSS. Mr. Speaker, this is the 29th consecutive year Father Joseph F. Thorning has offered the prayer in the House of Representatives on Pan American Day.

Milwaukee is proud to claim Father Thorning as a native son. He took the initiative in inaugurating an official celebration on Capitol Hill of the cause of Inter-American understanding, cooperation, and friendship back in 1964. This annual observance is now a firmly rooted tradition, and has broadened the understanding and respect of Members of the House for our neighbors of the Americas.

Father Thorning is known as "the Padre of the Americas," a title awarded him by the distinguished gentleman from Montana who is now the majority leader in the other body, Senator MIKE MANSFIELD. Educated at St. Louis University and Catholic University in Washington, he devotes his time to being both a scholar and journalist on Latin America.

Today, more than ever, Inter-American programs need leadership like that provided by Father Thorning. The Members of this body, and all Americans, owe him a great debt of gratitude.

Mr. DERWINSKI. Mr. Speaker, it may be interesting to note that Father Joseph F. Thorning, Acting Chaplain today, is the author of a book published by the University of Florida Press, Gainesville, Fla. The volume is considered the definitive biography of Don Francisco de Miranda of Venezuela, entitled "Miranda: World Citizen." Miranda served humanity as the Precursor of Latin American freedom and independence.

It may also be important to recall that Dr. Thorning was the organizer of the first western hemisphere conference of educators and other leaders sponsored at Barry College for Women in Miami Shores, Fla.

Mr. FASCELL. Mr. Speaker, I have no further requests for time, and 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.

GENERAL LEAVE

Mr. FASCELL. 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. Is there objection to the request of the gentleman from Florida?

There was no objection.

PERSONAL ANNOUNCEMENT

Mr. MARTIN of North Carolina. Mr. Speaker, because of a visit to my district last night I was absent for three rollcalls.

I ask that the RECORD show:

On the vote on the Older Americans Act amendment I would have voted "yea."

On the procedural vote to lay on the table the motion to reconsider I would have voted "yea."

And I would have answered "present" on the quorum call, had I been here.

PERSONAL EXPLANATION

Mr. HOLIFIELD. Mr. Speaker, on the Anderson of California amendment I used the electronic voting device but failed to check the board. I was told later that I was not represented on the board.

If I had been properly represented in the manner I intended to vote it would have recorded me as voting "aye" on the Anderson amendment.

PERSONAL EXPLANATION

Mr. PICKLE. Mr. Speaker, I had left the floor yesterday when two rollcall votes, Nos. 107 and 108, were taken because I had been informed that the regular legislative action had been completed for the day.

I left the House to attend the ceremonies for the unveiling of the bust of the late Speaker Sam Rayburn at the National Portrait Gallery. At the Portrait Gallery I joined Mrs. Lyndon B. Johnson as she made the formal presentation of the Rayburn sculpture.

PERSONAL EXPLANATION

Mr. PICKLE. Mr. Speaker, between April 4 to April 11 I was away from the Congress on official business of the Congress. I had been appointed as a delegate to the International Communications Conference. My appointment to be a delegate to this conference was made by the Speaker of the House of Representatives, Speaker CARL ALBERT, upon the recommendation of Mr. HARLEY O. STAGGERS, chairman of the House Interstate and Foreign Commerce Committee.

THE CASE AGAINST RIGID CONTROLS

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

Mr. BLACKBURN. Mr. Speaker, at a time when some people in the country seem to feel what we really need is rigid wage and price controls across the board to lock our economy in for the next 60 days or 90 days or perhaps even a year, it is refreshing to read an article in today's Wall Street Journal prepared by Mr. Edgar R. Fiedler, Assistant Secretary of the Treasury for Economic Policy.

Mr. Fiedler points out the very great difficulties which were created during the World War II and when we had extremely rigid wage and price controls accompanied by rationing, shortages, black markets, and other economic dislocations which accompany unrealistic economic policies.

Mr. Speaker, I am inserting Mr. Fiedler's article and I would strongly recommend it to my colleagues.

[From the Wall Street Journal, Apr. 19, 1973]

THE CASE AGAINST RIGID CONTROLS

(By Edgar R. Fiedler)

WASHINGTON.—Why not impose more rigid controls on prices and wages? Prices are surging upward in a number of economic sectors; doesn't that call for more stringent controls? The changeover to the "self-administered" Phase 3 has been widely regarded as a failure; doesn't that call for a new system of tighter controls? Certainly there is a great demand for tougher controls—from consumer groups, from organized labor, and from other sources. And although Congress decisively rejected proposals to reinstitute a freeze and to broaden it to encompass other sectors of the economy, there is a sizable minority of Congressmen who are demanding more comprehensive, more rigid and more permanent controls over prices and wages.

Well, why not?

There are, I think, two fundamental reasons for resisting the call for tighter controls. One reason is liberty—the old-fashioned principle that the individual is the important unit in our society, that his freedom is something to be cherished, and that the government's power over him should be limited. To me this principle is a persuasive reason for opposng a move to inflexible, permanent controls. The second fundamental reason is economic efficiency. Our economy is so complex and changes so rapidly that the presence of controls over a long period of time would damage it seriously. History tells us that a comprehensive system of controls would require a gigantic bureaucracy here in Washington and would produce endless ribbons of red tape throughout the economy. History also tells us that the major economic impact of controls would be inefficiency and inequity.

REMEMBERING WORLD WAR II

Those of us who remember World War II know what the comprehensive wage and price controls of that era produced. We remember the restrictions against changing jobs and the shortages and rationing of meat, sugar, gasoline and many other products. We remember also the black markets and other illegal efforts to circumvent the controls. Those World War II controls produced great waste in the economy and great inconvenience for the public. But we put up with them for patriotic reasons; we were willing to make the sacrifice to help the war effort.

I think it is obvious that today the public would not accept the problems that rigid controls inevitably create. There are no patriotic or other reasons that would lead people to put up with, for example, shortages of basic consumer goods.

But the World War II experience may not be completely applicable to 1972 and 1973. What, then, can we say about the present controls? Have they done any damage during the year and a half that they've been in effect? Have they hurt productive efficiency and created other problems?

The answer to that is, in the broad general sweep of things, no, but in many specific cases, yes, very definitely. When we look at the economy as a whole, we do not find that productivity growth has been slowed, or any other substantial evidence that the controls have done widespread damage. There are two reasons for this: First, the control system in Phase 2 was designed wherever possible to be flexible and, second the economy was operating with considerable slack. These conditions minimized the trouble effects of the program.

But while the stabilization program did not produce widespread economic distortions during 1972, it did produce many individual instances of inequity and inefficiency. And the economy was growing so fast that more and more of these difficulties were beginning to show up. Had we continued Phase 2 through the current year, with its rapid growth pushing many industries close to full utilization of capacity, these dislocations would have become numerous and serious enough to injure the economy as a whole. To demonstrate that this is not just a bogeyman in the closet, let me cite a few examples of what happened during 1972.

The most disturbing and most wasteful difficulties created by the controls program were in the lumber and plywood industry, which was under heavy demand pressure from the boom in homebuilding. There were numerous reports that production was held 5% to 10% below maximum, primarily to avoid violating the Price Commission's profit margin rule. Sawmills were performing minor operations on standard cuts of lumber to create "new products" that were exempt from price control. Phony export and reimport transactions were recorded, without any lumber even leaving the country. Tricks like these kept the Internal Revenue Service working overtime tracking down violators. And in another effort to circumvent the controls, railroad cars full of lumber were being shipped around the country from one middleman to another, accumulating markups, which were individually legal, but not getting the lumber to the final user.

Despite the fairly high levels of unemployment that prevailed during 1972, we heard a number of complaints from businessmen that their employes were being lured away by higher wages to a competitor's plant down the road, and that they were prevented by the controls from raising wages to meet the competition in order to stop the pirating of their work force. When businessmen complain that the wages they pay are too low, well, that's a pretty sure sign that the controls are interfering with the efficient operation of the labor market.

Another inefficiency that was becoming more significant as the program progressed was the red tape that both labor and business found themselves tangled up in. By the end of 1972, for any pay or price request that was at all more than routine, the waiting lines at the Pay Board and Price Commission were getting longer and longer.

The controls had a perverse impact on petroleum refining, creating an incentive to distill less fuel than necessary and more of some other products. This helped make the fuel oil shortage last winter a little worse than it otherwise would have been.

The controls also produced serious difficulties for commodities that are traded in international markets. When the world price rises above the ceiling price of domestic producers, a powerful incentive is created to ship all domestic production out of the country, irrespective of the need for it at home. This situation developed for soybean meal and phosphate fertilizer late in 1972 and threatened to create severe shortages of those commodities here in the United States.

The Phase 2 profit margin limitation created a special kind of problem in some indus-

tries. One company, for reasons unrelated to its major product line, would be up against its profit margin limit and would be unable to raise prices on any product. The pressure of competition would, then, prevent other firms in the industry from raising their prices, despite the fact that their costs had increased sharply. The classic example of this problem is the wine industry, where the Gallo Co. had recently developed a very profitable new line of fruit-based wines. Because Gallo was up against its profit margin ceiling, it could not raise prices on its grape wines, despite the fact that a poor crop had sent the price of grapes up some 50%. This increase in costs was not too hard on Gallo, but it did hurt other vintners badly. These other vintners generally produce only grape wines and thus would have been justified in raising prices because of the increased costs, but they could not do so because of competition from Gallo. These other vintners, then, saw their profits disappear very quickly and turn to losses. This same situation developed in a number of other industries, including baking, brewer's yeast, linens, pool tables and others.

ENDLESS COMPLAINTS

The six examples described above are only a few of the many economic distortions and wasteful changes in normal business practices that the controls produced during 1972. We heard endless complaints from labor, business and consumers about their troubles, and complaints were growing in frequency and intensity as the year progressed. Moreover, these difficulties mounted despite our best efforts to maintain a flexible and equitable program, and despite the fact that farm products, interest rates, most rents, wages of low-income workers, and many other sectors of the economy were exempt altogether from the regulations.

The storm of protest over Phase 3 and the great demand that exists to move toward across-the-board price controls indicates that the freeze and Phase 2 have had a profound effect on the attitudes of the American people. It tells us that what the entire stabilization effort has done, more than anything else, is to miseducate the public to believe that controls are the way to solve the problem of inflation. That is a distressing result. To me, it is clear that a comprehensive system of rigid price and wage controls applied over an extended period would wreak havoc on the basic structure of our economy.

AN OUTRAGEOUS OFFERING: ANTIQUE DEALER PLANS TO AUCTION MONTANA INDIAN MOTHER AND CHILD SKULLS WITH SKIN AND FOOT

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

Mr. MELCHER. Mr. Speaker, I rise in sorrow and outrage over something brought to my attention late yesterday to announce that I have called on the Attorney General of the United States to investigate and, if justified, prosecute those responsible for an advertised sale to be held in Orlando, Fla., Saturday, April 28, of a Montana Indian mother and child skull set, including skin and foot.

I have been given the April 17 issue of the "Antique Trader" published at Dubuque, Iowa. This publication contains a double-page advertisement, on pages 6 and 7, announcing an auction set for Saturday, April 28, by the Antique World, 750 South Orange Blossom Trail, Orlando, Fla., which proclaims itself one of the largest antique dealers in the world.

It announces the sale of "an important collection of Civil War, musical, Indian, Primitive, fine furniture with additions" and features as one of six photographically illustrated items for sale: "Mother and child Indian skull with skin and foot (Montana)." I hesitate to put into the RECORD the advertised names of the owners lest there be some mistake and they are done an injustice.

I have asked the Attorney General to determine if the sale can be stopped, the remains returned to Montana for decent interment if they are genuine, and to investigate whether laws against grave robbing, sepulture, interstate transportation of the loot of grave robbers, or any other statute has been violated by anyone now or previously connected with this ghoulish episode.

If the skulls are bona fide Montana Indian mother and child skulls they were probably obtained by commission of a felony.

Sections 4601–4606, title 94 of the revised Montana statutes make it a felony to "mutilate, disinter or remove from place of sepulture the dead body of any human being without authority of law" and then only for reinterment.

These should surely not be trophies of some early Indian war—the skulls of a mother and child. If they are, it is inconceivable that any human being would want to enoble the butcher who collected them by exhibiting them. Nor are they scientific specimens. They are up for sale as family treasures, antique trinkets for around the house.

It is hard for me to conceive of any person who would want, advertise or auction the remains of an American Indian, or brag that they are something special, "mother and child with skin and foot."

It is even harder for me to imagine that our society and our Government would allow this horribly repugnant act with racist overtones to go unpunished and a traffic to be permitted in the remains of human beings of minority groups to be used as household decorations.

If we do not have Federal laws prohibiting such a traffic, I shall introduce legislation as promptly as it can be prepared.

I am heartsick that such circumstances could arise in our country. I am outraged by the participation of everyone connected in any way with this grizzly, ghoulish, racist incident.

I apologize to American Indians on behalf of all the decent people of this country and assure them that if this insulting wrong can be ameliorated in any way, I intend to see it done.

Mr. Speaker, I am advised that since I first protested, the Congressman from Florida (Mr. FREY) has been in touch with the owners of the Montana mother and child Indian skulls offered for sale in an antique auction at Orlando, Fla., and that the items have been taken out of the sale and are to be turned over to Montana for appropriate disposition.

I want to express my appreciation to the Congressman from Florida for his immediate intercession in this matter. It is gratifying to me that the Antique World, which offered the items for sale as agent for the owners, immediately removed them from public offering at their sale, and that the owner has agreed to turn the items over to the custody of the State of Montana.

I have asked the Attorney General to investigate the facts in this case, which I hope will determine the place these remains originated. When that is determined, I will do anything legally possible to assist in returning the remains to their proper place of interment.

I expect to continue my effort to determine if traffic in human remains is legal in the Nation—it certainly is not in Montana—and to introduce legislation if it is necessary to put an end to any commercial sales of human remains except for scientific purposes, and then only when those remains have been acquired in a legal manner, acceptable to all persons and groups concerned.

I remain shocked by the thought that people would acquire such items as personal possessions, or traffic in them as antiques for profit, and by the racist implications of the offering that was made.

"EL PADRE" JOSEPH F. THORNING

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

Mr. DERWINSKI. Mr. Speaker, "El Padre" Joseph F. Thorning, acting chaplain on Pan American Day for 29 consecutive years, served the young people of the American Republics as director of the first Inter-American seminars in the University of San Marcos, Lima, Peru; in the National University of Mexico; and in the University of Havana, Cuba. Today, he is honorary chaplain of the Inter-American Defense College. On other occasions, he has acted with competence as an official member of Special Diplomatic Missions of the USA in South America, Central America, and the Caribbean. He is an educator who works on the world scene.

It is a great privilege to take part in Pan American Day and as a great admirer of "El Padre" Joseph F. Thorning, it is also a great pleasure.

USE OF ELECTRONIC VOTING SYSTEM

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

Mr. BUTLER. Mr. Speaker, on Monday of this week, the House had before it for consideration the Economic Stabilization Act, the most important piece of legislation considered by the 93d Congress to date.

After more than 3 hours of debate, including on the rule itself, the House elected, on motion of one of its Members, to close all debate after 40 minutes.

The ensuing "40 minutes of debate," which in fact consumed nearly 3 hours of time, included consideration of 10 amendments, remarks by at least 20 Members, three votes by division, seven voice votes, and eight electronically recorded votes.

So great was the number of Members desiring to offer amendments and speak on the legislation at the time of the motion to close debate that those offering amendments were limited to a period of 100 seconds in which to explain their proposed changes.

Thus, each of the six recorded votes upon amendments to the most important legislation yet considered by the 93d Congress placed the House of Representatives of the United States in the embarrassing position of consuming more than 15 minutes in determining the fate of amendments upon which the House itself had debated for less than 2 minutes.

Although I was in the majority on each of these votes, this stringent limitation of debate, was, in my judgment, wrong in principle and an insult to the intelligence of the people we purport to govern.

If the House cannot find the time to permit at least 5 minutes of debate on every amendment, regardless of its merit, then the system itself ought to be revised.

One remedy is apparent: We can use the electronic voting system for its intended purpose; and we can spend less time in counting the votes.

We should recognize that once the membership is within the Chamber upon a quorum call, the electronic voting system does not require 15 minutes to determine the result in a rollcall vote.

Had the membership of the House remained within the Chamber on Monday afternoon at the conclusion of general debate, limiting debate under the 5-minute rule and concluding all rollcall votes within 5 minutes, instead of 15 minutes as presently required by the rules, the deliberations on the Economic Stabilization Act could have been concluded several hours earlier. Or, more to the point, it could have permitted a more thorough and intelligent discussion of the amendments being offered.

The requirement of clause 5 of rule XV of the House that "Members shall have 15 minutes—to have their votes recorded" by the electronic voting system is no longer appropriate.

Accordingly, it is my intention to introduce an appropriate resolution to amend the Rules of the House to permit a majority of the House, pursuant to resolution or motion to close debate, to further limit the amount of time for Members to have their votes recorded.

SECRETARY ROGERS' ANNUAL REPORT TO THE CONGRESS

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

Mr. BUCHANAN. Mr. Speaker, there is a great deal being written these days about lack of cooperation and communication between the executive and legislative branches of Government. Some of this is undoubtedly correct. But I would like to take note that Secretary Rogers and the Department of State are making vigorous efforts to bridge the gap. Both sides are striving to open a new era in relations between the Department and the appropriate committees of the Congress. I have just seen the Secretary's annual report to the Congress and believe that it will make a substantial contribution to this process.

I commend the Secretary for the excellence of his report and for his leadership in moving relations between the administration and the Congress from an era of confrontation toward an era of negotiation. If such an achievement is possible between the United States and the Soviet Union, it surely must be also between the executive branch and the Congress.

The Secretary of State is assuming leadership in both movements which merits commendation. I include herewith the introduction to his report for the edification of my colleagues:

APRIL 19, 1973.

Hon. J. WILLIAM FULBRIGHT,
Chairman, Committee on Foreign Relations, U.S. Senate.

Hon. THOMAS E. MORGAN,
Chairman, Committee on Foreign Affairs, House of Representatives.

DEAR MR. CHAIRMAN: Once again I am pleased to present to the Congress my annual report on United States Foreign Policy. This report provides a comprehensive record of the events and policies of 1972. In a brief introductory comment, I set forth nine major policy objectives for 1973 and a table of key indices showing the state of the world in statistics.

Previous reports have traced the development of new policies for resolving conflict and reducing world tension. The year 1972 marked a point of high achievement in our effort to free international relations from the rigidities of confrontation and the tensions of the past. 1973 will be a year of building, a year of intensive negotiations that will move us forward into the structure of peace which President Nixon has made our foremost national goal.

In my first foreign policy report I wrote that my greatest hope was to help create among Americans a new national unity and purpose in our foreign policy. Now with the major source of division within our country behind us, there is every reason to believe we all can work together to restore that common purpose.

Sincerely yours,

WILLIAM P. ROGERS.

1973—A YEAR OF BUILDING

INTRODUCTORY COMMENT BY THE SECRETARY OF STATE

1973 will be a year of building in American foreign policy—for in 1973 we will be initiating new negotiations and developing new relationships which could determine the political-economic structure of the world for the remainder of this century. As President Nixon stated in his second Inaugural Address: "We are embarking on an era that presents challenges as great as those any nation or any generation has ever faced."

We have reached this formative stage in international affairs as a result of the dramatic changes of the past year, changes due in substantial measure to innovations we began to introduce into American foreign policy four years ago.

We can take special pride in the four accomplishments of last year that are enabling us to complete the transition from the concerns of the past to the construction of a new and more peaceful international environment.

The profound transformation the United States brought about during 1972 in our relations with the People's Republic of China is opening new opportunities for an Asia at peace. A "new start" was the phrase Premier Chou En-lai used in his toast during President Nixon's first night in Peking. Today—as the first official Americans to reside in Peking since 1949 have already arrived—there is no question that a new start in our relations is being carried forward. We are particularly hopeful that progress in U.S.-Chinese relations will lead toward an improving international climate throughout Asia.

Firm foundations for a new era of cooperative efforts between the world's two powerful nations now exist in the aftermath of the Moscow Summit. A fabric of common interests and of instruments of cooperation is being created that will serve to perpetuate better relations. And agreements to limit offensive and defensive arms have been concluded that may well be viewed historically as the critical point when risks of nuclear conflict between us turned permanently downward.

The flash point of Europe's dangers for 25 years. Berlin, has been defused, and the Quadripartite Agreement has proven to be a major stimulant to favorable evolution in the European situation. Not only has the inner German agreement followed, but movement toward conferences on European security and cooperation and on mutual and balanced force reductions has been hastened as a result.

The Paris Agreement on Vietnam is bringing an end to this century's longest war. Though it is yet imperfectly observed a cease-fire has been established in Vietnam and Laos. And a framework for a peaceful environment in Indochina has been established.

1972 was thus a year of achievement in our efforts to turn away from the rigidity of confrontation and the tensions of the cold war. 1973 will be a year during which we will concentrate on forging this progress into a durable structure of peace. In doing so we shall seek to accomplish nine objectives.

First, we will cooperate with Europeans, eastern and western, in what we hope will be a decisive lowering of barriers to Europe's sense of unity—seeking to enhance mutual security through strategic arms limitations and mutual and balanced force reductions and to free the flow of people and ideas throughout the continent.

Of the many significant developments taking place in U.S.-Soviet relations, negotiations this year on a permanent and comprehensive strategic offensive arms agreement will be the single most important. A successful conclusion of those negotiations will also be of importance to Europe as a whole, further stabilizing strategic relations under which Europe derives its basic protection.

On this as on so many other issues close cooperation between us and our allies in NATO continues to be of fundamental importance. We will consult closely with them throughout the course of these negotiations to ensure that their interests are taken fully into account.

The ABM Treaty we signed last year is a major contribution to strategic stability, but it must be accompanied by a permanent agreement on offensive strategic arms. The ABM Treaty could not have been achieved

until the principle of equivalence had been met to the satisfaction of both sides. There should not be one standard for defensive and another for offensive arms. Essential equivalence must be achieved in this area as well—equivalence based on the principles of comparable security and no unilateral advantage to either side. An agreement based on this approach would contribute to the maintenance of a stable U.S.-Soviet strategic relationship and enhance the security of both countries and of the entire world.

Exploratory talks have begun on a mutual and balanced reduction of forces in central Europe. Full scale negotiations are expected to begin in the fall. Reductions in the forces that have so long faced each other in central Europe would further contribute to the strengthening of peace in Europe. Our own policies have been a motivating force in these negotiations. We will pursue them to a conclusion that reduces the confrontation of forces in central Europe.

In the meantime it is important that we do not unilaterally reduce our own forces, as some have advocated, and risk in consequence both the prospect of negotiating an agreed limitation on forces in central Europe and an unbalancing of the military relationship.

Freer Relations Within Europe. Just as we will seek to reduce the confrontation that impedes cooperation, so will we endeavor to help lower the political barriers that divide Europe. In the forthcoming Conference on Security and Cooperation in Europe we are are well aware that the Soviet Union will be attaching considerable importance to the inviolability of present territorial boundaries. The Soviet Union must be equally aware of our determination that this issue not be used as a pretext for ratifying a political division of Europe.

Fortunately barriers are lessening and each state in eastern Europe is now officially seeking to improve its cooperation with western Europe. The Conference will provide an excellent opportunity to widen the framework of relationships which engage them with ourselves and their neighbors. It is of particular importance that the Conference achieve objectives agreed upon at the last meeting of NATO: closer, more open and freer relationships among all people in Europe, and a wider flow of information and ideas.

It would be erroneous to presume that widely divergent national perspectives on the range of these freedoms do not exist. But we accept General Secretary Brezhnev's recent statement that the possibilities here are "quite broad" as an expression of a welcome intent to move toward us in an area of relations where we have such deep convictions.

Relations With States of Eastern Europe. We anticipate also that significant advances will be made this year in our bilateral relations with states in eastern Europe. Since the President's visit to Romania in 1969 concrete improvements have been achieved with Romania, Poland, and Hungary in trade, in consular protection and services, in scientific and technological cooperation, and in cultural contacts. Our relations with nonaligned Yugoslavia have continued to progress.

During 1973 we hope to achieve substantial improvements with Czechoslovakia and Bulgaria. The Foreign Ministers of both countries told me at the U.N. General Assembly session last fall their governments would welcome concrete improvements. We share that desire and are responding to it. As has been the case with other states in eastern Europe the conclusion of consular conventions will be the starting point.

In Moscow last spring President Nixon and General Secretary Brezhnev pledged our countries to recognize the sovereign equality of all states, to make no claim to any special rights or advantages in world affairs, and to seek to promote conditions in which no country will be subject to outside interference in its internal affairs. Full application of these principles is central to the détente so many now desire.

Economic Relations. Both the Soviet Union and eastern European nations place commercial issues high on their agenda of bilateral interests. We also give high priority to expanding our trade with eastern Europe. During 1973 as our relations with individual countries improve we will move to normalize trade and to initiate broader trade arrangements. We have submitted and are seeking approval of legislation which will authorize the President to extend most-favored-nation treatment to the Soviet Union and to those countries of eastern Europe and elsewhere who do not now have it. Such congressional action would be consistent with the improvement in our political relations; it will be of central importance in our efforts to increase trade with the Soviet Union and eastern Europe.

The trade agreement we signed with the Soviet Union in October contemplates that U.S.-Soviet trade will triple over the 1969–71 level, rising to an aggregate amount of at least $1.5 billion. And in eastern Europe we will endeavor to increase our exports significantly.

Second, we are turning our energies to the task of helping to build what hopefully will be Asia's first period of peace in 40 years into a network of stability based on commitments to mutual noninterference, with the ultimate aim of bringing about cooperation among all of Asia's peoples.

To solidify and perpetuate the peace that has now been achieved in most of Indochina is, of course, a pressing objective to which we are devoting a maximum effort. Although a certain unsettled period is to be expected in the immediate aftermath of a cease-fire, to date we are not satisfied with implementation of the Agreement. We are scrupulously carrying out the provisions of the settlement, and we expect others to do so as well. The International Conference on Vietnam held in Paris from February 26 to March 2, 1973, was an important step in this direction. The Conference participants endorsed the Vietnam Peace Agreement, pledged to observe its terms and support its full implementation, and to associate themselves with the peacekeeping process. They also agreed to respect the independence and sovereignty of Cambodia and Laos with a view to help bring durable peace to those countries as well.

Our wider objective and hope is that with this peace all Asians can be freed from the bitterness of past confrontation so that they may concentrate on building and renewing cooperative relationships throughout the area. The United States supports and will continue to support efforts of Asian and Pacific nations to develop and expand regional cooperation.

At the same time America's role in Asia must remain strong and active. Continued American engagement in Asia is mandated not only by the volume of our current economic and political interests (our total trade with Asia now equals 85 percent of our trade with western Europe), but by the need to prevent a recurrence of the conditions that brought America into warfare in Asia three times within one generation.

The growing rapproachment in Asia, including of course our own and Japan's with China, will contribute to achieving stability throughout the continent. We take seriously the mutual commitment which the People's Republic of China and we made in the Shanghai Communique that each of us would eschew and oppose attempts by anyone to impose hegemony in the Asia-Pacific region. Scrupulous adherence to this principle can be the building block from which more normal relations can be constructed throughout the area.

U.S.-P.R.C. Relations. In our bilateral relations with China we will work thoughtfully and energetically to ensure that last year's initial improvements prosper and expand during 1973. The establishment of liaison offices in our respective capitals, the agreement already reached on further cultural exchange, and the progress anticipated in economic relations will all contribute to further development of normal relations. In Paris last month I was able to reach agreement in principle on the issues of U.S. private claims against the P.R.C. and frozen Chinese assets in the United States. We expect our trade in 1973 to increase significantly. We will urge that larger numbers of Chinese be sent to the United States as well as encourage an increase in the number of Americans going to China.

Reconstruction in Indochina. 1973 must also be the year when the nations of Indochina shift decisively from the concerns of war to the tasks of reconciliation and reconstruction. A reconstruction program in Indochina will not only hold out hopes of a better life to the peoples of these nations; it will be a major influence in ensuring the integrity of the peace we have agreed upon and even in altering the framework of relationships between us and North Vietnam. We look forward to a more constructive relationship with North Vietnam but neither this—nor economic assistance—will be possible unless the Vietnam Agreement is fully carried out.

We see such a reconstruction program as a fundamental aspect in our effort to extend the accomplishments of the peace agreement into broad stability throughout Southeast Asia and to Asia as a whole. We will be devoting particularly close attention this spring to ensuring that we have the means and capability of pursuing this policy to a successful completion. The program will and should be one in which other nations—notably Japan and members of the European Community—also make an important contribution. We will consult closely with Congress on this program.

South Asia. For historical and cultural reasons Americans—and many Asians—tend to think of Asia in far eastern and Pacific terms. But the continent-wide stability and cooperation we seek to bring about cannot be complete without the participation of the nations of South Asia.

The United States seeks a close relationship with each of the nations in South Asia. Pakistan, Bangladesh, and India will all have an important influence and effect upon Asian stability.

We will continue our strong support for the viability and cohesion of Pakistan because of our longstanding relationship and because of its importance to the stability of the entire region. Our support for the efforts of the new government of Bangladesh to place the nation on a firm foundation of stability and progress will continue. In recent months, India has expressed a desire to improve relations with the United States. We reciprocate that desire. We will look to India, as South Asia's largest nation, to play a leading role in building a climate for peace in South Asia which will contribute to peace throughout the continent.

Third, in the Middle East, the only remaining area of chronic conflict in the world where no negotiations are in progress, we will actively encourage the parties to initiate, during 1973, a genuine negotiating process.

Some people claim that the conflict between Israel and the Arabs, which has now lasted in chronic or acute stages for 25 years, is impossible to resolve.

Yet it has already proven possible to make progress through negotiation in other areas of passionate differences: in South and North Korea, South and North Vietnam, Pakistan and India, West and East Germany.

New prospects for an improved quality of life before all peoples of the Middle East

which could bring about a national and human resurgence when a just peace releases energies from preoccupation with the past.

And the relaxation of tensions between the major powers, the continuing quest for a peaceful settlement in many countries of the area, and the maintenance of military calm make 1973 a favorable time for the process to get underway.

We know of no other way to arrive at the mutual clarifications of national interests necessary for progress toward peace than to engage, whether directly or indirectly, in negotiation. Outside forces cannot impose a settlement. We see no prospect for any other external means of narrowing differences.

For many months we have sought in the Middle East to convey one fundamental point: that agreement to negotiation requires no change of objectives but only a thoughtful approach to the possibility of mutually advantageous accommodation. That is the process that has taken place to the common benefit of peoples elsewhere—a process we ourselves have benefited from in Vietnam. It is a process that would also benefit the peoples in the Middle East—Palestinian, Israeli, and the peoples in the Arab states concerned. It is in such a process, and not in nihilistic terrorism of the kind that took the lives of two of our finest diplomats in Khartoum, that hope for a better future lies.

If, as a first step, negotiations on an interim Suez Canal agreement can be brought about and pursued to successful implementation, as we believe possible, the result would: reinforce the cease-fire, separate the military forces of the two sides, result in partial Israeli withdrawal, open the Suez Canal to international commerce, and, most importantly, create momentum toward a permanent settlement based on U.N. Resolution 242.

I have placed such emphasis upon an interim agreement (not as an end in itself but as a step toward final agreement) because of our continuing judgment that it is there where the issues are most susceptible to successful results. We continue, of course, to be open to any ideas the parties may suggest. We do not, however, view an interim agreement as an end in itself and recognize the relationship between any first step toward peace and the broader context of a final Arab-Israeli settlement. As recent visits to Washington by King Hussein, President Sadat's emissary Mr. Ismail, and Prime Minister Meir have emphasized, we remain in close consultation with the governments most intimately concerned.

Fourth, we will work to deepen our community of interest with the states of Latin America on global as well as hemispheric issues, supporting in particular the expanding roles so many Latin American states are assuming in world affairs.

The community which the two American continents have created is a community of broadly shared objectives, underlying mutual interests, geographic association, and significant intellectual, political, and security ties. It is, as well, a community of economic cooperation: some 38 percent of Latin America's total foreign trade is with the United States; Mexico is a trading partner of the United States on the level of France and Italy; and over half of U.S. private investment in the developing world is in Latin America.

At the same time we live in a period when isolation of the hemisphere has disappeared and when Latin America's involvement in an interdependent world is rapidly accelerating. Its foreign trade with Europe and Japan is now slightly higher than that with the United States. Mexico's established role in international affairs has for many years been an outstanding one. More recently continental-sized Brazil has sought a global role commensurate with its rapidly expanding strength. Other states, small as well as large, have contributed to the success of multilateralism in the United Nations and elsewhere.

Both they and we are now looking upon our community in new ways—upon the collective contributions that can be made by the states of this hemisphere in world as well as hemispheric affairs. All of us will benefit from this wider role, for despite vicissitudes the contributions we individually make will largely complement one another. We intend, in fact, to work with the countries within this hemisphere in much the same pragmatic atmosphere of equality and cooperation and in the same global context as we do with those in the other community with which we are closely associated—western Europe.

But cooperation in global matters cannot be isolated from the health of our hemispheric association. I hope we will be able to bring about a franker and more useful exchange of views through instituting private consultations among Foreign Ministers at the start of OAS sessions. The opportunity to exchange opinions informally would be a valuable contribution to improving cooperation and understanding. It would, for example, give us an opportunity to share views on world political developments and to ascertain how we can work together on such matters as the forthcoming trade negotiations.

We do not expect to eliminate differences of opinion and approach. But if our association is to realize its potential for mutual benefit, indeed if it is to avoid becoming a format for sterile recrimination, we and our neighbors will have to build upon areas of mutual interest and to resolve those conflicts which exist.

I recently told the Foreign Ministers of the Organization of American States that with the progress that has been made toward a more peaceful world we are now in a position to give our relations with Latin America more consistent attention. I will participate personally in this effort and will soon fulfill my longstanding desire to visit Latin America.

As part of our increased effort we are now seeking approval of the generalized preference legislation we felt it necessary to defer in 1972. And Latin America will continue to be the recipient of substantial assistance—aid which totaled $1.2 billion in 1972. But it is through trade, private investment, and the normal course of international economic relations that the largest share of cooperation in development for the hemisphere has always come and always will come. That is one of the reasons why it is important for countries who desire investment to apply stable rules upon which investors can count. And that is why we are approaching all economic cooperation with the developing world from a comprehensive, not merely an assistance policy approach.

Fifth, we will continue to broaden our natural cultural and political relationship with Africa by strengthening our economic ties, in particular by accelerating the growth in trade and investment already taking place under policies we adopted in 1970.

In the last three years U.S. trade with Africa has risen by 30 percent and our investments by 50 percent. The still relatively modest dollar levels of these relations ($3 billion in trade and $4 billion in investment) can be significantly expanded.

Increased African production of raw materials and energy resources to meet the growing needs of industrialized societies will account for much of the increase of our imports and simultaneously provide opportunities for mutually beneficial investment. Nigeria and Libya, negligible oil producers in 1960, now rank seventh and ninth in world production. Natural gas from Algeria—whose reserves are among the highest in the world—has recently begun to arrive in U.S. ports. And Guinea ranks with Australia in possessing bauxite reserves almost 100 times those of the United States.

For the first time in many years, and in spite of promotional efforts, U.S. exports to Africa declined in 1972. There are, nonetheless, good opportunities for expanding our exports to Africa's rapidly developing markets. We intend to pursue them.

As the first Secretary of State to visit Africa, I know from my own experience how highly African states are motivated to develop their economic resources and their standards of living. We will contribute to that process both through grant and loan assistance and through the expansion of our normal economic contacts, a process of increasing contact and cooperation we expect to lead to more soundly based political relations as well.

In Nigeria, American investments now total $800 million. Dynamic and well on the way to recovery from its civil war, Nigeria is one of those leadership countries in Africa and in world affairs with which we anticipate continued increases in consultation and cooperation.

In focusing upon the growth of economic ties we imply no dilution of American support for self-determination in those parts of Africa which have not yet had the opportunity to choose their own future. We will continue to encourage productive diplomatic means—such as Secretary General Waldheim's initiatives of last year—to give the peoples of southern Africa the same choice as to their future that the bulk of the continent has already experienced.

Sixth, we will endeavor both to restore our international economic position and to reach agreement on principles to govern an expanding international trade and monetary system.

In both previous reports on foreign policy I emphasized our expectation that economic relations will assume major importance in our foreign policy over the rest of this century. Economic policy increasingly occupies our time at all levels of government at home and of our diplomacy abroad. With the cessation of the war in Southeast Asia and the improvement of relations with China and the Soviet Union, economic policy will be particularly prominent in 1973.

We will, as a matter of urgency, be seeking (1) to improve the ability of American workers and businessmen to compete in world markets and (2) to restructure the international economic system so that the unprecedented growth of the world economy of recent years can be extended into the future.

The American economy remains by far the largest and most productive economy in the world. We must not let our concern over current problems obscure that basic strength. But obstructive trade barriers continue to distort the smooth and equitable growth of world trade. The world economy will benefit by the removal of such obstacles, as will the United States.

The currency realignments of 1971 and 1973 will be major steps in making it possible to restore our trading position. But monetary steps must now be supplemented by elimination of previously tolerated trading practices and restrictions that put extra burdens upon the dollar or upon the American exporter or investor. Changes are particularly necessary to make our access to Japanese markets more equivalent to their access to ours. They also are needed in Europe, where in the course of enlargement of the Common Market some obstacles to U.S. exports have been extended more widely, especially in agriculture, and where our trade account went into deficit in 1972 for the first time.

Accordingly we will be negotiating compensation in the GATT for impairment of trade interests which resulted from the enlargement of the European Community and from its special arrangements with other Eu-

ropean countries. We will continue to press the Community to ease its restrictions on agricultural trade and to eliminate reverse preferences for Community exports. We will work with Japan for an early reduction or elimination of import quotas and tariffs, improved access to the Japanese market for U.S. investors and businessmen, and increased Japanese Government purchases of American products.

Our economic health is increasingly linked to that of the world's long-run economic health. Consequently we also will be pressing this year for basic reform of the international monetary and trade systems.

Monetary Reform. The broad principles of monetary reform which we wish to see adopted by the IMF Board of Governors this September were set forth by Secretary of the Treasury Shultz at the annual meeting of the International Monetary Fund last September. At the March 16 meeting of the Ministers of the Group of Ten countries and the European Community agreement was reached on measures to ensure maintenance of an orderly exchange rate system while the effort to reform the international monetary system is pressed ahead. This is a positive and encouraging result.

While considerable time is required before exchange rate changes can alter the balance of payments, we are satisfied that if acceptable trade arrangements can also be made we will soon move toward sustainable equilibrium in our payments position. But a sense of urgency in the current negotiations within the IMF's Committee of Twenty is now necessary so that the favorable effect of the devaluations of the dollar can be realized and a stable system created. We hope that the Committee would be able to report agreement on broad principles of reform by the time of the annual meeting of the IMF in Nairobi this fall.

Trade Negotiations. While the monetary talks proceed, the first session of related negotiations on trade will open this September under the General Agreement on Tariffs and Trade.

The Administration has submitted to the Congress a request for the comprehensive negotiating authority we consider necessary to attack agricultural as well as industrial restrictions and nontariff as well as tariff barriers. In these negotiations we will insist that American products be given fair and reasonable treatment.

The authority which the President is seeking to raise tariffs in particular cases is designed to achieve that purpose, not to bring about increased barriers to trade. In fact our objective is quite the opposite. For the past quarter century international trade has increased at a more rapid rate than world production, providing an essential stimulus to the most rapid global economic growth in man's history. The reduction of barriers to trade made this contribution possible. It must be continued.

During the trade negotiations we will, in particular, seek approval on these principal approaches:

That tariff barriers on both industrial and agricultural goods should be reciprocally reduced to the point where they form no appreciable impediment to the flow or direction of international trade.

That nontariff restraints should be reduced over a moderate period of time and that remaining restrictions should be regulated under international agreement.

That trade should continue to be organized on a global basis, not on the basis of trading blocs, and that reverse preferences favoring particular groups of developed countries should be removed.

That particular account should be taken of the need to find solutions to the problems of developing countries.

That an internationally supervised system of safeguards should be agreed upon to give industries adversely affected by shifting trade patterns time to adjust.

Neither the negotiations on trade nor on monetary matters will be completed in 1973. But success in establishing agreement on such basic principles will go far toward building tomorrow's economic system.

Seventh, we intend to employ our economic policies more comprehensively than in the past to support the efforts of developing countries to accelerate their per capita rate of economic growth beyond current levels.

If the forthcoming trade negotiations are successful, the poorer nations of the world will benefit fully as much as the developed world. But neither trade nor assistance, developed nor developing nations' policies, investment nor nationalization, nor other separate efforts will suffice for dealing with what may well be the most important but difficult requirement of the next quarter century—that of escalating the economic growth rate of the developing world.

Despite the high priority given to economic growth in most of the poorer nations, two decades of international assistance, and decisive breakthroughs in several states, the overall per capita growth rate in the developing world has only reached that of the industrialized countries in the past two years. Even with that accomplished, the fact remains that a 3 percent per capita growth rate in a country like India produces an annual income increase of only $3 while in the United States it produces $120. Thus no end is in sight in the increasing disparity between income levels of developing and developed nations. And within the developing countries, the benefits of modernization have been unevenly distributed, causing internal social and political problems.

We must collectively seek to narrow these disparities lest North-South dissension replace the receding East-West conflict. We therefore intend to pursue a comprehensive policy designed to help stimulate social and economic progress, particularly higher rates of per capita economic growth, in the developing world—a policy not of aid alone but employing a wide variety of economic relationships, a policy involving coordination with other developed countries and requiring principal efforts from the developing countries themselves. We will pursue it in recognition of the fact that just as the developing nations need access to the capital and cooperation of the developed countries, so will we increasingly need their cooperation and access to what they can produce. The rapidly burgeoning needs of the industrialized world for energy and raw material resources offer new trade possibilities that will both augment production and foreign exchange earnings in the developing world.

I have asked the new Under Secretary of State for Economic Affairs, William Casey, to give special attention to this matter, Mr. Casey will be using the full resources of the Department and the government to coordinate the use of such elements as restraints on population growth, international investment, trade expansion, preferences, multilateral institutions, grant and loan assistance, and debt relief in support of this purpose.

Eighth, we will seek during 1973 both to strengthen the economic and political relationship among the world's industrialized, democratic countries and to create associations among us which will be more global in scope and more regular in nature than has previously been the case.

During 1973 we will be engaged in important separate consultations with the European Community, Japan, and other key friends. But bilateral approaches are no longer sufficient to handle the growing agenda of common political and economic concerns. A substantially higher level of worldwide coordination and cooperation is required among Japan, Canada, western Europe, Australia, New Zealand, and the United States if we are to solve common trade and monetary problems, continue the rapid expansion of the world's economy, and assist in the growth of the developing world. It is through wider cooperation also that we can best contribute our complementary strengths and common ideals toward building a politically sounder world.

We are one another's best trading partners and one another's most significant competitors. Our governments derive their authority from the freely expressed consent of their citizens. Our people share a common desire for an open and peaceful world. No longer can any of us satisfactorily think solely in Asian terms, in European terms, or in North American terms. For the health and strength of us all we must think and act in terms of us all.

One way in which this can be approached will be through enhanced cooperation in the Organization for Economic Cooperation and Development, the one organization whose membership is closely linked to these states. Last year the Executive Committee of the OECD was transformed into a high-level policy forum for consultations on the entire spectrum of our economic relationships.

We would like the new high-level policy forum to address the interrelationship of all aspects of economic policies—domestic and international—and their impact upon the total economic system. We believe the OECD should be a center for coordination of the more comprehensive development policies we consider necessary. And we would like to see it continue to be involved in an area it has only recently begun to deal with—international investment, including the role of the multinational corporation.

At OECD Ministerial meetings we plan to continue our policy of including a senior State Department representative in our delegation. We hope that the OECD may increasingly become a forum for broad cooperation beyond the technical items on specific agendas.

The presence of Foreign Ministers at the United Nations General Assembly each year also provides a further opportunity for coordination at the policy level. I have found the various meetings I have each year with NATO Foreign Ministers, Australia, New Zealand and Japan to be highly useful. An occasional opportunity for Foreign Ministers from these countries to exchange views collectively should improve coordination on the many matters that now affect us all. I hope we will able to find time for such an exchange this fall.

We will of course be consulting with our friends about these ideas, as they may have other suggestions for strengthening our relationship.

European Community. The enlargement of the European Community and the consequent strengthening of western Europe's economic capabilities assure that 1973 will be a year of special attention to relations between the European Community and the United States.

We hope to be able to build such lasting ties that our relations with the Community will in time become a solid pillar of U.S.-European association such as we already have in NATO. To achieve this however we must overcome a number of economic differences arising out of the changes in Europe and out of our balance-of-payments situation. Western European as a whole now produces three-quarters as much as we do, and it has a greater share of world trade. We will accordingly be looking to them to assume a more equal share of common responsibilities.

Japan. We will also be engaged during 1973 in reinforcing our long-range political and economic association with Japan, an association as important to us across the Pacific as

is our relationship with western Europe across the Atlantic.

Last September Prime Minister Tanaka and President Nixon concurred that strengthening of our close ties would be "an important factor for peace and stability in the evolving world situation." The solidity of these ties will be of particular importance as we each proceed to build closer relations with China and the Soviet Union.

A major correction in the trade imbalance between us ($4.2 billion in 1972—two-thirds of our overall trade deficit) understandably has high priority. Japan has accepted this correction as being one of its top priority tasks. We welcome its intention to lower tariffs and to promote import and capital liberalization, its decision to permit the yen to appreciate in the exchange market, and its stated desire to achieve an external equilibrium within the next two or three years.

Canada. Our attention has understandably been drawn most recently to the changes in western Europe and to Japan's dramatic growth. But it is Canada which will remain our largest single trading partner and the major locus of private American investment. We hope to examine with Canada such areas as automotive trade and defense procurement to assure that benefits from our close trading ties are fully shared. And we intend to engage in more intense and varied cooperation with Canada to meet the environmental and energy problems of North America, in particular in carrying out the purposes of the Great Lakes Water Quality Agreement of 1972.

The next few years will be a time of testing of our bonds with all the industrialized, democratic nations as we work toward new relationships based on current security, economic and political imperatives. The adjustment will be neither simple nor painless. But we approach this adjustment with the confidence that it can lead to an era of cooperation bountiful for all our peoples.

Ninth, we will press forward toward building a world of multilateral cooperation and orderly relations under law, giving special attention in 1973 to preliminary agreement in the United Nations on a global law of the sea that will transform the oceans from an area of growing conflict into a source of growing wealth and cooperation.

In many concrete ways we are seeking to strengthen the contribution of multilateral institutions—in particular of the United Nations agencies—in creating a more cooperative and better regulated international community. Of substantial importance in the extension of such cooperation will be the first session of the U.N. Conference on the Law of the Sea, which will open this fall in New York following two years of preparatory work. That meeting will set into process an international negotiation in whose success all nations have an important stake.

The international communication made possible by the freedom of the seas and the potential resources that the seas contain in energy, food and raw materials are too important to permit the oceans to become centers of conflict. Yet the varying interests of coastal states in security and of naval powers in freedom of navigation, of coastal states in their adjacent resources and of the world community in the resources of the deep sea will produce just such conflicts unless we all accommodate for our long-range advantage.

That is why we are striving to reach early agreement on a comprehensive legal regime for the seas. Negotiation of a treaty will require most of 1974, but we will urge that this fall's opening session concur upon the objectives of:

A maximum breadth of 12 miles for the territorial sea;

Free transit through and over straits used for international navigation;

Broad coastal state economic jurisdiction over mineral and fisheries resources in areas adjacent to the territorial sea, tempered by international standards which will protect legitimate interests of other states;

An international regime including machinery to authorize the exploration and exploitation of the deep seabed under agreed regulations;

Standards and controls to protect the marine environment from pollution; and

An agreed regime which would promote marine scientific research.

Narcotics and Terrorism. A deeper commitment to orderly relations under laws is also urgently required in the campaign to outlaw hijackers and drug smugglers. As Chairman of the Cabinet Committees on International Terrorism and International Narcotics Control, I will continue during 1973 to pursue our war against these two threats to a more civilized world.

In 1972 we developed comprehensive anti-narcotics plans with each of the 59 nations involved in production, consumption or transshipment of illicit hard drugs. During 1973 we will translate these plans into action. With the movement toward eliminating Turkey as a source of opium well underway and with progress developing in Southeast Asia, we will especially concentrate upon interdiction of the drug traffic. Enforcement and improved intelligence are our two top priorities. We are obtaining increased cooperation from other countries in both areas. Our programs have already caused shortages of heroin within the United States, hindering the recruitment of new addicts, and hopefully driving many existing addicts into treatment. In 1973 we intend to intensify this pressure.

The international community's response to the narcotic issue has been gratifying. But its response to initiatives to suppress hijacking and terrorism has been disappointing, even shortsighted. An atmosphere not sufficiently hostile to assaults upon civilized comity among nations, such as the recent slaughter of two American and a Belgian diplomat in the Sudan, must be changed. Although 63 airliners from 24 countries were hijacked and 245 passengers were killed or wounded in 1972, most nations of the world have so far been unwilling to take meaningful new action on hijacking or terrorism either at the United Nations or in the International Civil Aviation Organization.

On the bilateral front we have been more successful due to the agreement with Cuba on the extradition or punishment of hijackers. We hope to reach similar agreements with other countries, particularly in northern Africa.

We will also press again at the ICAO Conference this August for a new international convention to prevent safe havens for hijackers. At the very minimum we will expect the Assembly to establish international machinery to make investigations and recommendations in hijacking or sabotage cases.

If there was any doubt that international treaties should be adopted to provide for the protection of diplomats and for the extradition or punishment of persons who kill, seriously injure or kidnap innocent persons in a foreign state for political purposes, this year's outrages should terminate it. We will pursue the latter treaty vigorously in the U.N. *ad hoc* committee on terrorism scheduled to meet this summer. And we believe the United Nations should complete the treaty on protection of diplomats at this fall's General Assembly.

This introduction can only hope to outline the most important of the Administration's foreign policy objectives. I have elaborated here upon those which collectively give 1973 the characteristic of a year of building—the building of relations and institutions that could determine the course of the rest of the century. Given the President's strong interest and leadership in this effort, we have every reason to expect that further substantial progress toward lasting peace and cooperation will be made in the coming year.

It is now commonplace to hear that there are no more dramatic accomplishments possible in foreign affairs. I do not agree. 1973 can be a dramatic year—not in breaking old patterns but in building new ones, a year when we begin to erect the framework for a generation of peace.

But 1973 will be just beginning. The road ahead will be as difficult and dangerous as it will be promising. It will require the continued perseverance and engagement of this great nation. That is why our foreign policy must continue to be a policy of engagement—engagement with adversaries in building cooperation, engagement with allies on a basis of shared values and interests, engagement with developing nations in the effort to raise the living standards of their people.

For many years the economic and political health of the world has been heavily affected by the state of the American society. Now our condition increasingly is affected by the welfare of others. The degree of interdependence among nations and many of the principal trends of international affairs are succinctly evident in the statistical indicators of the state of the world I have appended to this introduction. In concise terms they illustrate both the necessity of our engagement in the world and the nature of many of the issues the world must still face.

In my first foreign policy report, I expressed the hope that we could fashion a foreign policy which would overcome the deep and destructive divisions within this country and restore a sense of common purpose in America's approach to world affairs. Today the obstacles to such a common purpose have been overcome, and we have found a new self-confidence, devoid both of arrogance and of destructive self-doubts. The foreign policy objectives we are setting forth are moderate and constructive ones. It will be my earnest endeavor so to carry them out that the Administration and the Congress, the leadership of both parties, the government and the citizenry can again move forward harmoniously in their support. With such cooperation 1973 will be a year of substantial progress toward the more peaceful and prosperous world we all desire.

THE STATE OF THE WORLD IN STATISTICS

	1960	1965	1970
I. Human welfare:			
Gross world product (billions of 1971 dollars)	2,214	2,852	3,673
World product per capita (1971 dollars)	730	853	1,003
GWP growth rate (percent)	4.9	5.2	5.2
Population (billions)	3	3.3	3.7
Population growth rate (percent)	1.7	1.8	1.8
Infant mortality (percent)	11	10	9
Literacy (percent)	48	56	64
II. Interdependence:			
World energy imported (percent)	21	27	30
World product exported (percent)	8.7	8.9	9.7
Industrial product exported (percent)	12.7	13.6	18.5
International mail (billions of items)	4.5	7.1	13.0
International travel (millions)	102	135	178
International travel/world population (percent)	3.1	4.1	4.8
III. Military:			
Men under arms (millions)	19	21	23
Men under arms/population (per thousand)	6.3	6.3	6.4
Military expenditures/GWP (percent)	7.6	6.8	6.5

EXCESSES IN THE DOMESTIC BUDGET

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

Mr. REES. Mr. Speaker, at a time when the administration is bemoaning so-called excesses in the domestic budget, and is acting on those "excesses" by cutting the life out of programs which are essential to millions of lower-income Americans, I think it is fitting that we also examine waste in our defense budget.

The administration's facilities realinement announced April 16 by the Department of Defense confirms the conclusions reached in an article appearing in the April 1 issue of the Americans for Democratic Action legislative newsletter. The study points out that the Defense Department has employed nearly 10 times as many civilians as the Department of Health, Education, and Welfare.

While I applaud the reduction in nonessential personnel, I fear that the President's deep cutbacks in domestic programs will prevent the easy transference of manpower from a wartime to a socially oriented peacetime economy. The article which I am inserting in the CONGRESSIONAL RECORD supports the intentions of those who attempt to tell the American people that a lowering of the defense budget is not synonymous with an endangering of national security.

THE PUBLIC HAS BEEN MISLED ON INDOCHINA

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

Mr. DELLUMS. Mr. Speaker, President Nixon has long claimed that he would pull the rug out from under his critics on the Indochina war. He has asked that they publicly apologize to him, since he has now achieved "peace with honor."

But I ask the President to publicly apologize to the American people, for, as anyone who reads the paper knows, we have neither peace nor honor in Indochina. The Paris agreements did not end our involvement—the Vietnam era is not in the past—no political objectives beyond brutal destruction were achieved. The cease-fire in Vietnam did not "break down"—it never existed. The famous end to the war was a public relations creation.

I do not seriously expect an apology. But I do expect we will learn from past mistakes and not try to cover up manifest failure by bombing our way to even greater failure. We no longer have even the shred of an excuse for our continued bombing in Cambodia—no troops to protect, no POW's to bring home, nothing but, perhaps, the feeling that it would not be America if we were not bombing somebody somewhere. War and dishonor need not be synonymous with our country, if we can stop the small elitist minority from playing their games with people's lives.

One step toward ending the bombing would be to pass legislation controlling the war powers of the President, so that the President can no longer involve us without full public discussion and awareness. But I warn you that war-powers legislation is no panacea.

I do not think we are better off when the President condescends to let a few top Congressmen in on the secret a few hours before it is made public. No amount of congressional bluster about constitutional principles will do us any good unless Congressmen have the humanity to realize the tragedy of what we are doing in Indochina, and the guts to stand up to the President and stop him.

CONGRESSMAN GUDE LEADOFF WITNESS AT HEARINGS ON ECONOMIC STABILIZATION PROGRAM

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

Mr. REES. Mr. Speaker, during the past several months, we have witnessed a swirling controversy regarding the rising cost of living. With the crescendo of noise and recriminations between wholesalers, retailers, farmers, and landlords regarding who, if anyone, is to be blamed for rising prices, I believe the true victim of this situation is not being heard. I refer to the American consumer, to the person who in the face of steadily mounting costs sees his wage and salary increases measured by a more restrictive standard.

The Banking and Currency Committee, of which I am a member, has held extensive hearings on this important issue in an effort to develop a solution which will offer relief to the American consumer. Our study of the problems of inflation, particularly those relating to food and rent, was greatly assisted by the testimony of my distinguished colleague from Maryland (Mr. GUDE). As a leading expert in these areas and as a sponsor of remedial legislation, Mr. GUDE was the leadoff witness at the committee's hearings on the economic stabilization program. His detailed comments outlining the parameters of the problem and the potential solutions was of great value to each member of the committee.

Nor did my colleague's leadership in this area end with his testimony. His consistent support for a strong bill which would protect the consumer was greatly appreciated by myself, other members of the committee, and by all those persons who have suffered the ill effects of inflation. There were numerous amendments offered to the committee bill. While neither I nor my colleague from Maryland were in complete agreement with every line of the bill, Mr. GUDE was steadfast in his support of all those amendments which would improve the bill and provide protection for the citizens of this Nation. As a resident of his District during the congressional session and as a member of the Banking and Currency Committee, I commend Mr. GUDE for his leadership in this area.

LAREDO ROTC DRILL TEAM

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

Mr. KAZEN. Mr. Speaker, I am proud to call the attention of my colleagues to the magnificent performance of a combined high school ROTC drill team from Nixon and Martin High Schools in Laredo. In the 6 years of the competition, held in Washington each spring at Georgetown University, no team has ever swept the men's events. But the Laredo Baldies have done just that this year.

They won the male platoon competition, the male squad event, and Cadet Sgt. Jose Juarez won the individual championship. In this national competition, Laredo took all three first-place trophies.

For these young men, their families, and their schools, I express thanks to the Spraker Rifles drill team of Georgetown University which in 6 years has built this competition from a local to a national event. Participation is a splendid experience for the young men and women who come to the Nation's Capital, but competitive victory is always especially gratifying. My home city proclaims its pride in this combined team from two high schools, trained by 1st Lt. Javier Montemayor, Sfc. Miguel A. Saenz, and Sfc. Roberto Flores.

The young men who are the national champions are the following:

Nixon High School: Juan Manuel Alonzo, Luis Rena, Jesus Cantu, Renaldo Sanchez, Jose Sergio Caballero, Hector Huerta, Jesus Garza, Jose Garza, Hilario Gonzales, Jose Juarez, Juan Rodriguez, Mario Dominguez, Gerardo Valdez, Victor Mendoza, Eduardo Sanchez, Carlos Rubio, Jose Hinojosa, and Alvarez Ramiro.

Martin High School: Oscar Benavides, Humberto de Hoyos, Juan de la Rosa, Jose Delgado, Julis Delgado, Jose L. Garcia, Raul Garcia, Ramiro Garza, Daniel Gomez, Jesus Gonzales, Pablo Garza, Juan Gaona, Vincent Gonzalez, Daniel Holguin, Luis Mata, Jose Moreno, Martin Moreno, Javier Bompa, George Pompa, Rene Rayos, Jose Romero, Herardo Rodriguez, Javier Villasenior, and Ricardo Guerrero.

These are outstanding young men, a credit to our community and our country. Their national championship gives them added reason to stand tall.

THE PUBLIC HEALTH ACT OF 1973

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. ROGERS) is recognized for 15 minutes.

Mr. ROGERS. Mr. Speaker, today, I, and nine of the 10 other members of the Subcommittee on Public Health and Environment (Mr. SATTERFIELD,

Mr. KYROS, Mr. PREYER, Mr. SYMINGTON, Mr. ROY, Mr. CARTER, Mr. HASTINGS, Mr. HEINZ, and Mr. HUDNUT), and our distinguished full committee chairman, Mr. STAGGERS, are introducing the Public Health Act of 1973. This is the first of what will be a series of bills proposed by members of the subcommittee which would substantially revise and extend the existing authority encompassed in the 11 existing titles of the Public Health Service Act, including the 12 authorities which expire at the end of this fiscal year. I expect that the subcommittee will conduct hearings on this bill shortly after the Easter recess.

I want to emphasize that this is a bipartisan action by members of the subcommittee. For as long as I have served on our subcommittee, it has been bipartisan and I intend to do all I can to insure that this subcommittee continues to act in a bipartisan manner.

Mr. Speaker, each of the 12 expiring authorities in the health field deserves thorough review and scrutiny by the Congress. Many of the programs fostered by these authorities have admirably performed the purposes for which they were intended; some of these should be continued, perhaps some should be revised. If any of the programs have not done the job for which they were intended, then these programs must either be revised or terminated.

Health, Education, and Welfare Secretary Weinberger has urged the subcommittee to adopt this approach. During hearings on March 29, 1973, the Secretary testified:

> We would encourage any effort to scrutinize, rationalize and consolidate the existing myriad of health authorities with which this department now deals. ... Our position is that the time has come for a hard-nosed assessment of what is working and what is not, of what has achieved its original goal and should now be returned to states and localities, and what still needs Federal direction and nourishment. We are asking you to address these questions with us.

Unfortunately, Mr. Speaker, despite rhetoric about looking closely at these programs, it is clear that the Department of Health, Education, and Welfare, probably as a result of intervention by the Office of Management and Budget, has developed an unenlightened chopping approach which does not seek a cautious review of these programs with recommendations to the Congress.

In its budget requests and during hearings before our subcommittee, HEW has proposed extensions of five of the expiring authorities with virtually no revision. These are health services research and development, health statistics, medical libraries, developmental disabilities and comprehensive health planning. It also proposes that two of the programs—migrant health and family planning—not be extended but instead be funded under existing broad general authorities of the Public Health Service Act, thus obviating congressional directives for these programs. It proposes the termination of five programs—allied health training, public health training, community mental health centers, regional medical programs and Hill-Burton hospital construction and modernization. This "up or down" approach is not a responsible solution.

If it is not responsible to propose complete termination of the Hill-Burton program instead of a thorough review of what portions of this 26-year-old law deserve extension and what portions deserve termination. Likewise, it is not responsible to propose a simple extension of comprehensive health planning program, a program which has gained extensive experience since its last revision 3 years ago.

In short, Mr. Speaker, apparently only the Congress will conduct this much needed intensive review, a responsibility which our subcommittee has undertaken gladly but not lightly.

This first bill has three main purposes. Title I revises and extends the authority of HEW to undertake programs in health services research and development, and health statistics. This broad authority has been abused in the past. We are recommending that limitations be placed on these authorities with respect to the number of projects which may be undertaken and the amount of money which may be spent without first advising the Congress.

Title II of the bill revises the authorities for assistance to medical libraries. This revision follows most of the rather minor recommendations contained in a bill submitted by HEW to the Speaker earlier this month.

Title III of the bill constitutes a complete restructuring of the Public Health Service Act, a task which has not received attention since 1944. I want to emphasize that this title is not an attempt to rewrite the act, but only restructures it to place its authorities in a more rational perspective. For example, all of the manpower training authorities—previously scattered throughout the act—are placed in a new title.

It is intended that in reviewing these authorities as they expire, we will write them so that all authorities within each title ultimately will expire at the same time. Using manpower training again as an example, we hope not only to combine all of these authorities into one title but also to give manpower training authorities a common expiration date. By thus forcing a review of all similar authorities at the same time, we can insure that overlap and duplication will be eliminated.

Many essentially similar programs are scattered throughout the various agencies and divisions within HEW. I would hope that this consolidation and restructuring of the act might be followed by the Department in consolidating its programs and activities, eliminating overlap and duplication.

Title III does contain two provisions which are not merely structural revisions, Mr. Speaker. First, it reinstates the Office of Surgeon General as the head of the Commissioned Corps of the Public Health Service. Under Reorganization Plan No. 3 of 1966, the Office of the Surgeon General was stripped of all its function. Title III would reinstate only those functions relating to the Commissioned Corps, and not other functions which previously were the responsibility of the Surgeon General.

There is a second substantive revision within title III. The title repeals sections 314(e), 910(b), and 910(c) of the Public Health Service Act, three authorities which have been grossly abused in two ways by this and previous administrations. First, these authorities have been used by HEW to undertake massive projects without the consent of Congress. One recent example is the award of 110 grants and contracts to develop health maintenance organizations with full knowledge that Congress was undertaking legislative action in this area. Secondly, these authorities have been relied upon by HEW—both in this and prior administrations—to oppose programs initiated by the Congress as unnecessary because of the existence of these broad general authorities. An example of this abuse can be found in the area of communicable disease control.

Three years ago Congress extended the authority of HEW to foster programs to combat communicable diseases and enacted guidelines for these programs. Despite the existence of this law, which was signed by the President, HEW chose to fund communicable disease programs under broad general authorities, thus allowing the Department to ignore the guidelines contained in the law. This forced the Congress, in extending the Communicable Disease Act last year, to require that no funds other than those authorized in the communicable disease law developed by the Congress could be expended for such programs. This approach was the only way in which the subcommittee could insure that congressional guidelines would be followed.

HEW has engaged in similar activities with respect to other programs, family planning, for example.

This opposition to specific programs ignors the constitutional responsibilities and prerogatives of the Congress to develop guidelines for domestic programs.

In proposing the repeal of these broad sections, Mr. Speaker, the subcommittee is admonishing HEW that it is the Congress and not the executive branch that should establish programs with appropriate guidelines for migrant health, for family planning, for health maintenance organizations. The subcommittee wants HEW to have flexibility to develop research and demonstration programs, and we believe there is sufficient flexibility contained in title I of the bill. But the members of the subcommittee would remind HEW that it is the Congress which will initiate health programs, and it is the Congress that will develop guidelines for those programs.

One final point, Mr. Speaker. The subject of funding is a point to which every Member of this body is sensitive. I think that every member of our subcommittee feels that although spending should be held to a minimum, funding of programs should insure that the health needs of the people of the Nation are met. I think, too, that the members of the subcommittee feel strongly that a budget limitation should be placed by the Congress, hopefully under the levels submitted by the President. So it is not money that is the issue addressed in this bill, Mr. Speaker. The issue is whether the Congress shall write laws for devel-

opment of health program in this country, or whether we leave it to the bureaucracy.

Mr. Speaker, this bill, and particularly title III, deserves a thorough scrutiny by the entire health community. Copies of a committee print which includes the bill and staff analysis will be available from the Committee on Interstate and Foreign Commerce within the next few days. I urge my colleagues and other interested persons to afford this bill's provisions careful and thorough consideration. I feel it is of vital importance to take this step to streamline the laws dealing with Federal efforts in the health field.

LEGAL SERVICES FOR THE WORKER

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. BELL) is recognized for 5 minutes.

Mr. BELL. Mr. Speaker, the Congress has the opportunity to increase dramatically the availability of legal services to the American worker—and it can do so without adding a cent to the burden of the Federal Government.

I am pleased to sponsor today H.R. 77, a bill introduced by my distinguished colleague on the Education and Labor Committee, Congressman THOMPSON of New Jersey. This bill would open the way for a vast increase in the number of prepaid group legal services plans in effect in the United States by amending the Labor Management Relations Act of 1947 to permit employer contributions to a jointly administered trust fund for the purpose of providing legal services.

This Congress has acted wisely in the past, and will be doing so soon again, to guarantee the provision of legal services to those Americans unable to afford them. Yet there are millions of Americans, ineligible for the legal services program of the Office of Economic Opportunity, who simply cannot afford legal counsel. H.R. 77 firmly addresses this need by enabling labor and management to establish a legal services plan paid for by contributions from each side. The Labor Management Relations Act presently prohibits all such joint contributions except where specifically permitted, as in contributions to pension plans and health care programs.

American society today is such that the average citizen is forced to interact with governments, businesses, and other institutions on so complex and sophisticated a plane that legal counsel is a necessity, not a luxury. The bill I am introducing today will help assure that the "equal justice under law" of our constitutional system will be available to the American worker as well as the indigent and the wealthy.

Mr. Speaker, I ask that the Congress join organized labor and the bar in supporting this vital amendment to the Labor Management Relations Act.

AMNESTY—THE LONG TRIP HOME

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. ROBISON) is recognized for 15 minutes.

Mr. ROBISON of New York. Mr. Speaker, it appears that on the broader issues involved with the question of amnesty our constituents may be leading those of us in Congress. In my congressional district, for instance—I am quite sure in many others—active discussion is underway on the meaning of amnesty, the justice of its application to those who fled the Indochinese war, and its possible effects on those most directly concerned. Since the participants of these discussions are neighbors and relatives, church congregations and social organizations, the terms of conversation most often revolve around the human terms of amnesty. The feedback I receive, in my correspondence and the hometown newspapers, likewise stresses the human dimension.

I should emphasize that the letters and the newspaper articles reflect both sides of this rigidly polarized and highly emotional exchange, and perhaps I can best illustrate the nature of the discussion in my congressional district by extracting from two letters and a newspaper article which came to me about the same time.

During the first week of April one of my constituents wrote:

I oppose amnesty for any civilians or service people who fled to foreign lands. I think these people made a decision and that's that.

A letter written from the same area, about a week earlier, said:

I am an old lady but interested in our country. Do want to ask a great favor of you. Will you please help our boys to come home, the ones who evaded war in Vietnam. These poor young men only wanted to save their lives from that terrible conflict. Am sure not one would desert if our country was attacked. Do help them, am sure God will bless you.

A few days after these letters were written, one of the newspapers serving those two constituents included the following article titled "Draft Dodger Begins Long Trip Home":

[From the Binghamton (N.Y.) Press, Apr. 9, 1973]

DRAFT DODGER BEGINS LONG TRIP HOME

(By Dan Hall)

TORONTO, Ontario.—After three years as a draft dodger in Canada, David Brooker, 26, has returned to Rochester to face a federal indictment.

He is married to a Canadian, Debra, and the two have a year-old son, David Jr.

Brooker talks little about his life in Canada or about his reasons for coming back. Lawyers advised him not to talk much, he said.

But he did discuss some details.

"When I came here to Toronto, I came to stay. I never had much desire to go back," he said.

But there were little things that hurt. "I missed my family at home. And it hurt when my wife and baby would visit them in Rochester and I had to stay here in Toronto."

His father called in February.

He told his son that the Draft Information Center had investigated and decided young Brooker had little chance of winning in court. But he might qualify for trial under the federal Youth Corrections Act, which would mean his criminal record would be erased after he completes his sentence, they said.

"My father didn't try to talk me into it," Brooker said. "He just gave me the pros and cons. I guess the biggest thing was a chance to clear my record. There has been no change in my moral convictions, no change of heart on the war."

Brooker left for Canada after his sophomore year at Vincennes University in Indiana, just before he received his draft notice.

He was not a member of any peace group. "But I always considered myself a conscientious objector," he said. "I was against the war and killing." He never formally applied for conscientious objector status, however.

"I knew I couldn't get it honestly. I knew lots of guys who were turned down." At the time, conscientious objection required a belief in a supreme being. That requirement has since been changed to allow deeply held personal moral convictions.

His mother sympathized with the decision to go to Canada but his father opposed it. His father "accepted it a little better" as time went on, he said.

Life in Canada started out well. Within two weeks he got a job managing a billiard parlor, and began meeting Canadian friends.

"It didn't matter to them why I was there," he said. He can't remember exactly when he told Debra that he was a draft dodger.

They were married in 1971, and he got a better job, working in a sporting goods store. But late last month he was laid off "It had nothing to do with being a draft dodger," he said. "They laid off four or five people with the least seniority and I was it."

"The loss of the job was not the deciding factor in coming home, but probably made me start unconsciously thinking about it," he said.

The Rev. Kenneth Colton, director of the Draft Information Center of the Rochester area, believes Brooker is a "perfect example of a man who would benefit from amnesty."

"He hasn't been able to make it in Canada, and he has a wife and a child to think about. It has been especially hard on his family here too."

If found guilty, the maximum sentence could be a $10,000 fine and five years in prison. But the more likely penalty, at least based on past experience in federal court here will be probation for 2½ years during which he would work in the national interest.

What will happen when the case is resolved?

He thinks he could find another job in Canada, but "once this is over, I'll have much wider opportunities. I can see what's available in both countries and do what's best."

"Maybe we'll live in Canada anyway," he said. "But at least I'll have that choice. And at least I'll have visiting privileges."

I would suggest, Mr. Speaker, that the people at home are making a much more vigorous effort to find the implications of amnesty, and to find the common ground for possible reconciliation therein than we are attempting in Congress.

As I have suggested to my colleagues previously, we can best begin our own discussion by looking to the amnesties of the past, and at the national spirit and leadership which fostered those amnesties. Never in our Nation's history was that leadership more profound and influential than during the Presidency of Abraham Lincoln. The anniversary of Lincoln's death having just past, it is appropriate that we look again at Lincoln's example; and so I would like to devote the remainder of my third statement on this issue to a brief look at Lincoln's amnesties and the spirit which motivated them.

Mr. Speaker, little time elapsed after Lee's surrender to Grant at Appomattox Court House before newspaper editorials and podium-thumping orators through-

out the country were demanding victory's revenge on southern rebels and northern deserters. This chorus was led on Capitol Hill by Senators Charles Sumner and Benjamin Wade and by House Member Thaddeus Stevens, who in repeated statements called for severe chastisement. In one such outburst, Senator Sumner wrote:

Never were men more guilty. The honor of the country requires a sacrifice, and it cannot be dispensed with.

Throughout the war, Abraham Lincoln had responded to this kind of recrimination in a conciliatory tone. In a moment of fatigue, he said, during a Cabinet meeting on the question of reconstruction:

I hope that there will be no persecutions, no bloody work after the war is over. No one need expect me to take any part in hanging or killing of those men, even the worst of them . . . enough lives have been sacrificed. . . .

This was one of many occasions when Lincoln counseled that both deserters and those who had taken up arms against the Union should be permitted to return in peace to their homes. His position on clemency had been consistent throughout the war. He used his amnesty power as a tactical measure to encourage dissension and desertion in the enemy's ranks, and thereby hasten the coming peace; and, at the same time, he made it clear that his clemencies were proof that Union victory would not end in punishment and retribution which could only further inhibit the reconsolidation of the Union.

In carrying out this policy, President Lincoln granted several amnesties during the course of the Civil War. On March 10, 1863, deserters from the Union Army who reported on or before April 1 of the same year were reinstated to their regiments and given a punishment no more severe than forfeiture of pay during their absence. Then, when proclaiming clemency on December 8, 1863, Lincoln joined his proclamation with an announcement of plans for restoration and reconstruction of the South. On that day, he offered a general amnesty to the rebels if they took an oath of loyalty to the United States. Amnesty and the return of former rights and privileges would precede the restoration of a given State to its position in the Union prior to secession. Officers of the Confederacy were excluded in addition to five other classes of individuals.

According to Lincoln's plan for amnesty and reconstruction, any State could participate in the reorganization and reconstruction programs once it had successfully registered one-tenth of its voting population for the loyalty oath. The President later felt compelled to issue an explanatory proclamation of amnesty on March 26, 1864, which clarified his December clemency and made provision for applications for pardon from individuals of the excluded classes. On March 11, 1865, President Lincoln issued a pardon for all deserters of the Union Army who returned to their posts within 90 days—an action required by Congress earlier that month.

Lincoln's death came on April 14, 1865, but the impact of his sentiments remained. Under his administration there were no mass arrests or persecutions of those who had been the instigators of the Confederate rebellion or those men who had deserted the Union Army during the battle. His actions and his statements stress a willingness to forgive and a desire to achieve peace and reestablish harmony with his lost countrymen.

President Lincoln had a firm belief that a government "* * * can properly have no motive of revenge, no purpose to punish merely for punishment's sake." His decisions were based on the best interests of the Nation under the goal of rebuilding a society that was torn from within by a brutal and destructive war. Lincoln's primary objective was to bind the Nation together. His words—in the familiar phrases—still ring loudly with us today:

With malice towards none; with charity for all; with firmness in the right, as God gives us to see the right, let us strive on to finish the work we are in (and) to bind up the Nation's wounds . . . to do all which may achieve and cherish a just and lasting peace among ourselves, and with all nations.

Mr. Speaker, there will be those who will say that such lessons of history as we may draw from Lincoln's example do not apply in the context of the debate about amnesty, today. There are differences, to be sure, and I am well aware thereof. History may not be the greatest of teachers, but an understanding of, and an appreciation for, what it does teach, especially in the continuum of attitudes and ideas that, accumulatively, produce a national spirit, is important, It is in that sense, then, that this additional history lesson is offered.

OEO MAKES POVERTY VERY PROFITABLE AT THE EXPENSE OF THE POOR

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. BLACKBURN) is recognized for 5 minutes.

Mr. BLACKBURN. Mr. Speaker, the Atlanta Journal recently published an article which traces the employment responsibilities and salary levels of OEO employees before and after they were hired by OEO.

This article clearly points out that in many cases individuals were making very high salaries. One can easily see why such a large portion of the OEO dollar has been spent on administration and such a small portion has been left to help the poor.

As a veteran of the war on poverty once said:

I sure hope OEO lasts forever, I'll never be able to make as much money on the outside.

I insert the following article in the RECORD:

"THERE'S NO JOBS THAT COMPARE" TO POVERTY PAY

(By Maurice Fliess)

WASHINGTON.—Employees of the Atlanta regional headquarters of the Office of Economic Opportunity (OEO) are "having trouble" finding new jobs, a spokesman says.

Jack Hord, special assistant for communications in the Atlanta office of the antipoverty agency, said, in fact, that only 13 of the 163 employees have secured employment thus far.

All but 39 of the 163 persons are scheduled to lose their jobs April 28 when—by order of the Nixon administration and Howard Phillips, acting OEO director—the Atlanta regional office and nine others like it across the country go out of business.

The remaining 39 described Wednesday by Hord as "veteran employees" of OEO are being kept on the payroll until June 30, the date the administration has set for the abolition of the antipoverty arm of the executive branch of government.

According to Hord, some of the 13 workers who have been placed in other jobs—both within and outside of the public sector—have taken salary cuts.

As he put it, "There's no jobs in private business that compare to what people make here."

Hord outlined the pay scales for the 163 Atlanta OEO employees as follows:

At grade GS–16 ($31,203–$39,523 per year) one employee (regional director William "Sonny" Walker).
GS–15 ($26,898–$34,971), four.
GS–14 ($23,088–$30,018), 18.
GS–13 ($19,700–$25,613), 35.
GS–12 ($16,682–$21,686), 20.
GS–11 ($13,996–$18,190), 15.
GS–9 ($11,614–$15,097), four.
GS–7 ($9,520–$12,373), 24.
GS–6 ($8,572–$11,146), two.
GS–5 ($7,694–$10,007), 16.
GS–4 ($6,882–$8,943), 11.
GS–3 ($6,128–$7,964), five.
GS–2 ($5,432–$7,061), four.
GS–1 ($4,798–$6,238), one.

After President Nixon announced in January his intentions to dismantle OEO created in 1965 as part of President Lyndon B. Johnson's "Great Society," the employees were instructed to fill out resume forms that might be used in job placement efforts.

Copies of the confidential resumes were made available to the Atlanta Journal by a source outside the federal agency.

The resumes show that the people now looking for a job vary in background from realtor to congressional aide, and in educational attainment from 11th grade to doctoral degree.

For example, Laverne B. Polston said her education consisted of "11th grade, business course." She said she began with OEO as an administrative aide at GS–6 up to "procurement assistance," GS–7.

In her resume, she said she was "responsible for preparing and processing all purchase orders for OEO Regional Office for purchase not exceeding $2,500. Make purchases from Federal Supply, Schedule or solicit quotations for purchases between $250 and $2,500; set up blanket purchase orders to cover recurring expenses, such as repairs, rentals, etc.; and make some small purchases by cash . . ."

Jesse L. Lester, who said he graduated from high school and attended business college one year, specified his job title as "equal opportunity specialist," GS–13 level ($24,956 a year).

According to his resume, he was director of labor union participation in metro Atlanta's United Fund—a job that paid $10,000 per year—until joining OEO in 1967.

In a section of one of the resume sheets set aside for specifying "primary skills-education-knowledge required in current job," Lester wrote:

"Ethnic sensitivity, full knowledge of Civil Rights Act of 1964, OEO regulations relative to equal opportunity, Sympathetic to the mission of OEO (and) ability to meet and converse with people; ability to speak to groups."

Betty M. Hunter Lockett, a $14,462-a-year field representative, said she finished high school and went to Atlantic Business School

for a year. Listing jobs held in the last 10 years, she showed how she progressed steadily from a GS–4 secretary stenographer in the pre-OEO days to her present GS–11. She said she had been "assigned five community action agencies in the Southeast region with budgets ranging from $146,000 to $200,000. Assist in preparing annual budgets . . ."

Ernest L. Freeman, Jr. said he was a GS–7 administrative assistant at Brookley Air Force Base, Ala., before joining OEO as a GS–12 field representative ($17,233 per year). A graduate of high school and Spaulding Business College, Freeman said he was part of a team of four which administered to "the programmatic, fiscal and administrative needs of 12 CAA's (community action agencies) whose total budgets exceed $4 million . . ."

Jack O. Perrin, a high school graduate who said he went to business school for two years, said that as a GS–9 ($12,388 a year) field representative, he provided "technical assistance in the area of management and administration as well as policy guidance to private and public agencies who are responsible for over $16 million in federal funds. . . . I am responsible for monitoring the performance of private corporations and public officials that are recipients of federal grant funds."

Roger R. MacEldon, a GS–13 ($22,328 annually) field supervisor, said he was a real estate broker before joining Economic Opportunity Atlanta, the Atlanta antipoverty agency, in 1966 at $12,000 per year. MacEldon said he had three years of college.

James E. Stedghill, a graduate of Arkansas State College with a major in history and a minor in sociology, has been a GS–14 ($26,938 per year) public health analyst with OEO. Stodghill said he aslo studied biochemistry at the University of Georgia.

Arnold D. Hawkins, another college graduate, listed his previous job as accountant with Texaco, Inc., at an annual salary of $7,800. He is a GS–13 auditor for OEO, making $21,014 per year.

Sunny LaFaye Guilder, a Spelman College graduate with post-graduate work at Atlanta University and Georgia State University, was an Atlanta teacher ($5,080 per year) and a U.S. mail clerk ($5,800 per year) before hooking onto OEO as a $16,632, GS–12 field representative.

Thomas W. Hash said he joined OEO as a field rep trainee at $5,300 per annum (GS–5) and moved up the ladder to GS–12 field representative, $17,794 a year. He, too, has a bachelor's degree.

Fred H. Singleton, with a bachelor's degree in biology and a master's in zoology, listed his job title as "regional manpower specialist." He is a GS–13, making $20,357 a year.

Thomas F. Duncan was a $7,000-a-year staff associate, specializing in youth work, for the National Board of Education of the Methodist Church before going to OEO as a GS–13 ($21,671-a-year) field supervisor. He holds degrees from the University of Alabama (B.S.) and Vanderbilt University (M.S.).

Among the Atlanta OEO personnel with military backgrounds are these:

Harold H. Tate, a high school graduate, who was a Marine first sergeant when he retired in 1967 after 22 years. He is a GS–12 ($18,350 per year) field representative.

Scott M. Case, a West Point graduate, who was an Army colonel and post commander of Ft. McPherson, Ga., when he retired. He is a GS–14 ($24,628 annually) interagency relations coordinator.

Bruce Fusner, a retired lieutenant colonel with bachelor's and master's degrees, who is a GS–13 ($20,356 per year) field supervisor.

Frederick I. Head, a retired Army lieutenant-colonel with one year of college, who also is a GS–13 field supervisor.

George P. Rossman, who retired as a major after 20 years in the Air Force. Rossman, who said he received the equivalent of a high school diploma in 1953, is a $21,104-a-year GS–13 grantee management specialist.

Four of the employees listed stints as congressional assistants in their backgrounds.

Sara V. Craig, a GS–14 ($26,168 a year) specialist in congressional relations, said she was an administrative assistant and press secretary for Charles L. Weltner when he was Georgia's Fifth District congressman.

Charles E. Clark, the GS–14 chief of the grantee program support division, said in his resume he was a congressional aide in the U.S. House of Representatives.

George E. Hovan, an auditor (GS–12, $18,906 a year), said he was a legislative assistant for G. Elliott Hagan when Hagan was Georgia's First District congressman.

James E. Cliatt III, a GS–14 special assistant (earning $24,628 a year), was administrative assistant to Rep. Tom S. Gettys, D–S.C. Cliatt holds a Ph.D. from Mississippi State University.

A few of the resumes contained misspelled words. One of the college graduates wrote that he had obtained a "batchelor's degree." Another college-educated man specified the number of "semister hours" he received in certain subjects. Yet another college grad said he had served as a "Peace Core Volunteer."

Under a section for "special qualifications or limitations you want to mention," one man wrote:

"Since 1961 I have acquired additional experience as a part-time real estate salesman when not employed with HUD (Department of Housing and Urban Development). 1953 to present has worked as an extra bartender."

KEMP SPEAKS OUT ON BEHALF OF THE GREAT LAKES AND ENVIRONMENTAL PROJECTS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. KEMP) is recognized for 10 minutes.

Mr. KEMP. Mr. Speaker, Congress is slowly coming to recognize the fundamental issues facing the Nation—budget control, budget reform, and budget priorities. Much criticism has been directed at the President for the course he has charted in the fiscal year 1974 budget and for impounding certain funds. Some contend that the President has arrogated congressional responsibilities. The fact is, though, that until Congress gets a handle on the budget, and until Congress reforms its own budgetmaking process, cries of alarm emanating from this Congress will and should fall on the deaf ears of a discerning and fiscally responsible public.

In short, the President has acted where Congress has not. I cannot in good conscience condemn an action which has not and cannot in any other way be met. The issue of budget control has not yet been met by this Congress. Consequently, Presidential impoundments are tough, unpopular, but necessary measures. There are certain impoundments which I vehemently oppose and I will diligently pursue my own course in that regard. One area by which I am deeply disturbed is water pollution control.

Mr. President, last year much of the Congress' attention was focused on the Water Pollution Control Act Amendments of 1972—and rightly so. However, during that same time period another program of vital concern to our environment was under consideration and still remains to be completed, the special Great Lakes cleanup program.

Late in 1971, the Environmental Protection Agency submitted to the Office of Management and Budget a comprehensive and innovative proposal which would accelerate efforts to halt the ravages of pollution in the Great Lakes. Unfortunately, the Office of Management and Budget did not approve the necessary budget items for submission to the Congress, although I strongly urged that they do so.

The Agriculture-Environmental and Consumer Protection Subcommittee of the Committee on Appropriations, under the distinguished leadership of Mr. WHITTEN, in its report to accompany H.R. 15690, recommended $108,500,000 for the special Great Lakes cleanup program. Since the Environmental Protection Agency did not at that time have the necessary authority to fund the construction of storm and combined sewers, the committee directed that $100 million in water and sewer funds previously appropriated to the Department of Housing and Urban Development and frozen by OMB be used to fund the program.

With the passage of the Water Pollution Control Act Amendments of 1972, this portion of the Great Lakes cleanup program can now be funded under a section of that legislation and although it will be up to the States involved to give the necessary programs priority status, I will strongly urge that the administration support the needed funds for implementation of both the Great Lakes cleanup program and critically needed waste water treatment facilities. There are in my 38th District of New York State, three waste water treatment facilities pending, Erie County Sewer Districts Nos. 2 and 4 and Amherst, which are crucial to the success of the environmental programs of the area and to the cleanup of Lake Erie.

By passage of the Water Pollution Control Act Amendments of 1972, the Congress has provided the means to remedy the major water pollution problem in the United States and particularly in the Great Lakes Basin; that is, municipal pollution and the inability of local governments to finance the construction of new and upgrading of existing sewage collection and treatment systems. However, the efforts of Congress were mitigated by the decision of the administration to spend only half of the funds that Congress voted to commit to this pollution abatement program.

This is a blow to the communities in the Great Lakes Basin and particularly in the Lake Erie drainage basin. Not only did it result in the nonfunding of a large number of projects, it also discouraged other communities in the basin from preparing proposals to cope with their municipal water pollution problems. Under the terms of the 1972 act, communities essentially must submit blueprints of proposed projects. To prepare such plans necessitates a considerable expenditure of money. Noting the percentage of municipal projects that have been funded by the Environmental Protection Agency in 1972–73, cities, towns,

and counties each were unwilling to gamble tens of thousands of dollars in consulting fees and/or staff time to prepare plans.

Meanwhile, the ecological conditions in Lake Erie continue to deteriorate primarily from the accelerated overenrichment of these waters by sewage, and particularly the phosphorus in these discharges. The dire predictions made as a result of Project Hypo—a 1970 study of the Central Basin of Lake Erie by Federal scientists from the United States and Canada—are closer to being realized. These aquatic experts stated that if the level of phosphorus being added to Lake Erie was not significantly reduced by 1972, that the lake would become self-polluting as a result of the release of nutrients and other pollutants from the sediment when the bottom waters of the lake become devoid of oxygen—anaerobic. The oxygen is used up in the decay of algae which become overcrowded in the surface waters, die and settle to the bottom. Both the duration and area of oxygen-less conditions have increased markedly since 1954.

I am afraid the United States is also in danger of falling behind in its commitment to reduce the over-fertilization of Lake Erie under the Great Lakes Water Quality Agreement that President Nixon and Prime Minister Trudeau signed in April 1972. The United States had pledged to reduce the phosphorus-loading of Lake Erie by improving sewage treatment while Canada is both upgrading sewage treatment plants and reducing the phosphate level of detergents. This has resulted in the questioning of the good faith of our Nation in meeting its international obligations. This issue was raised at numerous gatherings of delegates at conferences sponsored by the United Nations and other organizations concerned with global ecology.

I was most encouraged however, to hear Dr. Robert Sansom, Assistant to the Administrator of EPA for Air and Water, state at a recent meeting of the Interstate Legislative Committee on Lake Erie that a number of wastewater treatment projects have been pinpointed which the Environmental Protection Agency believes, if implemented, would enable the United States to fulfill its commitment of the 1975 deadline contained in the United States-Canada Great Lakes Water Quality Agreement. This is an additional urgent reason for sufficient funding for wastewater treatment projects.

Using the Water Pollution Control Act Amendments of 1972, the Congress, the administration and the States, by working in cooperation and providing adequate funding, have the opportunity to provide a new era of clean water for all our citizens. But, adequate funding must be provided in order to achieve this goal. We in Congress must pledge ourselves to this effort.

Mr. Speaker, on April 10, I again testified before the Agriculture-Environmental and Consumer Protection Subcommittee of the Committee on Appropriations on behalf of the Great Lakes cleanup program and adequate funding for our critically needed wastewater facilities and other environmental programs.

One of the environmental programs I testified in behalf of was the Soil Conservation Service. Eroded soil is one of the major pollutants of the streams and rivers of the United States. This material not only destroys the breeding area of fish, but it is also the primary mechanism by which numerous pesticides and fertilizers enter our national waters. These agricultural chemicals are bound to organic material in the soil.

Erosion also results in other costs. It was observed that over half of the material annually dredged from the navigable waters of the Greater Buffalo area, more than 300,000 cubic yards, at an annual cost to the taxpayer of near a million dollars, was soil that had washed from rural areas. This is a problem that is occurring in most watersheds throughout the United States.

As agricultural areas are decreased as a result of urban sprawl, and as there is a necessity to increase our agricultural productivity, we can ill afford to allow millions of cubic yards of our most fertile soils to be washed to the sea.

While the Soil Conservation Service has made considerable progress in reducing soil erosion, considerable work remains to be done and adequate funds must be appropriated.

Mr. Speaker, I am fortunate in having many articulate and knowledgeable environmentalists in my District who have provided me with much excellent research for my efforts on behalf of the Great Lakes and other ecological programs. Among these are Dr. Robert Sweeney of the Great Lakes Laboratory of the State University College at Buffalo, the Erie County League of Women Voters, the Housewives to End Pollution and the Environmental Clearing House. I would like to acknowledge their efforts and those of many other environmentalists in my district and commend them for their work on behalf of our community and the environment.

Mr. Speaker, I include my testimony at this time for the interest of my colleagues and others concerned with the vital environmental programs I have mentioned:

TESTIMONY OF CONGRESSMAN JACK KEMP BEFORE THE AGRICULTURE-ENVIRONMENTAL AND CONSUMER PROTECTION SUBCOMMITTEE OF THE COMMITTEE ON APPROPRIATIONS

Mr. Chairman and distinguished members of the Committee, I appreciate this opportunity to once again present testimony before your fine Committee.

Last year I presented testimony on behalf of the special crash Great Lakes cleanup program proposed by the Environmental Protection Agency and I strongly urged the appropriation of $100 million to adequately fund the program.

I know the members of the Committee share my concern and interest in this special Great Lakes cleanup program and I was pleased that the Committee in its report to accompany H.R. 15690, recommended $108,500,000 for the special Great Lakes program. The Chairman and members of the Committee are to be commended for their prompt action to set in motion this crucial program to save our irreplaceable Great Lakes.

As you know, $100 million of the funds would have allowed the Environmental Protection Agency to fund 9 or 10 selected storm and combined sewer projects in order to study the cost-benefits of the various systems. Since EPA did not at that time have the authority to fund the construction of storm and combined sewers, the Committee directed that $100 million in water and sewer funds previously appropriated to the Department of Housing and Urban Development and frozen by OMB be used to fund the program.

During the past year, several significant steps were taken to control the pollution of the Great Lakes. The most important of these was the passage of the Water Pollution Control Act Amendments of 1972 in which Congress recognized and attempted to remedy the major water pollution problem in the United States, and particularly in the Great Lakes Basin—specifically, municipal pollution and the inability of local governments to finance the construction of new and upgrading of existing sewage collection and treatment systems.

It is my understanding that with the passage of the Water Pollution Control Act Amendments of 1972 that the 9 or 10 selected storm and combined sewer projects which I have mentioned can now be funded under Sec. 211 of that legislation. I realize that with the passage of the new landmark water pollution control legislation that the special Great Lakes program that we talked about last year cannot be specifically earmarked within this section. However, it is my hope that at least $100 million for the 9 or 10 selected cities on the Great Lakes will be provided in this or the appropriate section and that these selected storm and combined sewer projects needed to implement the special Great Lakes program will be given priority status by the States involved.

I was also pleased to note that fund requests for several important elements of the special Great Lakes program are included in the Environmental Protection Agency's budget request for FY '74.

These elements of the Great Lakes program include:

An expanded program of Great Lakes research and investigation.

Compliance Activities: Comprehensive water quality studies in 12 special attention areas;

Upper Great Lakes Study to determine the extent and sources of pollution in Lake Superior and Huron, the remedial and preventative measures needed to abate or control pollution and recommendations for the establishment of water quality objectives;

Agriculture and Land Use Study to study pollution of boundary waters of the Great Lakes system by land drainage from agriculture, forestry, urban and industrial land development, recreation and park land development, utility and transportation systems and natural sources;

International Joint Commission Study and Research Coordination; and

Planning and Demonstration.

I was also delighted to see Sec. 108 of the Water Pollution Control Act Amendments of 1972 included in the Environmental Protection Agency's budget request.

Mr. Chairman, I would like to reiterate my support of this vital Great Lakes cleanup program and strongly urge that the Committee recommend appropriations for these programs at at least the amount requested by EPA. To many, the Great Lakes stand as a symbol of man's degradation of the environment. We in the Congress have the opportunity to make them an outstanding example of our Nation's determination to restore and preserve our priceless natural resources.

I was most encouraged to hear Dr. Robert Sansom, Assistant to the Administrator of EPA for Air and Water, state at a recent meeting of the Interstate Legislative Committee on Lake Erie that a number of wastewater treatment projects have been pin-

pointed which the Environmental Protection Agency believes, if implemented, would enable the United States to fulfill its commitment of a 1975 deadline contained in the historic April, 1972, United States-Canada Great Lakes Water Quality Agreement.

In addition, EPA Administrator Ruckelshaus has sent a letter to Governors of the States bordering the Great Lakes asking each State, in evaluating its water quality needs, to rank Great Lakes municipal wastewater treatment facilities high on the State's priority list. The Environmental Protection Agency has reported that 252 Great Lakes Basin wastewater treatment facilities projects are expected to be funded in FY '73–74, based upon current allocations and State priority lists. These projects involve an eligible cost of $961,617,900.

I hope the Committee report accompanying this bill will encourage phased funding and flexibility in the 75% Federal share. In this way, the States will be able to start the maximum number of projects.

My District in Erie County, New York, which borders on Lake Erie, has three critical projects pending: Erie County Sewer Districts #2 and #4 and Amherst. EPA has obligated Federal matching funds for Sewer District #2, but the other projects are equally vital to the success of the environmental programs of the area. Hopefully, there will be ways and means to start Amherst and Sewer District #4 in the near future.

I also would like to express my wholehearted support of adequate funding for two additional outstanding programs: the Soil Conservation Service and programs to control the gypsy moth.

In 1971, President Nixon acknowledged the environmental contributions of the Soil Conservation Service and stated the need for increasing assistance to the program. He stated:

"Another area where Government should do more to provide technical assistance to farmers is that of soil and water conservation. Long before most Americans were thinking much about the environment our farmers, our ranchers, our woodland owners were working together with Government to conserve our natural resources. I believe we should now be providing more help for our dedicated corps of soil conservationists whose number has dropped sharply in the past four years."

Last year in the Town of Amherst in my 38th District of New York State, the Soil Conservation Service provided an interdisciplinary team including a soil scientist, geologist, engineer, hydrologist, resource conservationist and soil conservationist to look at the total conservation problem confronted by the Town. By having available the expertise in each of these fields it was possible to provide several alternatives to the Town of Amherst so that they might avoid future problems—problems that would be particularly expensive and difficult to overcome once the concrete was poured or the asphalt leveled.

One of the specific problems involved proposals to build some multi-million dollar developments on lands that were subject to flooding. Through the assistance of this interdisciplinary team, the residents of the Town of Amherst can avoid problems related to development in this flood plain area and will have a better environment in which to live in future years.

Gentlemen, this is only one example of the outstanding work of the Soil Conservation Service. I include with my testimony, for the information of the Committee, highlights of conservation accomplishments in my District in 1972.

In the concluding portion of my testimony I would again like to stress the importance of adequate support for programs to control the gypsy moth.

As you know, the gypsy moth was introduced into North America from France in 1869 at Medford, Massachusetts. Twenty years later, the moth had become so numerous that forests and residential trees were being defoliated over an area exceeding 200 miles. In recent years noticeable defoliation of forested areas increased from a low norm of about 80,000 acres in 1968 to 1,940,000 acres in 1971, dropping back to 1,400,000 acres in 1972.

Extensive research has shown that an effective program can be conducted to retard the spread of this insect. With vigorous application of a regulatory program, supported by necessary survey and control activities, it is projected that natural spread of the pest to the limits of its susceptible range in U.S. hardwood forests will require 75 years. Without an action program, it is estimated the moth can spread over this area within 15 to 20 years, due to uncontrolled artificial spread which will serve as focal points for establishing new infestations. It is expected that research now underway will contribute to the success of the containment effort and perhaps provide the tools to turn back or slow down the natural spread along the periphery.

Now that we are facing a critical shortage of lumber, I believe it is more important than ever that we support programs to stop the menace of the gypsy moth to our forests. The fact that there was a noticeable decrease in acres defoliated in 1972 is a hopeful sign that progress is being made.

I respectfully urge that the Committee recommend sufficient funds for both the Soil Conservation Service and the gypsy moth control program to enable them to continue and expand their activities which have proved most productive and beneficial.

Mr. Chairman and members of the Committee, I would once again like to express my thanks for this opportunity to appear before you today to present my testimony.

HIGHLIGHTS OF CONSERVATION ACCOMPLISHMENTS—1972

38TH CONGRESSIONAL DISTRICT—NEW YORK

This data is the accomplishments for the Erie County SWCD

1,259 People assisted at least one time.

43 Soil & Water Conservation plans prepared.

284 Natural resource inventories & evaluations prepared for individuals.

31 Units of government assisted with natural resource problems.

88 Natural resource inventories & evaluations prepared for units of government.

34 Recreation developments installed or expanded-public and private.

.1 Miles of diversions installed for erosion control and improved drainage.

48 Ponds built.

1986 Acres of grassland planted and managed.

24.1 Miles of drainage works installed.

545 Acres of trees planted.

484 Acres of woodland managed.

1,230 Acres of wildlife habitat developed and managed.

6,261 Acres of land adequately treated with conservation practices.

NAVY STAR BILL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. MITCHELL) is recognized for 5 minutes.

Mr. MITCHELL of New York. Mr. Speaker, today I am introducing legislation which would promote equity for the leadership of the U.S. Navy Medical Service Corps by bringing it in line with the leadership of the similar corps in the U.S. Army, as well as other corps in the Navy itself. My bill would elevate the Chief of the Navy Medical Service Corps to the rank of rear admiral.

At present, promotion in this position is limited to the rank of captain. This naval position supervises highly educated and skilled professionals in the health field. The promotion to the rank of rear admiral would similarly recognize the value of this corps and the vital work that it accomplishes for the Navy. Thus the Chief of the Medical Service Corps would be on a par with the heads of other naval corps, with the same advancement process as the other corps.

The Navy will soon experience some new situations due to the development of a total voluntary military force. Gone will be the "doctor draft" with the automatic and constant replacement of needed health professionals. It is imperative that the Navy upgrade the whole image of the Medical Service Corps in order to insure that an adequate number of competent health care professionals decide on a naval career. Upgrading the rank of the Medical Service Corps will surely be one facet of this general program. This should also positively affect the retention rate of these skilled professionals in the Navy.

JACK WOOLLEY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. McDADE), is recognized for 15 minutes.

Mr. McDADE. Mr. Speaker, over the past 4 years I have been privileged to work in the closest cooperation with one of the most devoted, most intelligent, and most delightful civil servants it has been my experience to know. I refer to Mr. Jack Woolley, formerly Assistant Secretary for Legislative Affairs in the Department of Housing and Urban Development.

The position of Assistant Secretary for Legislative Affairs is one that requires an extraordinary intelligence and a discreet wisdom which is not to be found easily. He must be totally conversant with the vast range of Housing and Urban Development statutes, and must be able to apply that knowledge to a discussion of any community in America. He must have a rapidity of judgment based on that knowledge, and there is little room for error in that judgment.

Jack Woolley possesses all these attributes, and very many more. As a member of the Subcommittee on Housing and Urban Development in the Appropriations Committee, it was my privilege to work closely with Jack in the multitude of programs which would have to be funded through that subcommittee, and I found his judgment to be superb and his breadth of knowledge to be extraordinary. In the flow of discussion between the Secretary of Housing and Urban Development, and the committee that would fund the programs for the Department of HUD, Jack was not merely a conduit who passed information and opinions swiftly and correctly. He was a positive and contributing force in the growth and implementation of the vast multitude of housing programs

which were devised to give the citizens of this Nation a decent place in which to live.

More than that, I found Jack to be a delightful friend. I came to know him to be a man whose word was his bond, whose handshake was as firm a binder as any signed and witnessed contract. In short, I have known Jack Woolley as an outstanding public servant and an outstanding man. He is a man who gave his country service in the Navy, where he is a captain in the Naval Reserve; and he is a man who gave his country new service as Assistant Secretary for Legislative Affairs in a whole new career in the Department of Housing and Urban Development.

It is my understanding that Jack has now assumed the position of manager of Federal Government affairs of PPG Industries. In that new endeavor, I wish him well and more than well. That corporation is fortunate to have so distinguished a man in their employ. He deserves those good wishes from all of us who work to serve this Nation.

Mr. EVINS of Tennessee. Will the gentleman from Pennsylvania yield?

Mr. McDADE. I am pleased to yield to the gentleman from Tennessee.

Mr. EVINS of Tennessee. Mr. Speaker, I want to associate myself with the remarks of the gentleman from Pennsylvania (Mr. McDADE) in paying a brief but sincere tribute to Jack Woolley, who served with distinction as Assistant Secretary for Legislative Affairs in the Department of Housing and Urban Development.

Mr. Woolley has resigned from this position recently, and is now manager of Federal Government affairs of PPG Industries, Inc.

Mr. Woolley conducted the congressional affairs of HUD in a congenial and efficient manner—he was always most cooperative and most helpful, and certainly I wish for him the very best of good luck and success in his new position.

Mr. TALCOTT. Will the gentleman from Pennsylvania yield?

Mr. McDADE. I am pleased to yield to the gentleman from California.

Mr. TALCOTT. Mr. Speaker, I value this opportunity to extend my best wishes to Jack Woolley, who has served exceptionally well as Assistant to the Secretary of HUD for congressional relations since 1969. Jack's background, from a student at the U.S. Merchant Marine Academy, through graduation from the U.S. Naval Academy and the University of Southern California, has certainly proved to be a great asset in his excellent service to the Federal Government.

In his capacity with HUD, Jack was always quite well informed and most cooperative with me and my office in all of the myriad matters pertaining to HUD. My constituents and staff generated unusually large numbers of disparate problems and questions. Jack was always prompt in his assistance and perceptive in his understanding of the various and difficult problems about which we often sought his aid. I commend Jack for his extraordinary performance in the past, and extend my very best wishes for continued success and personal satisfaction in all of his future endeavors.

Mr. BARRETT. Will the gentleman from Pennsylvania yield?

Mr. McDADE. I yield to the gentleman, also from Pennsylvania.

Mr. BARRETT. Mr. Speaker, this is an occasion of great pleasure, when I can join with so many of my colleagues to praise and honor Jack Woolley, former Assistant to the Secretary of HUD for congressional relations.

As chairman of the Housing Subcommittee, I was in the unique position of working closely with Jack on a great many matters during the 4 years he was with HUD. Matters, not only of interest and importance to my district and constituents, but of great importance to the people of our Nation in meeting their housing needs.

I found Jack Woolley to be a man of great integrity and ability. His understanding of the legislative process and his concern with the housing needs of our Nation lent themselves to the remarkable job he did under trying circumstances. Jack has a talent so necessary for the position he held—that is, to approach problems without political partisanship, while at the same time being aware of, and responsive to, the demands and responsibilities of his office. I know that Jack is now with private industry and have no doubt he can more than fulfill their expectations and needs.

I wish him every success and may the good Lord grant him long life, peace, and happiness to enjoy his successes.

VEYSEY ASKS FOR NEW TEETH IN LAW FOR INSPECTION AND MAINTENANCE OF AUTOS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. VEYSEY) is recognized for 10 minutes.

Mr. VEYSEY. Mr. Speaker, today I am introducing legislation to tighten the Clean Air Act, and to thereby give us, for the first time, the necessary teeth in that law to keep polluting vehicles off of the road.

My bill would end a practice which the current statute permits, and which will continue to allow polluting vehicles on the road unless it is changed.

Currently, the Environmental Protection Agency has no direction from the Congress to keep dirty-running cars off the road. The statute merely allows the EPA to test cars as they come off the production line if and when such a test is feasible.

Also, the current law allows tests which are run on prototypes to suffice for all new vehicles. As we might expect, there are as many new cars exceeding the prescribed emission standards than there are meeting it as they roll off the assembly lines.

And finally, there is no provision in the current law to make reasonably sure that cars stay within acceptable levels of emissions—after they are driven a few miles or a few years.

My legislation would shore up each of these loopholes in the current statute.

Specifically, my bill would mandate inspection by the EPA of a large enough sampling of new cars to assure within reasonable bounds, that each car meets Federal standards.

Second, it would mandate that that inspection be made on production-line cars and not on prototypes alone.

Third, it would make manufacturers responsible for the performance of emission control devices during the first 4,000 miles. Currently, the new owner must prove faulty construction before the manufacturer is obliged to cover the cost of repairing inadequate emission control devices. My bill would remove this burden of proof from the new car owner for the first 4,000 miles.

Finally, my bill would direct that each State devise and operate an effective and regular system of inspection of all vehicles. In short, the end result would make it illegal to drive a car that does not meet emission standards just like it's illegal to drive a car at night without headlights. Thus, responsibility for the air pollution of each car would be clearly established.

The University of California's statewide air pollution control center and its director, Dr. James Pitts, tell us that such a system of inspection and maintenance would make a profound contribution to cleaning up the air. In fact, Dr. Pitts rates this as one of the most important steps that we can take, and countless other environmental experts agree, including a substantial number of the EPA's top technicians.

Let us give the EPA the teeth it needs to make maximum progress in the war against smog. It is clear that the Clean Air Act, as it stands, needs touching up in this area. Let us make inspection and maintenance of emission controls just as important as the development and employment of those controls.

ACTION ON ABORTION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland (Mr. HOGAN) is recognized for 5 minutes.

Mr. HOGAN. Mr. Speaker, with the adjournment of the Maryland Legislature on April 9, I feel it is appropriate for me to call to the attention of my colleagues action taken by my State's Legislature dealing with abortion.

I was particularly proud that the Maryland State Legislature approved a joint resolution calling on the Congress to approve an amendment to the Constitution of the United States protecting unborn humans.

At this point I would like to include the full text of the resolution for the RECORD:

SENATE JOINT RESOLUTION No. 37

Senate Joint Resolution requesting the Congress of the United States to propose an amendment to the United States Constitution to effectuate protection of unborn humans

Whereas, The law of Maryland has always recognized that unborn humans are entitled to legal protection; and

Whereas, The Supreme Court of the United States has expressly deprived unborn humans of all legal and constitutional protec-

tion during the first six months of gestation; and

Whereas, The Supreme Court of the United States has effectively deprived unborn humans of all legal and constitutional protection during the last three months of gestation by ruling that the interest of the viable unborn child is subordinate to his or her mother's sense of physical, emotional, psychological and familial well-being; now, therefore, be it

Resolved by the General Assembly of Maryland, That the Congress of the United States propose an amendment to the United States Constitution to effectuate protection of unborn humans; and be it further

Resolved, That copies of this Resolution be sent to the United States Senate and the United States House of Representatives.

On January 30, I introduced House Joint Resolution 261, proposing an amendment which would protect the right to life of the unborn from the moment of conception. On April 2, I reintroduced my amendment with seven cosponsors.

In other action relating to the abortion issue the Maryland Legislature refused to change State statutes on abortion to bring them in line with the Supreme Court decision of January 22.

The third piece of legislation was a bill that provides that medical personnel cannot be forced to participate in abortion operations against their own conscience.

The action by the Maryland Legislature clearly indicates its opposition to the Supreme Court's decision on abortion. I am proud of my State legislature.

I hope that Congress will now respond in the same manner and approve a constitutional amendment that will protect the lives of those who cannot defend themselves.

FEDERAL JUDGESHIP FOR ALASKA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Alaska (Mr. YOUNG) is recognized for 5 minutes.

Mr. YOUNG of Alaska. Mr. Speaker, today, I am introducing legislation which will authorize the President to create an additional Federal judgeship for the State of Alaska. The creation of an additional district judge will assist in insuring the speedy administration of justice in Alaska. In recent years, there has occurred a significant increase in the caseload handled by the present two U.S. district judges now in Alaska. In addition, the unusually large size of Alaska requires wide travel by the two judges in order to serve all areas of the State.

That the judicial caseload handled by the two U.S. district judges in Alaska has increased greatly is portrayed most clearly by the significant increase in the number of case filings in recent years. The commencement of criminal cases in the district increased from 101 in 1964 to 250 as of June 30, 1972. The civil caseload has also increased from 116 in 1964 to 273 in 1972. In addition, 264 bankruptcy petitions were filed in the district for the year ending June 30, 1972. Since 1964, therefore, the total filings for the district, both civil and criminal, have increased over 100 percent, while the number of district judges has remained the same.

Since Alaska is over one-fifth the size of all the other 49 States, it presents unusual geographic problems for the two present judges due to the increase in caseloads in the district. In order to handle cases in other areas of the State, the judges must travel long distances to other cities, such as Fairbanks, Juneau, Ketchikan, and Nome. Expected increases in the district's caseload will only make the present situation more burdensome.

Recent developments in Alaska promise to add heavily to the judicial workload of the present two U.S. judges. The Alaska Native Claims Settlement Act and the trans-Alaska pipeline have presented complicated legal issues which require sound judicial consideration and interpretation. Further litigation on such important issues may be expected.

Recent developments in the judicial field have increased the time demand upon individual judges. Although these problems are not unique to Alaska judges, they do contribute to the problems facing the present manpower of the Alaska district. Appellate decisions relating to the acceptance of pleas of guilty have established standards which require additional court time.

In conclusion, I believe that this bill to authorize the creation of one additional U.S. district judge for Alaska is a necessary and carefully considered piece of legislation which will insure the rapid administration of justice in Alaska. Furthermore, an additional U.S. judge will assist other districts in the ninth circuit in handling their increased caseload.

Mr. Speaker, I include this bill to be printed in the RECORD:

H.R. 7249

A bill creating an additional Federal district judgeship for the district of Alaska

Be it enacted by the Senate and House of Representatives of the United States of Congress assembled, That the President is authorized, by and with the consent of the Senate, to appoint an additional district judge for the district of Alaska.

SEC. 2. The provisions of this Act shall become effective on the first day of the month following the date of enactment of the Act.

PRIME MINISTER LEE KUAN YEW

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. WYATT) is recognized for 10 minutes.

Mr. WYATT. Mr. Speaker, during the recent state visit to the United States by Prime Minister Lee Kuan Yew, of the Republic of Singapore, this far-sighted statesman delivered a penetrating and most thoughtful address to the National Press Club in Washington. His remarks are a philosophical and I believe quite objective view of the rapidly shifting political sands in Asia, and should stimulate much constructive thinking around the world. I can say with certainty that this excellent review is further evidence of the competence and qualities of leadership demonstrated on so many occasions by Prime Minister Lee.

For the benefit of my colleagues in the Congress, and for others who read the CONGRESSIONAL RECORD, I include herewith the full text of the speech of the Prime Minister of Singapore, and I ask that they be carefully read:

SUPER POWER POLITICS AND SOUTHEAST ASIA IN THE LATER 1970's

Few in 1971 could have predicted the complete turn-abouts in the relationships of the great powers. The world watched with disbelief Chairman Mao receiving Mr. Nixon in Peking in February 1972. Then, three months later, in May, it held its breath as Hanoi was bombed and Haiphong mined. But Mr. Nixon arrived in Moscow a few days later on schedule, to be received by Mr. Brezhnev for a ceremonial state visit.

Small wonder that few predicted the way in which American involvement in Vietnam would end, in an orderly manner, with the South Vietnamese government of President Thieu still in charge of the principal cities and towns, and most of the populated areas of South Vietnam.

There was no Vietcong victory. Hanoi will be quiet for a while, unless massive military and economic aid is again pumped in by the Soviet Union and China.

However history may judge the American intervention in Vietnam, one side benefit of the conflict, and the way it has ended, is that it has broken the hypnotic spell on the other Southeast Asians, that communism is irresistible, that it is the wave of history. Communist victory was demonstrated not to be inevitable, though at a cost no one ever contemplated. The fact that there are viable non-Communist countries in Southeast Asia today, whatever their varying claims to democratic government is because that streak of communist wins in North Korea by the Red Army, then in China by the People's Liberation Army, and then in North Vietnam by the Vietminh was checked. Otherwise, the rest of Southeast Asia might well have been stampeded to the communist side, if for no other reason than that their will to resist would have melted under the heat of communist propaganda, that it was useless to buck history.

At the risk of being proved wrong, there are three scenarios I envisage as a result of the Paris agreement.

First, despite low level violence and frequent, but small, breaches of the Paris agreement, the provisions are in the main honoured by the South Vietnamese, North Vietnamese and the Vietcong. In this case, the contest will become primarily political. The South Vietnamese government stands a very fair chance in such a contest.

Second, an all-out offensive by both the North Vietnamese and the Vietcong as soon as they believe they are strong enough to overwhelm the armed forces of the South Vietnamese government. However, the North Vietnamese must weigh the possibility of an American reaction to a flagrant breach of the Paris agreement.

Third, the North Vietnamese, to avoid unnecessary risks, ostensibly honour the Paris agreement. However, they will leave it to the Vietcong, with North Vietnamese infiltrators and fresh military supplies to augment their strength, to make a bid for power in the South. It is doubtful if an all-out offensive in the next few months can succeed. But they may keep up the violence and insurgency, to keep the South Vietnamese armed forces of 1.1 million men fully engaged, and military expenditure high, to prevent economic recovery. For, if the South Vietnamese can cut down on military expenditure, and concentrate their resources on the rehabilitation of the economy, then the chances of insurgency overthrowing the established government will be greatly reduced. It is hard to envisage the Vietcong acquiescing in this process, unless they are

given a substantial political stake and a fair bid at power via political means.

There can be variations of these three basic scenarios. The course of events and the outcome of the struggle are not easy to predict. The situation in Laos is nebulous. The base of authority of the Cambodian government is fragile. The Paris agreement does not include specific provisions for a political settlement.

But, if the worst does happen, and the Vietcong, with the help of the North Vietnamese do gain control over the South in the middle 1970's, it does not necessarily follow that the rest of Southeast Asia will go communist. The morale of the other peoples of Southeast Asia is now very different from what it was after Dien Bien Phu in 1954. The Thais are now more prepared psychologically to face up to such a situation. The possibility of ever more neutralist, or even pro-communist, governments in Laos and Cambodia is part of the Thai contingency planning. A crucial factor is whether they believe they can depend on American military and economic aid, as spelt out under the Guam doctrine. And if the benefits of economic development that Thailand has enjoyed in the last 20 years are spread out into the outer provinces, it is unlikely that any indigenous Thai guerrilla insurgency can overthrow the established government.

For the rest of Southeast Asia, excluding Indochina, cautious optimism prevails. The danger of external communist aggression is remote. It is not part of communist revolutionary doctrine. Amongst other reasons, it carries a high risk of painful retaliation. If ordinary people can see their government making a serious attack on poverty, and they begin to feel an improvement in standards of life, then guerrilla insurgency will find it very difficult to get off the ground.

It is in Indochina itself, by the nature of the Paris agreement, where the issue is left open. The final outcome could go either way. It must be so, or there would have been no agreement.

As America swiftly adjusted to the realities of the world power situation in the last two years, to sort out a new power balance to maintain peace and prosperity without war, Southeast Asians are psychologically adjusting themselves to a new situation where America, and the West generally, will not be the sole dominant power. They are cautiously edging their way to meet a situation where the influence of the Soviet Union, China and Japan may eventually be as considerable as that of America.

In the current phase, during which America is trying to find a world power balance between America, the Soviet Union and China, with Western Europe and Japan on America's side of the security balance fundamental differences, whether in ideology or in political and economic systems, between free enterprise and communist systems, must be muted. But these differences continue to exist. It is extremely doubtful if any amount of collaboration and co-operation will make the communist system open up their basically closed economies to the free enterprise of the West.

Great power competition for greater power and influence over third countries is part of the game of peaceful co-existence. Certain strategic areas, like the Middle East, especially the oil countries, will be areas of keen contest. Hence, whatever the contemporary differences over defence burden sharing, balance of payments deficits, currency parities, tariff and non-tariff barriers to trade between America and Western Europe, and America and Japan, together they comprise an open non-communist world system, distinct from the closed economic systems of the communist powers of Comecon and China.

Any significant part of the Third World over which a communist government is established, means that the free world system is that much diminished by the shrinking and weakening of the economic base of the non-communist world. It also means a corresponding increase in the strength of the communist world, divided though it may be between the Soviet Union and China.

The dramatic advances in communication and transportation technology in the last three decades, the jumbo jets, and instant communications through satellites placed in stationary orbit, have made for a smaller and more interdependent world. It would be an irony of history for Americans, whose technology made this into a smaller world, if they find themselves left with a much smaller influence over it. For, if the mood post-disengagement from Vietnam persists, and a more objective perspective is not restored, this may well be the case.

Peace and prosperity are more likely if the burdens of stability and opportunities of trade and investments are shared between the great powers. Then no small country is forced to join one or other of the contending political and economic systems, because of the predominant presence of one and the absence of the others. This is what the smaller countries of Southeast Asia hope for in their search for stability and progress.

FLOCK OF CRANES DESCEND ON MADISON LIBRARY SITE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. MILLER) is recognized for 5 minutes.

Mr. MILLER. Mr. Speaker, presently there are five foreign-made tower construction cranes occupying the Madison Library site in full view of the U.S. Capitol. Ironically, imports have penetrated this country to such an extent that they are used to construct the public building right under our very noses. Indirectly the American taxpayers are subsidizing the purchase of these French-made cranes across the street even though the same crane is made and available in this country at competitive prices.

Not only are we exporting our tax dollars for these overseas purchases, but we are losing jobs that would otherwise be available to our own workers. I also have to wonder how many American workers are laid off each year and how many man-hours are lost awaiting parts from abroad to repair tower cranes and other foreign-made construction equipment.

Before we talk about our trade and balance-of-payments problems we should place our own house in order by making sure that we do not allow foreign-made equipment to build new buildings on Capitol Hill.

OZARK FOLK CENTER

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arkansas (Mr. ALEXANDER) is recognized for 10 minutes.

Mr. ALEXANDER. Mr. Speaker, in this season when the dogwood, plum, pear, and peach trees set the ridges and valleys of the Ozark Mountains aglow with their delicate blooms, one of the most exciting folklore showcases and educational centers in America will be opened to the public at Mountain View, in Arkansas' First Congressional District. This will come about when the Ozark Folk Center officially begins operations on May 5.

This development will be of interest to my colleagues in the Congress, I believe, so today I would like to share with them some information about the folk center. It is located in Stone County, which until this Congress, was a part of the Second Congressional District and has benefited from the expertise and interest of that great and dedicated servant of the people, the Honorable WILBUR D. MILLS.

This center was conceived about a decade ago as a cradle of Ozark folk traditions, arts, crafts, music, and dancing. Those facilities which have already been built with $3,390,000 in Federal loans and grants amply demonstrate the potential for conserving these elements of our national heritage. In addition, these facilities and related developments are breathing new life and vigor into the economy of Stone County and Arkansas through the new job opportunities which are being created.

This vast folk center complex is built on a mountaintop just north of Mountain View. It will provide a national showplace for the native handicrafts being made and sold in 17 separate craft shops spread over the folk center grounds. A 1,000-seat auditorium will be the settting for various folk music and dancing shows throughout the year. It will also be the hub of the annual folk festivals which have made the town nationally famous. Other buildings will supply space for conference and workshop areas for educational and entertainment seminars that will be a part of the center's operation.

Current plans for the future call for four festivals to be held during the year, but may be expanded as operation of the center progresses.

A small vocational education school offering training and advanced instruction in crafts will be part of the complex. Its graduates will be able to work at the center shops, demonstration areas, or engage in private business ventures supplying craft items to the center shops for sale. Tourists and seminar guests will have access to a continuing education center, conference areas, about 60 motel-type lodging units, and a restaurant. A recreation area has been specially set aside for the use of occupants of the lodging areas.

All these facilities are situated within a mile of Mountain View. They are unique structures of native stone and wood. Their presence is already benefiting the economy of Stone County because of the tremendous tourist drawing power of the Ozark Mountains. Numerous private business developments are underway or are planned to provide the additional services visitors will require.

The May opening is no overnight occurrence. Had it not been for the persistence of many local residents and their governmental representatives, the project would have faded away several years ago. On a number of occasions the project seemed at a deadend. But, each time it was given new life and another chance of becoming a reality.

Actually, the idea of the project was born more than 10 years ago when various local community leaders and Government officials began exploring ways of financing a new water system for Moun-

tain View, and searching for a means to bring more employment to Stone County. A new water system was absolutely necessary for economic development. Without adequate water supplies the economic base could not be expanded.

John Opitz, who was then administrator for the Area Redevelopment Administration—now the Economic Development Administration—was assisting Mountain View with its search for solutions. He proposed that efforts be made to expand the local tourist industry. Mr. Opitz had been working with the Ozark Foothills Handicraft Guilt, which was recruiting area craftsmen into a cooperative to make and market craft items in the Ozarks. The guild had begun plans for an annual craft fair. To Mr. Opitz and several craftsmen the idea of a folk center fell naturally into the scope of the tourist industry development which would create the new jobs so vital to community improvements.

Even while the idea of a folk center was under discussion, the guild held its first show at Mountain View in April 1962. The newly formed Rackensack Musical Society provided folk music for this celebration. The festival became an annual event and grew from about 10,000 visitors the first year to well over 100,000 last year. It was the success of the first festival that caused the idea of building the folk center in the Ozarks to jell.

Some of the original members of the Rackensack Society have formed another musical organization, the Mountain View Folklore Society. It sponsors a summer festival in July. Both societies have been sponsoring weekly hootenannies at the Stone County Courthouse. Members of the Rackensack Society perform on Friday nights. And musicians of the Mountain View Folklore Society entertain on Saturday nights.

Ozark musicians have played an important role in traveling around the country promoting the folk center's development. Jimmy Driftwood, of Timbo, Ark., is one of the best known of the Ozark musicians. He has served as master of ceremonies for the Spring festival since its beginning in 1962.

Mr. Driftwood had already gained a national reputation as a folklorist and composer when the idea of the folk center came into being. He left the Grand Ole Opry in Nashville, Tenn., to return to the mountains of Arkansas and devote more time to promoting the center project. In recent years he has served as a member of the Arkansas Parks and Tourism Commission which will operate the folk center.

He was encouraged to help establish the musical part of the folk festivals by Lloyd Westbrook and Leo Rainey, two Arkansas Extension Service employees. These men were already working with the development of folk crafts and the tourist industry aspects of the festivals. Mr. Driftwood also acted as an adviser to John Opitz during the development of the plans for the folk center.

Shortly after the first festival in 1962, the idea of a folk center really began to come to life. Local leaders and several Ozark musicians made a trip to Washington, D.C., to discuss the idea with the Arkansas congressional delegation. As a result, the project was soon in full planning stage.

At that time the members of the Arkansas congressional delegation were: Senators JOHN MCCLELLAN and J. W. FULBRIGHT, and Congressmen WILBUR D. MILLS, J. W. Trimble, Oren Harris, E. C. Gathings, and Dale Alford, and Congresswoman Catherine Norrell.

Those making the trip to the Capitol were Hubert Kendrick, Bookmiller Shannon, Ivan Risner, C. K. Lancaster, Jr., Charles Johnson, Guy H. Lackey, Jr., Eddie Walker, Buddy Lancaster, Tommy Simmons, Harold Sherman, Jimmy Driftwood, Willie Morrison, Ralph Roush, G. R. Sansom, Jim Warren, William Conley, and Albert Rutledge, all of Mountain View, John Opitz and Alvis Owon, and Thomas Fair of the U.S. Forest Service, also made the trip.

Congressional staff members who participated in the effort were Jim McDougal with Senator MCCLELLAN; Pat Fleming and Lee Williams with Senator FULBRIGHT; Jack Files with Congressman MILLS; Chuck Honey with Congressman Harris; Carl Whillock with Congressman Trimble and Fred Ward with Congressman Gathings.

As these events were in the making, the Ozark Foothills Handicraft Guild was forming itself into a very viable organization under the direction of Jim Warren, a Mountain View artisan. He was advised and assisted by Arkansas extension service personnel, Ethel Bennett and Everett Sanders. Mr. Warren, working with other local craftsmen, Edwin Luther, Eppes Mabry, Les Richardson and Clara Wood, had already become part of a five-county cooperative to make and sell mountain crafts.

A Small Business Administration loan enabled the guild to build sales outlets in Hardy, Clinton and Heber Springs. This work, along with the festivals at Mountain View, and later at Heber Springs, was the genesis of the guild's interest in seeing the folk center come into reality.

The guild has been awarded the operational contract for the crafts to be distributed at the folk center. And, the Rackensack Society has the contract for the musical entertainment after the facility opens. Each organization will handle its own affairs, but will meet guidelines set by the Arkansas Parks and Tourism Commission.

After the 1962 visit to Washington to drum up initial interest in the project, the Mountain View artisans continued to push work on the feasibility studies and plans. But, it was not until 1965 that any official appropriations were made to get the venture underway.

In 1969 the final authorization was given, but, almost another year elapsed before the construction was begun.

Now, the official opening of the Ozark Folk Center, situated in the region some call "the land of the fifth season," is just days away.

Almost $4 million has gone into this huge, unique and spectacular conservatory of life in the Ozarks.

It was during the early years of planning that the Ozark Folk Cultural Center Commission was formed by the Arkansas General Assembly. Almost 900 acres of land was bought by Mountain View to be developed by the commission according to the desires of the city. Presently, only about 400 of those areas are designated for future use. About 80 acres will provide the site for the folk center, and about 300 others will be developed into a State park.

The Ozark Folk Center Commission has statewide membership. It has coordinated development of the center. And, last year it negotiated to lease the operation of the center to the Arkansas Parks and Tourism Commission.

Dr. Bessie Moore of Little Rock is chairman of the Folk Cultural Center Commission. She succeeded to the post after the death of Marvin Melton of Jonesboro. Other commission members are: Jess P. Odom, vice chairman, Little Rock; Crawford A. Wyatt, secretary, Mountain View; Charles Eickenbaum, Little Rock; Guy H. Lackey, Jr., Mountain View; Dr. Wesley J. Ketz, Batesville; Cass S. Hough, Rogers; Reeves Ritchie, Little Rock, and William Henderson, director of the Arkansas Department of Parks and Tourism. Stone Countians who have served on the commission in the past are Tommy Simmons and the late Von Rosa.

Ground was broken for the folk center project in September of 1971. At the ceremony Congressman MILLS announced that another loan and grant would be made to insure that the construction of the folk center would follow the original plans. Then, Mr. MILLS used the power of an Ozark mule and the blade of a field plow to officially break ground.

A development which helped bring about the funding for the Ozark Folk Center was the nearby presence of the fabulous Blanchard Springs Caverns. The Caverns are located in Ozark National Forest. Preparation for officially opening to visitors began in 1965. That opening is now set for July.

The caverns, the new recreational development in Stone County and the establishment of the folk center are a persuasive demonstration of how a variety of projects can work together to benefit the whole Nation.

As a people we search back to the roots of our beginning for an understanding and appreciation of our heritage. At Mountain View our people can meditate on our past, take pleasure in our present, and nurture visions which will help us along the path to a peaceful and prosperous future.

What has been wrought in Stone County, Ark., is not a memorial to the past, but rather a monument to the ability of humanity to retain the good from past experience and to the creativity and intelligence of the human race which has made it possible for us to grasp today and shape the future for an even greater tomorrow.

MAJORITY LEADER THOMAS P. O'NEILL, JR., CRITICIZES PRESIDENT'S APPROACH TO BUDGET CUTTING

The SPEAKER pro tempore. Under a previous order of the House, the gentle-

man from Massachusetts (Mr. O'NEILL) is recognized for 5 minutes.

Mr. O'NEILL. Mr. Speaker, since January President Nixon has taken delight in denouncing this Congress as spendthrift.

He and his budget experts would do what was fiscally responsible and hold down spending. Caspar Weinberger, the former director of the Office of Management and Budget, said the administration had made "exhaustive evaluations" of 1,000 programs and eliminated 115 it found "riddled with waste and inefficiency."

The Congressional Joint Economic Committee has examined these so-called exhaustive evaluations and found that they look more like disjointed scribblings. Three-fourths of them are not even 1 page long.

Further, the administration claimed $11 billion in fiscal 1973 savings. But $8 billion of that ranges from questionable to downright counterfeit. For example, Defense is claiming a $1.2 billion savings in one account simply because it decided not to ask for that money.

This is fiscal responsibility?

Mr. Speaker, these evaluations are supposed to be coming out of the President's top budget officers—the consummate managerial experts. But this work is not worthy of a junior assistant branch office manager.

It is all the more reason that Congress should consider setting up its own capability to analyze the Federal budget as a whole and to propose informed, realistic and constructive alternatives to the administration's priorities.

After all, someone has got to keep a responsible eye on spending.

REMARKS OF SENATOR HUMPHREY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. MCFALL) is recognized for 5 minutes.

Mr. MCFALL. Mr. Speaker, the distinguished Senator from Minnesota, HUBERT HUMPHREY, long an advocate of congressional responsibility, made the concluding remarks at the Time, Inc., 50th anniversary dinner in the Smithsonian Institute this past January. He cautions against extolling efficiency in the legislature and warns that improving procedures without promoting justice in the laws which govern are counterproductive.

His remarks follow:

Mr. DONOVAN. For our anchor man tonight, I am calling on an old friend from my home State. We are known for our laconic habits in the State of Minnesota, where Hubert Humphrey and I both have some connections.

Senator Humphrey.

Senator HUMPHREY. Thank you very much, Hedley, and my distinguished colleagues from the Senate and the House.

I just want to say tonight that I am not a candidate for anything so I am not going to worry about how long I talk to you. Under other circumstances, I would obviously be slightly more charitable. So on that basis, I will try to give the layman's benediction here.

Tonight we have been listening to each other. What we said here is informative. I don't think any of us would really come down and say that we are in violent disagreement. I just want to say, first of all, that Hugh Scott said to me the other day in the Foreign Relations Committee: "Would somebody please just say, 'thank you, Mr. President'." And I waited my turn and I said, "Hugh, it is coming from the opposition, but I want to say 'thank you, Mr. President'." We were talking about the truce agreement.

Tonight I want to thank the President again. I want to thank him for the excessive use of Executive power that compels the Congress of the U.S. to reexamine itself and its role in constitutional government.

I often said at home that we had physiological politics: empty stomach, full head; full stomach, empty head. That is pretty much the way it is. You know, when you suffer a little bit, you begin to think clearly. When things are going too well, you don't think well at all.

And it is not a fact that Mr. Nixon is the man who is responsible solely for Executive power and the excessive use of Executive power. Like everything else, it is an idea whose time has come. People have had it. The Congress has had it, so to speak, and we are going to do something about it. I am positive that we will bring a better balance to government. How it will be done, I can't tell you because we are a pragmatic people. No one here can outline the program and the agenda of how this will be done, but it will be done.

After it is all done, let me just say, after you have shined up the car, tuned up the motor and looked at the map, and even put the gas in the tank, you've got to make up your mind that you are going to take the trip.

What really is wrong in this country is not so much the procedures, even though they are subject to improvement and obviously should be, and we have had brilliant displays tonight of the kinds of ideas that we could work on, but when it is all done, government is only as good as the will to govern. That is what it is all about.

I think that the public realizes that it is Congress that has created the mess and until we are willing to assume the responsibility of putting our house in order we aren't going to retain or recover the respect of the American people.

And the same President that lectures the Congress on our limitations is in charge of every Executive department of this Government. What needs to be done is to shape up the Executive Branch of this Government to respond to public needs; to get the letters answered, if you please; to take the citizens' complaints and do something about it; to take the programs that have been legislated and act upon them.

How do you know if they are any good? They have never been really tried.

Many a person gets his old age pension before he gets an application responded to or answered in this Government. That is at the Executive side; the will to govern and the willingness to be responsive to public needs. And for us in the Congress, let's remember that we can equip ourselves, as has been said here tonight, to do a better job.

Essentially, we are supposed to formulate public policy and the Executive is to carry it out. He is our agent. And whatever the past may be concerning impoundment, that doesn't necessarily apply to the present President. It was one thing to impound money in the 1920s when Charles Dawes was the first Director of the Budget, when your budget was $2 billion and you really had no great national programs. But today when you impound the money, you frequently exercise, for all practical purposes, the veto.

That I don't think is proper and right.

I am not so worried about efficiency. I was glad to hear Carl Albert speak about it tonight. I am giving the benediction, let me just refer to the Scriptures. You can read the Old and New Testaments, verse by verse and chapter by chapter, and the word "efficiency" never appears. Not once. But love, justice, liberty, God, people, brothers, sisters appear. You can read the Magna Carta and the word "efficiency" is not to be found there, yet it is the great document of representative government.

You can read the Declaration of Independence and all of the grievances therein listed and not once did our founding fathers talk about the inefficiency or the efficiency of government. They had grievances about the injustice and the inequities that were imposed upon them.

You can read the Constitution of the U.S. from the Preamble to the last word and not once find the word "efficiency," or the Emancipation Proclamation.

Hitler was efficient and so was Bismarck. That did not give them justice and I think that what the American people want is justice. I think they want some justice in tax laws and they know they are not getting it. I think they want some justice and fair treatment. I think that what they want out of the Congress and the Executive is not a fight over procedure, but what you are going to do about your cities before they blow up.

I think what they want from the Congress of the U.S. is response to human problems, and while we sit here fighting the battle of procedure, the American people becomes more disgusted with our Government; not with our country, but with our Government because what they see is Government locked in quicksand, so to speak, spinning its wheels on debates between Presidents and Congress over procedures and forms.

That does not mean that we should not improve the procedures and forms, but only for one reason. Namely, can we govern more justly? Can we promote domestic tranquility? Can we provide for individual liberty? Can we make it profitable for people to pursue happiness?

Churchill was right: you know, nobody mentioned him tonight. Churchill said: "Democracy is the worst possible form of government except all others that have ever been tried."

On that note, I would say "Amen."

Mr. DONOVAN. Thank you very much, Senator Humphrey, Speaker Albert, Senator Scott ladies and gentlemen.

We again thank you all for being with us tonight and I hope you will bear with us through what I hope will be at least another 50 years.

Thank you and good night.

TAX TREATMENT OF MOVING EXPENSES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Massachusetts (Mr. BURKE) is recognized for 15 minutes.

Mr. BURKE of Massachusetts. Mr. Speaker, I have introduced legislation today to amend the current provisions of the Internal Revenue Code with respect to the tax treatment of employees' moving expenses. The bill will change existing law by first, eliminating the existing dollar limitations on certain deductible moving expenses, second, expanding the existing time limitations on temporary living expenses, third, reducing the mileage test for qualifying for the moving expense deduction, and fourth, providing that an employee who accounts to his employer for reimbursed moving expenses will include in gross income only those reimbursed moving expenses which are not deductible under section 217 of the Internal Revenue Code.

This bill is the result of a continuing effort on my part to remove the inequities in the tax treatment of employee moving expenses. The structure of the United States economy requires the free mobility of its labor force. More than a million moves a year are necessitated by the shutdown of old installations and the opening of new installations, or by numerous other valid and important business reasons. Private industry has long recognized the desirability of freely moving employees to new locations where their skills can best be utilized and, to achieve this desired mobility, has followed the practice of reimbursing such employees for the costs incurred in their moves. Since 1966, when Congress enacted Public Law 89–516, the Federal Government has followed a similar practice for government employees who are transferred in the interest of the Government.

Valid reimbursed employee moving expenses include not only transportation costs of moving the employee, his family and household goods, but also the costs of selling the old home, finding living quarters at the new job location and temporary living expenses until such quarters are available, and other related costs. However, prior to enactment of the Tax Reform Act of 1969, judicial interpretation of the Internal Revenue Code required that a reimbursed employee treat as taxable income all reimbursed amounts other than actual transportation costs and subsistence en route. The inequities of such an approach are apparent. An employee could avoid being treated as having received taxable income on such job-related expenses incurred by and reimbursed to him only by refusing the proposed move and thus risking the loss of his job or possible future promotions.

Beginning in 1966, I participated in a bipartisan effort in the House and Senate to enact corrective legislation. On February 24, 1966, I introduced H.R. 13070, which would have provided, among other things, that in addition to costs of moving the employee, his family and household goods, the following reasonable reimbursed costs would be nontaxable to an employee employed for at least 1 year: house-hunting expenses of the employee and his spouse, temporary living expenses at the new location while awaiting permanent quarters—up to a period of 30 days—selling commissions and other expenses incident to the sale of the employee's old residence or to the settlement of an unexpired lease, and out-of-pocket expenses incident to the purchase of a new residence.

Although H.R. 13070 was not enacted by the 89th Congress, it generated a great deal of bipartisan interest in both Houses. I introduced an identical bill in the 90th Congress on January 10, 1967—H.R. 47. On May 25, 1967, as a compromise measure, I introduced an amendment to H.R. 47, which placed dollar limitations on the new deductible expenses and provided that they be available to all employees, whether or not reimbursed by their employers. The Tax Reform Act of 1969 basically adopted H.R. 47, as amended. Section 231 of the Tax Reform Act provided that, in addition to transportation of the employee, his family and household goods to the new job location, the following are deductible moving expenses:

Expenses for premove househunting trips;

Temporary living expenses for up to thirty days at the new job location;

Expenses related to the sale of the residence—or the settlement of an unexpired lease—at the old job location; and

Expenses incident to the purchase of a residence—or the acquisition of a lease—at the new job location, with the following maximum dollar limits as proposed in the amendment to H.R. 47: no more than $1,000 for house-hunting trips and temporary living expenses and no more than $2,500 for all four of the new deductible categories.

In addition, section 231 of the Tax Reform Act changed existing law by providing that all moving expense reimbursements, whether or not deductible, must be included in the employee's gross income. It also substituted the requirement that the employee's new principal place of work be at least 50 miles farther from his former residence than was his former principal place of work to replace the 20-mile test applicable under prior law in determining whether a move qualified for deduction.

The Tax Reform Act of 1969 was a major advance toward the equitable tax treatment of employee moving expenses. However, certain provisions of the act badly need revision to prevent inequitable tax treatment to employees and to simplify reporting requirements. First, the $2,500 limit on the new deductible expenses, which was proposed by me in 1967 as a compromise measure to eliminate Treasury objection to H.R. 47, should be replaced by my original proposal, which provided for the deductibility of all such reasonable expenses. The rigid $2,500 overall limitation was far from generous in 1967, and experience has shown that it is now much too low for the average move in 1973. A recent study of private industry transfer practices covering 22,200 moves indicates that in 1971 the average move resulted in reimbursement of $4,600 for expenses in the categories subject to the overall limitation of $2,500, with reimbursement for housing expenses at the old and new locations averaging $3,400 per move and temporary living costs and house-hunting travel averaging $1,200 per move. This study indicates that on the average, transferred employees must pay tax on $2,100 of reimbursed moving expenses because of the inequitable dollar limits included in the present law. We must not let this unfair situation continue. My bill takes care of the problem by eliminating completely the rigid dollar limitations making the various types of moving expenses covered by present law deductible if reasonable in amount.

Replacement of the rigid dollar limitations by a rule of reasonability will also result in a much-needed simplification of Internal Revenue Service Form 3903 used by employees to claim the allowable moving expense deduction. The current form requires that employees make various complicated computations to segregate the various expenses and to apply the sublimitation and overall limitation.

A second change made by my bill increases the 30-day limitation on allowance of temporary living expenses incurred at the new job location to 60 days. The 1971 study referred to above indicates that transferred employees on the average were eligible for 50 days of temporary living expenses while awaiting permanent quarters. In addition, the statutory rule applicable to temporary living expenses needs expansion to include at least 5 days of temporary living expenses incurred at the old job location. Frequently a family departing from the old job location must vacate its house there several days before the moving van is finally loaded and before the family can officially leave the house. The Treasury regulations under section 217 of the Internal Revenue Code touch upon this problem by treating as a travel expense a 1-day temporary living allowance at the old job location. The Statute should be amended to expand the 1-day rule to 5 days to accord with the realities of the situation.

A third major problem covered by the bill relates to the unreasonable requirement that in order to qualify for the moving expense deduction, an employee's new principal place of work must be at least 50 miles farther from his former residence than was his former principal place of work. This test, which replaced the 20-mile test under prior law, in addition to creating difficult compliance problems, is unfair to thousands of employees because is assumes an unreasonably long commuting pattern.

My bill proposes that the 50-mile test be replaced with a 10-mile test to take into account the normal and reasonable commuting distance for the average employee given today's crowded highways and inadequate transportation facilities and to conform with the existing practice in both private industry and Government. A 10-mile rule is followed by many employers in private industry, and the Federal Government will reimburse qualified moves when the new official station is more than 10 miles farther from the employee's home than was his former official station. In addition to resulting in more equitable treatment of transferred employees, the 10-mile test will simplify the administration of moving expense reimbursement allowances with the tax law.

Finally, the current law can be greatly simplified by eliminating the requirement added by the 1969 Tax Reform Act that all employees who are reimbursed for their moves report such reimbursements as income and claim offsetting deductions for allowable moving expenses. This requirement has imposed unnecessary and burdensome paperwork on both employers and employees. Under most moving expense plans, both government and private, an employee can obtain reimbursement for the cost of his move only by supplying his employer with supporting documentation showing the nature and actual incurrence of such expenses. To the extent that such expenses otherwise qualify for deduction under present law, amendment of the present rules to provide that an employee who

fully accounts for his moving expenses to his employer could simply exclude the reimbursements from his gross income would eliminate the several duplicative steps now required.

At the present time, after an employee accounts fully to his employer, the employer must supply the employee with a complicated IRS approved form listing the payments to him, broken down into various categories showing the type of expense and nature of payment. The employer must also record the reimbursed expenses, broken down between what the employer thinks is deductible and nondeductible, on a W–2 form for the employee. The employee is then required to transcribe the information to Form 3903, which he must file with his return. The employee must then claim his moving expense deduction on the long Form 1040 as a subtraction from gross income, which precludes his use of the simplified Form 1040–A, which was reintroduced by the Internal Revenue Service in 1972 to simplify the income tax return filing for many individuals. All deductible reimbursed moving expenses which are fully accounted for to the employer should be treated as an "exclusion" rather than having to go into the employee's gross income and come out again as a deduction. This full accounting to the employer concept, which is analogous to the exclusion rule now applied in the business travel and entertainment area, would greatly simplify the present burdensome compliance problems for the more than a million employees who have job-related moves each year, the great bulk of whom earn between $8,000 and $20,000.

In summary, the items covered in the legislation are as follows:

First. The employee shall exclude from gross income any amounts paid by his employer which are deductible as moving expenses under section 217, provided that he supplies his employer with supporting documentation of such expenses. He shall include in gross income any amounts not so reported.

Second. Allowable moving expense deductions shall include temporary living expenses for 5 days at the former principal place of work and for 60 days at the new principal place of work.

Third. The $2,500 overall limitation and the $1,200 sublimitation for certain moving expenses are repealed.

Fourth. A 10-mile test is substituted in lieu of the present 50-mile test in order for moving expenses to be deductible.

Mr. Speaker, enactment of this legislation is essential to simplify the current complicated moving expense provisions and to preclude the imposition of an unfair tax on employees who are reimbursed by their employers for job-related moves.

THE ECOLOGY MOVEMENT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Washington (Mr. MEEDS) is recognized for 5 minutes.

Mr. FULTON. Mr. Speaker, one of the most positive signs I have seen recently showing the deep-rooted vitality of the ecology movement was a letter I received from Mr. Lonzo Mayfield's sixth grade science class at Buena Vista School in Nashville. They informed me of a special project which they are undertaking in conjunction with their study of ecology, a project which deals with the saving of small wildlife. They have entered the President's Environmental Awards program and plan to set up a small game preserve on Mr. Mayfield's farm.

As part of their project, the class asked me to write a resolution to promote earthkeeping and the saving of wildlife. However, since so much of the real value of their program derives from their own commitment and their own participation, I suggested that they determine what they considered to be the points of most critical importance to them and write a resolution themselves. I sent a sample copy of a resolution for the purpose of form, which they modified slightly to suit this particular situation. The result is a truly gratifying piece of legislation that I would like to present to you as it was presented to me, with a few technical revisions. And I suggest that all of us would do well to pay careful attention to what our young people are proposing for their future and the future of our planet.

I hereby submit to you this joint resolution on behalf of Mr. Lonzo Mayfield, Robert Green, Henry C. Jones, Tony McCullers, Tony Rogers, Wendell Quarles, Cordelia Osborne, Cindy Thompson, Buddy Blake, Sandi Zumbro, Stephany Looney, Teresa Lawrence, Dale Simmons, Debbie Stratton, Lisa Lawrence, Fred Parrish, Steven Ray Martin, Brad Rowlette, Theo Garner, Jerry Morton, Karen Schmutz, Zachary Ridley, James Mitchell, Peggy Mangrum, Lytres Taylor, Eileen Tschan, Dexter Lee, and Clarence Johnson, Jr.

JOINT RESOLUTION AUTHORIZING THE PRESIDENT TO PROCLAIM MAY OF EACH YEAR AS "NATIONAL EARTH AND WILDLIFE MONTH"

Whereas, there is an urgent need to promote broader awareness and understanding of the national environmental crisis, including the abuse of energy resources, the pollution of air, land, and water, and the loss of wildlife; and

Whereas, there is a compelling need to encourge a continuing commitment by educational, agricultural, business, labor, and civic groups to solve environmental and wildlife problems; and

Whereas, education of the public regarding environmental issues is necessary in order to solve complex environmental problems: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is authorized and requested to issue a proclamation designating May of each year as "National Earth and Wildlife Month", and calling upon the people of the United States to observe such month with appropriate ceremonies and activities.

COMPREHENSIVE LAND USE PLANNING

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Tennessee (Mr. FULTON) is recognized for 5 minutes.

Mr. MEEDS. Mr. Speaker, I am today introducing a bill that will respond to the need for comprehensive land use planning.

Everyone here experiences daily the problems brought on by nonplanning in the suburbs and cities and the helter-skelter migration to metropolitan areas.

As a result of migration, technology, and the population explosion, we see fights between highway men and conservation groups, fights between real estate developers and oldtime residents, fights between cities and suburbs over revenues and property taxes, to name a few.

You name the conflict and land use will probably be involved some way.

The approach of the bill I am introducing today, holds the greatest promise of bringing less friction and more land use planning of those bills presently before the committee. The planning is assured and comprehensive, and is designed to bring cooperation among Federal agencies and a relative peace to land use.

My bill insures that a planning process beginning at the local level will get underway and that States will begin utilizing the planning within 5 years. Each year $60 million would be authorized for State land use planning grants. Up to two-thirds of the planning costs would be borne by the Federal Government.

Additional incentives are included for State participation in land use planning. If a State is not making substantial progress toward establishing a land use process or program within 3 years after enactment, Federal assistance will be reduced by one-half where such assistance has substantial impact on land use. Should the process not be established and used within a 5-year period, all such Federal assistance would be cut off.

This land use proposal is a comprehensive measure. Included within its purview are all lands within the United States. The bill establishes a grant program for States to do the planning on non-Federal lands, but it also provides policy directives and coordination of Federal departmental activities with regard to Federal land.

The approach of my bill is designed to bring relative peace to land use. One of the main reasons for land planning is to douse brushfire wars which flare over land use decisions. Disputes will arise less frequently because the carrot-and-stick provisions will bring forth a planning process and a usable program for everyone to see. Orderly development can take place. With a road map spread out in front, many present land use decisions will be eliminated.

I am hopeful that the committee and this Congress will see fit to adopt a land use bill which will provide assured, coordinated, and comprehensive planning.

THE SHOT HEARD AROUND THE WORLD

The SPEAKER pro tempore. Under a provious order of the House, the gentleman from Massachusetts (Mr. DRINAN) is recognized for 15 minutes.

Mr. DRINAN. Mr. Speaker, 198 years ago today on April 19, 1775, American

patriots at Concord and Lexington fired the shots heard around the world. Our war against tyranny and despotism had opened.

In the opening phrases of the Declaration of Independence the Founding Fathers set forth the types of oppression, deception, and tyranny against which they waged the war of revolution.

I quote that language verbatim. I feel that it need not be pointed out that the forms of oppression and deception against which the leaders of the American colonies started a war of revolution 198 years ago today are present today in the executive branch of the American Government.

The writers of the Declaration of Independence expressed their grievances in these words:

The History of the present King of Great Britain is a History of repeated Injuries and Usurpations, all having in direct Object the Establishment of an absolute Tyranny over these States. To prove this, let Facts be submitted to candid World.

He has refused his Assent to Laws, the most wholesome and necessary for the public Good.

He has forbidden his Governors to pass Laws of immediate and pressing Importance, unless suspended in their Operation till his Assent should be obtained; and when so suspended, he has utterly neglected to attend to them.

He has refused to pass other Laws for the Accommodation of large Districts of People, unless those People would relinquish the Right inestimable to them, and formidable to Tyrants only.

He has called together Legislative Bodies at Places unusual, uncomfortable, and distant from the Depository of their public Records, for the sole Purpose of fatiguing them into Compliance with his Measures.

He has dissolved Representative House repeatedly, for opposing with manly Firmness his Invasions on the Rights of the People.

He has refused for a long Time, after such Dissolutions, to cause others to be elected; whereby the Legislative Powers, incapable of Annihilation, have returned to the People at large for their exercise; the State remaining in the mean time exposed to all the Dangers of Invasion from without, and Convulsions within.

He has endeavoured to prevent the Population of these States; for that Purpose obstructing the Laws for Naturalization of Foreigners; refusing to pass others to encourage their Migrations hither, and raising the Conditions of new Appropriations of Lands.

He has obstructed the Administration of Justice, by refusing his Assent to Laws for establishing Judiciary Powers.

He has made Judges dependent on his Will alone, for the Tenure of their Offices, and the Amount and Payment of their Salaries.

He has erected a Multitude of new Offices, and sent hither Swarms of Officers to harrass our People, and eat out their Substance.

He has kept among us, in Times of Peace, Standing Armies, without the consent of our Legislatures.

He has affected to render the Military independent of and superior to the Civil Power.

He has combined with others to subject us to a Jurisdiction foreign to our Constitution, and unacknowledged by our Laws; giving his Assent to their Acts of pretended Legislation:

For quartering large Bodies of Armed Troops among us:

For protecting them, by a mock Trial, from Punishment for any Murders which they should commit on the Inhabitants of these States:

For cutting off our Trade with all Parts of the World:

For imposing Taxes on us without our Consent:

For depriving us, in many Cases, of the Benefits of Trial by Jury:

For transporting us beyond Seas to be tried for pretended Offences:

For abolishing the free System of English Laws in a neighboring Province, establishing therein an arbitrary Government, and enlarging its Boundaries, so as to render it at once an Example and fit Instrument for introducing the same absolute Rule into these Colonies:

For taking away our Charters, abolishing our most valuable Laws, and altering fundamentally the Forms of our Governments:

For suspending our own Legislatures, and declaring themselves invested with Power to legislate for us in all Cases whatsoever.

He has abdicated Government here, by declaring us out of his Protection and waging War against us.

He has plundered our Seas, ravaged our Coasts, burnt our Towns, and destroyed the Lives of our People.

He is, at this Time, transporting large Armies of foreign Mercenaries to compleat the Works of Death, Desolation, and Tyranny, already begun with circumstances of Cruelty and Perfidy, scarcely paralled in the most barbarous Ages, and totally unworthy the Head of a civilized Nation.

He has constrained our fellow Citizens taken captive on the high Seas to bear Arms against their Country, to become the Executioners of their Friends and Brethren, or to fall themselves by their Hands.

He has excited domestic Insurrections amongest us, and has endeavoured to bring on the Inhabitants of our Frontiers, the merciless Indian Savages, whose known Rule of Warfare, is an undistinguished Destruction, of all Ages, Sexes and Conditions.

In every stage of these Oppressions we have Petitioned for Redress in the most humble Terms: Our repeated Petitions have been answered only by repeated Injury. A Prince, whose Character is thus marked by every act which may define a Tyrant, is unfit to be the Ruler of a free People.

USURPATION OF POWERS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Massachusetts, (Mr. MOAKLEY) is recognized for 5 minutes.

Mr. MOAKLEY. Mr. Speaker, last night I joined with 29 other freshman Democratic Members of Congress in decrying the usurpation by the President of the powers and prerogatives of the Congress. Although our focus was on the budget the issue of war in Indochina once again transcends all others.

The President has ordered the bombing of Cambodia and Laos and a halt to minesweeping operations off the coast of North Vietnam. And he has taken these actions without consultation with or authorization by the Congress.

Despite protests over the President's constitutional authority to take these actions, they continue. Congress must act now to stop them.

I believe the proper congressional response is found in the proposal offered by our colleague, Mr. BINGHAM, to end all American military involvement in Indochina. House Joint Resoultion 516 of which I am a cosponsor, provides that—

No funds heretofore or hereafter appropriated shall be expended for the conduct by United States forces of bombing missions or other combat operations in or over or from off the shores of Indochina, including Cambodia, Laos, the Republic of Vietnam and the Democratic Republic of Vietnam, without prior, specific authorization by Congress.

Mr. Speaker, I think that if this legislation is enacted that even the President, himself, would have difficulty circumventing its intent. I call upon my colleagues to support this bill in order to finally bring about the peace the President claims we now have.

We can no longer justify our inaction with arguments that legislation would jeopardize the lives of our troops and prisoners in Southeast Asia. The troops have been withdrawn and all the prisoners released from captivity.

We need to make certain that events do not once again result in the introduction of American forces and the capture of American men.

For more than 6 weeks, American B–52's have flown daily hundreds of sorties, dropping thousands of tons of bombs on the land and people of Cambodia in an effort to maintain in power a regime which so obviously lacks the support of its people.

Only this week, we have resumed bombing missions over Laos and just today the Pentagon announced the suspension of the mine removal operations which began a month and a half ago.

Mr. Speaker, have we not killed enough people, destroyed enough homes, created enough suffering, and endured enough divisions here at home to have learned the lessons of our past mistakes? Let us act now to bring an end to this war.

UNIVERSITY OF HAWAII LABORATORY SCHOOL YOUNGSTERS BRING ALOHA TO CAPITOL HILL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Hawaii (Mr. MATSUNAGA) is recognized for 5 minutes.

Mr. MATSUNAGA. Mr. Speaker, my colleagues had a rare opportunity today to enjoy a bit of aloha brought to the Nation's Capital by the 84-member combined band, orchestra and chorus of the University of Hawaii's Laboratory High School. A highly professional "Aloha Revue" was staged in the caucus room of the Cannon House Office Building by the talented young musicians and their director, Mr. Alan Fetterman. Members of Congress and Capitol Hill employees, as well as special invited guests were treated to a fast-moving program of both traditional and modern music and dance from Hawaii and the Pacific area.

Accompanied by the principal of their school, Dr. Loretta Krause, of this outstanding group of youngsters are here on their first trip to the mainland. They have worked hard all year to prepare their program and to earn money for the trip—collecting refundable soft drink bottles, selling sweet bread and sponsoring fund-raising concerts and dinners. They raised over $54,000 to finance their trip.

It is a pleasure for the Hawaii congressional delegation to welcome this fine group of young people to Washington and I know that my colleagues will join me in wishing them continued success on the remainder of their concert tour.

THE FEDERAL NOXIOUS WEED ACT

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

Mr. FREY. Mr. Speaker, I am today introducing the Federal Noxious Weed Act which would fill many existing gaps in Federal law by regulating the importation and interstate movement of noxious weeds and providing for their control and eradication. In effect, it would be the first broadscale assault on noxious weeds of all types which have adversely affected the Nation's agricultural economy and threatened the health of humans and livestock.

The development of this legislation is the result of 6 years of research by the Federal Interagency Ad Hoc Committee on Preventive Weed Control. It has been endorsed by the National Association of State Departments of Agriculture, the Weed Science Society of America, the Northeastern, Southern, North Central, and Western Weed Control Conferences, and many State weed control conferences.

THE WEED MENACE

Weeds are a menace to our Nation's agricultural economy and a threat to the health of humans and livestock. Weeds compete with desirable economic plants for water, light, mineral nutrients, and other plant growth requirements. One plant of common yellow mustard needs twice as much nitrogen, twice as much phosphoric acid, four times as much potash, and four times as much water as a well-developed oat plant. Some weeds are poisonous to livestock and humans.

Weeds constantly threaten food and fiber production. They reduce yields and lower the quality of crops and livestock. Weeds impair human health and reduce the efficiency of water management. Weeds harbor insect vectors of human diseases and serve as a reservoir for disease-producing organisms. They reduce the efficiency of production and harvesting equipment. Weeds also ruin lakes, ponds, waterways, parks, and other recreation areas.

The scope of weed control operations on privately owned lands in the United States is enormous. Cultural, mechanical, ecological, and other biological methods of weed control are used on more than 400 million acres of intertilled and drill-seeded cultivated crops each year. The intertilled row crops receive two to five seedbed tillage operations and an average of about five cultivations each year. More than 1 billion acres of hay, pasture, and rangelands, and millions of acres of nonagricultural lands, aquatic sites, and rights-of-way benefit by weed control practices.

Federal and State agencies are responsible for the management of about 1 billion acres of land, all of it closely associated with privately owned land that is used for crop production, grazing, and forestry. Most of this 1 billion acres is in various stages of weed infestation. More than 10 million acres of this land are infested by weeds classified as noxious by the State and Federal seed laws. In addition, millions of acres in road, railroad, and utility line rights-of-way, and fence rows, ditchbanks, waterways, and industrial sites are infested with weeds. Many States have enacted noxious weed control laws. However, the programs of these States will remain ineffective as long as noxious weeds remain uncontrolled on their public lands.

No one knows how many weed species populate the earth. However, an estimated 30,000 or more are known to be widely distributed throughout the world. About 1,800 of these cause serious annual losses. Most of our major cultivated crops are subject to infestation by as many as 200 species. Between 20 and 30 species cause serious yield reductions in most crops and must be controlled each year.

Preventive methods—such as the use of clean seed, weed-free manure and hay, clean harvesting equipment, mowing, burning, grazing management, and eradication of weed infestations adjacent to cultivated fields—were for many years the primary practices used for control. Beginning with the introduction of selective herbicides about 1896, emphasis gradually shifted to the use of chemical control practices to supplement cultural and biological methods. The period from 1945 to 1965 was characterized by the rapid introduction of new herbicides and their wide-scale use as primary methods of control.

In 1949, herbicides were used on 23 million acres of agricultural land; in 1952, on 30 million acres; in 1959, on 53 million acres; in 1962, on 71 million acres; and in 1965, on 120 million acres. The acreage treated with herbicides more than doubled in just 5 years. During the period from 1951 to 1960, American farmers spent an average of $2.5 billion each year to control weeds. Despite this expenditure, and the use of modern weed control technology, weeds reduced crop production by 13.5 percent in each of those years. Emphasis on preventive methods during this period actually declined, and reliance on chemical methods of control increased.

Unless weeds on federally and State managed lands, rights-of-way, industrial sites, and other nonagricultural areas are controlled, it will be difficult to reduce losses caused by weeds on privately owned lands. Such public lands provide an instant source of reinfestation of private lands. Unless weeds are controlled on such lands, the cost of control by farmers will continue to increase. Annual reinfestation maintains populations of weed seed, increases annual losses, requires increased use of herbicides, and increases the cost of control by all methods. The burden is endless for those who produce our supply of food and fiber.

Yet the loss to farmers is only a part of the total annual loss. Many acres of land and waterways are infested with poisonous plants. Poison ivy, poison oak, and other poisonous plants are a menace to many unsuspecting persons seeking recreation. Each year poisonous weeds cause nearly 2 million cases of skin poisoning and other skin irritations, all of which adds up to a loss of 333,000 working days a year. Poisonous weeds also cause 3.7 million days of restricted activity and ½ million days spent in bed. We do not have statistics on reduced efficiency, cost of medical care, and other information related to losses caused by ragweed and other weed pollens to which hundreds of thousands of people are allergic. We do know that the human misery caused by poison ivy, poison oak, and toxic pollens is staggering.

Recent advances in chemical and nonchemical weed control technology make it possible to control weeds effectively, safely, and economically on private as well as on federally managed public lands.

Most noxious weeds are imported into the United States and transported in interstate commerce. The yearbook of the U.S. Department of Agriculture for 1895 listed 200 important weeds found in the United States. Of these, 108 had been established as being of foreign origin. Russian thistle was introduced into the United States in 1893 in flaxseed brought from Russia and sown in South Dakota. Johnsongrass was introduced in South Carolina as a forage plant from Turkey about 1830. Waterhyacinth was introduced from tropical America into the St. Johns River in Florida about 1884. These three weeds of crops, grazing lands, and aquatic sites are examples of many species that have been introduced from foreign countries into the United States where they have become widely distributed. Currently in California there are approximately 526 foreign weed species. About 72 percent of these were introduced from Europe and western Asia; 10 percent from eastern Asia, South Africa, and Australia; 10 percent from South America; and 8 percent from States east of California.

There is abundant historical and current evidence that the movement of weed seeds and other propagating parts has occurred in the past between States and farms, and even across continents and oceans. The discovery of witchweed in South Carolina in 1957 suggests that a similar situation exists today. Obviously, improved preventive methods are critically needed if we are to prevent the importation and domestic movement of weed seeds that constantly renew and increase their populations in the soil.

NEED FOR NEW FEDERAL LEGISLATION

Current Federal and State legislation does not prohibit, regulate, or restrict the importation or interstate movement of either noxious weeds, weed parts and seeds or materials infested with noxious weeds and their propagation parts—other than agricultural and vegetable seeds covered by the Federal Seed Act. This lack of effecting preventive weed control programs has been a major contributing factor to the increasing need for the enormous and recurring annual weed control programs and expenditures. The cost of such programs—$2.5 billion annually—has become a burden that our agricultural economy cannot sustain. The Federal Government, alone, is spending

$20,000,000 annually for operational weed control programs in addition to funds spent for research and education.

Federal legislative authority is also lacking to allow the Federal Government to cooperate with growers and States to develop weed control programs where such programs are beyond the scope and capabilities of the individuals and States. Furthermore, authority is lacking to permit the United States to cooperate with Mexico and Canada to protect American agriculture from outbreaks of noxious weeds that might spread into the United States. Presently, for example, alfombrella is a Mexican weed that threatens the U.S. border.

The legislation which I offer today provides the Secretary of Agriculture with the necessary legislative authority to control the importation and interstate transportation of noxious weeds and enter into cooperative weed control programs with the States, individuals, and the Governments of Canada and Mexico. If enacted, it would substantially reduce the costs of weed control programs which are such a drain on the agricultural economy, increase food fiber, and livestock production, lower farm labor costs, eradicate human and livestock disease producing situations, and improve navigation and recreational uses of both water and land.

The Federal Noxious Weed Act authorizes the Secretary to designate as "noxious weeds" those weeds that are new to or not known to be widely prevalent or distributed within and throughout the United States and may be directly or indirectly injurious to crops or other useful plants, livestock, or poultry, or other interests of agriculture including irrigation or navigation or public health.

Before a noxious weed may be imported into the United States or transported in interstate commerce, a permit must be obtained from the Secretary. The permit, if issued, may be general or specific in nature and require the adherence to certain conditions. A permit will not be issued if there is a danger of dissemination.

An inspection program is established to inspect persons or means of conveyance moving into or through the United States to determine whether such persons or means of conveyance are moving any noxious weed contrary to the act. Inspectors may also enter with a warrant any premises in the United States for the same purpose. Violation of this act is a misdemeanor punishable by fine up to $500 or imprisonment not exceeding 1 year.

As an emergency measure to prevent dissemination of noxious weeds, the Secretary is authorized to "seize, quarantine, treat, destroy, or otherwise dispose of any product or article or means of conveyance which he has reason to believe is infected by or contains any noxious weed." The Secretary can also order the owner of any product, article, means of conveyance or noxious weed to treat, destroy, or dispose of such product, means of conveyance, or noxious weed. Appropriate safeguards for the owner are contained in the bill.

The Secretary is also given the authority to cooperate with Canada and Mexico in survey and control activities related to impeding or preventing the spread of noxious weeds from those countries into the United States. The Secretary is further authorized to cooperate with other Federal agencies, States or territories, farmers associations, and individuals in performing the operations authorized within the proposed act.

PRESIDENT MILLER, OF UNITED MINE WORKERS OF AMERICA, CLARIFIES THE ENERGY PICTURE

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

Mr. HECHLER of West Virginia. Mr. Speaker, I am pleased to present for the RECORD, a practical, down-to-earth energy plan for the United States developed by President Arnold Miller, of the United Mine Workers of America. President Miller also issued a statement on President Nixon's energy message, which follows:

STATEMENT OF UMWA PRESIDENT ARNOLD MILLER ON THE ENERGY CRISIS, APRIL 16, 1973

I speak to you today on the energy crisis for two reasons. As President of the United Mine Workers of America, I am responsible for the welfare of 200,000 families whose livelihoods will be directly affected by this nation's energy policies. And as an American citizen, I want to be confident that the public interest is represented in the current energy debate.

A great deal of attention has been devoted recently to the problem of threatened and actual energy shortages in the United States. Certain sectors of the energy industry have attempted to create something approaching a national panic on the subject. Television viewers have been subjected to the sound of an ominous pulse beat accompanied by the warning "A nation that runs on oil can't afford to run short." Full page ads in major newspapers threaten shortages in natural gas supplies. And magazine advertisements depict a lump of black coal in a glass museum case under the caption "Coal—the vanishing resource."

The United Mine Workers agrees that the energy problems facing the nation are serious. But the current campaign to stampede public opinion hardly serves the national interest. In the present "crisis atmosphere" the interests of the American worker and the consumer public will likely be ignored and the narrow interest of corporate profit will likely dominate the debate. If so, we will only have proved that as a nation we do not learn from our mistakes.

INADEQUATE COAL RESEARCH

For we face an energy crisis today because government has failed to develop a national approach to our energy needs, but has instead allowed corporate interests to develop and supply the nation's energy in accordance with their instincts for profit alone. As a result, we have become heavily dependent on unstable, foreign sources of oil; we have failed to develop effective research to utilize our vast reserves of high sulphur underground coal; we have promoted a lopsided commitment to the development of nuclear power which has consistently failed to yield its promised rewards; and we have permitted major oil interests to develop monopoly control of the major sources of energy in which we depend as a nation.

As a coal miner, I can speak most knowledgeably about the crisis miners find themselves in because of our failure to develop effective sulphur control technology. The vast bulk of our 1.3 trillion tons of coal is high sulphur coal. Most of it is located in Appalachia and the coal mining states of the Midwest—Illinois, Indiana, and Ohio.

In West Virginia, the Appalachian and Ohio Power companies have threatened to end their annual purchases of millions of tons of West Virginia coal and to import low sulphur coal from the West instead. The reason they give for the threatened shift is that they cannot meet the state's air pollution standards with West Virginia coal. In Illinois, to prevent threatened mine shutdowns rank-and-file coal miners have petitioned the legislature to delay implementation of the state's air pollution standards. The miners' fears are understandable.

MINES SHUTTING DOWN

Unemployment in major coal mining counties is 30 percent higher than the national average. Last year, West Virginia lost 2,200 jobs in the coal industry and mines have shut down in Ohio, Illinois, Pennsylvania, and in West Virginia because the sulphur content of the coal was too high to meet air pollution standards. Present state regulations to implement the Clean Air Act of 1970, according to reports, will put some 26,000 miners out of work.

Industry and government shortsightedness are largely to blame for the crisis coal miners face. The response of the electrical utility industry to the problems posed by high sulphur coal is to devote a meager one-fourth of one percent of gross revenues to research and to fight a rearguard action against pollution control. Government is equally to blame. While coal miners lose their jobs because air pollution standards prohibit burning high sulphur coal the administration *cuts* by $10 million funds allotted to the Environmental Protection Agency in the 1974 budget for the development of technology to reduce sulphur emissions.

The energy industry's response to the problems posed by high-sulphur eastern coal, it appears, is to abandon mining in the East, move west, and strip mine the reserves of low-sulphur coal in the western states. Such a shift is contemplated not because it is a reasonable response to the present energy crisis, but because it will be highly profitable to the energy industry.

STRIP MINING CONTROLS

For government's failure to legislate meaningful controls on strip mining means that ranchers, farmers, and homeowners in the West will pay for the destruction of their land and water brought on by western mining, not industry. And government's willingness to open up its vast coal reserves out West to strip mining means that the American taxpayer, too, will subsidize industry profits. Widespread western stripping is also attractive to industry in narrow corporate terms because it requires far fewer workers than underground mining to produce equal amounts of coal. The human cost of a move west will not be borne by the corporate planners promoting this policy, but by landowners and ranchers and the thousands of eastern coal miners who will be forced out of work by mine shutdowns.

If government and industry's response to their failure to develop sulphur control technology is to abandon eastern coal mining, then the nation should understand the consequences of such a policy. Unfortunately, recent history provides an all-too vivid picture of what happens when coal declines in a region where mining is the only available work.

When the coal industry automated its mines in the 50's and 60's, some 300,000 coal miners in Appalachia and the Midwest were left without work. Thousands of mining families were driven from their homes to the squalid, migrant ghettos in Chicago, Detroit, and Dayton. There they searched

futilely for jobs that didn't exist and wound up on the public dole because there was no other way to survive. The hunger, sickness and squalor left behind in the coalfields were so shocking that an American President was moved to declare a war on poverty.

If the government allows mining to leave Appalachia and the Midwest for good in the 70's, the eastern coalfields will become a region of ghost towns—peopled by the aged, the sick, the disabled, and those too hopeless to flee. And thousands of coal miners will once again hear the bitter sound of "No work today."

For five years coal miners have heard the virtues of the "work ethic" extolled by the President. But I ask the President when will the rhetoric of the "work ethic" be matched by a commitment to preserve the jobs of American citizens? I ask the President and Congress how they can pass legislation to protect the air we breathe and stand silently by while the jobs of thousands of hardworking, taxpaying American citizens go down the drain because government has failed to prepare for the effects of its laws?

JOBS AND CLEAN AIR

Coal miners don't want to be pitted against environmentalists in a battle between jobs and clean air. But that's what present government policy ensures. Coal miners don't want to be poison pushers. We breathe the same air as the rest of the public. But it is slight comfort to coal miners on the unemployment line, whose children go hungry and forgo their educations, that the air they breathe is pure.

Our concern about sulphur control and the future of coal mining is immediate. Our jobs are threatened by government and industry's failure to develop sulphur emissions controls. But coal miners share with many American citizens serious misgivings about the broader direction of the nation's energy policy, particularly its heavy reliance on foreign oil.

Just this past weekend, terrorists blew up American-owned oil storage facilities in Lebanon. Last month, the Emir of Kuwait told United Press International that "when zero hour comes" in a future war, Kuwait will use its vast oil reserves as a "weapon." Coal miners wonder: How much longer can we safely permit this nation to rely on unstable and hostile Middle East regimes for the bulk of its fuel energy needs?

It is not hard to understand why corporate interests have allowed the nation to become dependent on foreign oil. In 1971, according to Senator Fred Harris, Continental Oil Co. paid nothing in federal income taxes on $109 million in profits. What coal miners cannot understand is how responsible government officials have allowed the inflated profits of the oil industry to dictate our nation's energy policy. Coal miners cannot understand why we continue to strain our balance of payments deficit by pumping billions of American dollars overseas to purchase foreign fuel energies rather than develop domestic supplies.

COAL MAJOR ENERGY SOURCE

Coal represents 80 percent of this nation's fuel reserves. Yet we rely on coal for only 18 percent of our fuel energy needs. Oil and gas represent 17 percent of our domestic reserves. Yet the nation relies on oil and gas for 77 percent of its energy needs. Doesn't such a lopsided misuse of our resources ensure continued energy shortages? There is speculation that this nation may enter into long-term contracts to purchase natural gas from the Soviet Union. Will we continue to pursue a foreign source of energy while we ignore the vast, untapped reserves of coal here at home?

Coal miners have heard for two decades that nuclear power is the hope of the future. Since 1945, 87 percent of government and industry energy research and development has been devoted to development of nuclear fission. But, today, reactors continue to be plagued by safety and technical problems and nuclear power remains a distant dream. Coal miners believe we should prepare for the future. But they recognize that we live in the present.

The administration's 1974 budget allocates a token $61 million to develop our vast reserves of coal and a massive $506 million to develop nuclear power. Such a budget will ensure that the energy crisis—blackouts and brownouts and domestic fuel shortages—will be a way of life for Americans for decades to come.

I am not an energy expert. I am President of a coal miner's union and an American citizen. So let me state my concerns simply.

I don't want the security of my children and grandchildren to rest on the whims of some foreign potentate or commissar.

I don't want to look into the hungry eyes of coal miners' children while oil-rich sheiks and moguls drive Cadillacs and Continentals down desert highways and fuel energy conglomerates pay no taxes on millions of dollars in profits.

I never again want to see the unemployment and welfare lines I saw in the 50's and 60's. I don't want to see thousands of mining families in trucks piled high with furniture, grinding down curving mountain roads destined for the desolation of urban ghettos because at home there is no work, no food, and no hope.

I don't want to see the still beautiful West raped and defiled like my beloved home state of West Virginia. I don't want this nation to allow the energy industry to abandon underground mining in the East and destroy our western wilderness and farms because the zeal for profit encourages it and government neglect permits it.

I don't want to see American coal miners forced to fight for their jobs because of industry and government shortsightedness and wind up damned as irresponsible citizens unconcerned about air pollution.

ENERGY POLICY

In short, human beings are this nation's most important resource. Their concerns and needs, not corporate profits, should be the cornerstone of our national energy policy. In that spirit, the United Mine Workers believes that our nation's energy policy must do the following:

Concentrate on developing our most abundant, domestic energy supply—coal.

Provide energy, wherever possible, without destroying our land and water resources.

Affirm the principle that the jobs of American workers are more important than the profits of energy conglomerates.

We must recognize that coal can guarantee our nation's energy needs for hundreds of years to come if we unchain our gigantic underground reserves. We urge the President and the Congress to commit themselves to support coal mining as the most stable source of the nation's energy and as a source of livelihood for thousands of American working families.

In that regard, we welcome the sense of urgency expressed by the sponsors of the National Energy Research and Development Act to expand the government's commitment of funds for research into the uses of coal. But we note that the Act fails to deal with the most pressing problem facing coal miners today—sulphur control.

The United Mine Workers believes that the nation's need for clean air and the coal miners' need for employment demand immediate action to develop sulphur emissions controls that will permit our massive reserves of high-sulphur coal to be burned without polluting the atmosphere. We call, therefore, for a crash program using whatever federal funds are needed to develop such technology in as short a time as possible.

ENERGY MONOPOLY

As coal miners and citizens, we are deeply disturbed by the growing monopolization of energy resources by fuel energy conglomerates. It is apparent that the present energy crisis has developed hand-in-hand with the increasing domination of all energy sources by single companies. The United Mine Workers believes this trend is against the public interest and the needs of a free market economy and urge that it be reversed.

Finally, we believe that the present crisis in energy is largely due to the fact that narrow industry concerns have dictated our national energy policies. To prevent the errors of the past we propose a National Energy Planning Council to help chart the nation's future energy program. For such a council to truly represent the public interest the United Mine Workers believes that unions representing workers in the energy industry, environmentalists, and consumers must have a major policy-making role in its decisions.

In closing, I wish to speak once more in two capacities. As President of the United Mine Workers I want to remind the nation that 100,000 coal miners gave up their lives in this century to provide for this nation's energy needs. I sincerely hope that in forming our future energy policies the nation will not ask coal miners to give up their livelihoods too.

As an American citizen, I note that the American worker and the consumer public speak with an increasingly lonely voice in their nation's capitol while industry seems to have an open invitation to direct national policy. It is long past time for the public to be represented in the planning of its future. The direction of our nation's energy policies is clearly the place to begin.

STATEMENT BY ARNOLD MILLER, PRESIDENT OF THE UNITED MINE WORKERS OF AMERICA, ON PRESIDENT NIXON'S ENERGY MESSAGE, APRIL 19, 1973

United Mine Workers President Arnold Miller said today that President Nixon's energy message is "long on rhetoric and short on substance" and called it a "great disappointment to the Nation's coal miners.

Nixon's energy message urges that "the highest national priority be given to the expanded development and utilization of our coal resources."

"Those are bold words," Miller commented, "but words won't develop coal."

"The facts, as indicated in the Wednesday briefing in the Interior Department are that no new funds have been allocated in the 1974 budget for coal research."

Miller said the 1974 budget allocates a token $61 million for coal research and a massive $506 million for nuclear research which has consistently failed to yield its promised rewards.

"The most critical problem facing coal miners today is that more than one trillion tons of high sulfur coal in the U.S. cannot be burned without polluting the atmosphere. The President's response is to cut $8 million mandated for developing sulfur-control technology for the Environmental Protection Agency's budget and to call for lowering air pollution standards.

"President Nixon called for 'national conservation ethic' " Miller said, adding:

"But his energy message doesn't conserve the nation's land and water resources by promoting Eastern underground mining as an alternative to Western strip mining; it doesn't conserve the air we breathe by developing technology to burn high-sulfur coal, and it doesn't conserve the jobs of 26,000 coal miners threatened by present state regulations under the 1970 Clean Air Act."

"The only resources the President's energy message will successfuly conserve," Miller said, "are the inflated profits of the energy industry."

Commenting on President Nixon's elimination of oil import quotas, the UMW president pointed out that less than 24 hours after the President's message, Saudi Arabia announced that it will not expand its oil production un-

less the United States alters its political stance in the Middle East.

"Once again we see the folly of relying on foreign sources for this Nation's energy needs," Miller said. "This policy has brought us nothing but instability and crisis."

"We must become self-sufficient in energy," Miller said, "and the key to self-sufficiency is coal."

The nation's 1.3 trillion tons of coal reserves represents 80 per cent of our domestic energy resources, Miller said.

"The Nation needs a crash program to develop sulfur-control technology and synthetic fuels from coal," Miller said, "Instead we got a crash of rhetoric."

ANOTHER OSHA MISTAKE

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

Mr. RONCALIO of Wyoming. Mr. Speaker, I voted against extension of the Economic Stabilization Act because it perpetuates the delegation of lawmaking powers to downtown bureaucrats.

Those of us who tried to bring some reason to the regulations promulgated under the Occupational Safety and Health Act are especially sensitive to what happens when Congress gives broad powers to the executive branch.

The skyrocketing cost of living is a serious problem and my vote in no way reflects indifferences to what this has meant to every sector of the economy, agriculture included.

However, during the past several weeks, a hastily considered bill, H.R. 6168, has proposed to roll back all prices, interest rates, and rent to January 10, 1973, a terrible blow to the cattle raisers who have only recently achieved a fair price.

I opposed H.R. 6168 because I believe it would have required a bureaucratic machinery we can ill afford.

I also recognized how harshly it would have dealt with stock growers. After H.R. 6168 cleared the Banking and Currency Committee, I met with representatives of the Wyoming Stock Growers Association, Dean Prosser, Joe Budd, and Bob O'Neil.

We discussed how a January 10 rollback would have penalized those who are trying to increase the supply of beef and who had no idea that a price rollback would be sought. The economic loss in Wyoming alone would have exceeded $70 million.

The seriousness of the impact was underscored by the several hundred telephone calls I received from residents of all 23 of Wyoming's counties.

While they, too, have suffered from higher costs of operating, they felt the January 10 rollback was a punitive measure which in the long run would have contributed to higher, not lower prices.

At the request of my constituents, I contacted a number of my colleagues seeking a way to ease this provision. I wanted Congress to make some statement of economic policy because I do not believe the President's phase III failure deserves a vote of confidence.

Thus, when the motion to consider a compromise measure, the Stephens substitute, failed and the issue came to voting for a straight extension, I voted against giving the President a blank check on economic controls.

The issue, then, had swung from one extreme—the January 10 rollback—to another extreme—Congress signing away responsibility to the President to put on controls where and how he decides.

Now that the House has rejected any participation in any future phases of economic controls, the battle against inflation will have to concentrate on fiscal responsibility.

If the Congress cannot attack inflationary trends in the economy at large, it can at least refrain from reckless spending.

In this respect, I want Congress to show more courage in putting the brakes on spending, but I want this done according to the directives of Congress—not the ultimatums from the executive branch.

If we want our constituents to recognize our commitment to economic stability, then the Congress ought to set the priorities and vote accordingly. We cannot, as we did yesterday, vote $60 million for luxurious new offices in an extension of the west front of the Capitol.

With responsible and consistent economizing efforts, Congress and this House in particular can perhaps regain a little of the respect lost in the confusing and indecisive action on the Economic Stabilization Act.

NO MONEY IN BUDGET FOR CONTINUED FUNDING OF OEO OR COMMUNITY ACTION AGENCIES

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

Mr. PERKINS. Mr. Speaker, my remarks are addressed to every Member who is interested in the issue of impoundment or in the survival of the Office of Economic Opportunity and its programs—especially community action.

The situation today is this: There is no money in the budget for the continued funding of OEO or community action agencies. Other OEO programs either have been or are scheduled to be transferred to other departments and agencies.

Now a Federal judge, William B. Jones, has ruled that the administration may not dismantle OEO or its programs without congressional action. The judge pointed out that OEO and its programs are authorized through June 30, 1974. His ruling though, and here is where those of my colleagues who are interested in the impoundment issue should listen carefully, went beyond the narrow case of OEO. Judge Jones said:

> An administrator's responsibility to carry out the Congressional objectives of a program does not give him the power to discontinue that program, especially in the face of a Congressional mandate that it shall go on.

And in this morning's Washington Post it is reported that the Nixon administration "has no desire to test this ruling in a higher court." One reason given is that the administration believes they can render the issue moot because, in their opinion, it is unlikely that Congress will appropriate funds for OEO and community action either in a regular bill or in a continuing resolution.

So I say to my colleagues that if there is to be an OEO, or if community action agencies are going to continue to exist, the only solution is for the House to appropriate funds for this purpose. The cost is small; about $330 million more than is in the budget is all it would take to insure the survival of the OEO programs, including community action, and to force a court test of the President's authority to impound funds that has been decided in the first instance in favor of the congressional position.

SECRETARY ROGERS' ANNUAL REPORT TO THE CONGRESS

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

Mr. GERALD R. FORD. Mr. Speaker, I wish to take note of the increasingly effective job the Department of State is doing in providing the American people with the information to make considered judgments about our foreign policy. Today Secretary Rogers is issuing his annual report to the Congress. No other government produces such a detailed and comprehensive accounting of its foreign policy. Several weeks ago I participated in a foreign affairs conference in my native city, Grand Rapids. The Department of State's high-level participation, led by Under Secretary William Porter, was largely responsible for the success of this conference.

U.S. BELLIGERENCE IN SOUTHEAST ASIA SHOULD CEASE IN ABSENCE OF CONGRESSIONAL AUTHORIZATION

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

Mr. BENNETT. Mr. Speaker, I have today introduced a resolution which provides that 90 days after the resolution becomes law it shall be unlawful for any U.S. military or Government civilian personnel to engage in any belligerent activity, or order any to be done in Southeast Asia except to defend themselves in case of attack.

The purpose of this legislation is to bring to an end U.S. belligerent involvement in Southeast Asia.

Recent history has shown that unless we enact this resolution, we should possibly, and even probably, expect an ever-growing war activity there on the part of the United States, including loss of prisoners of war and missing in action.

There is no constitutional grounds for the war actions of the United States that are now taking place in Southeast Asia. Congress alone has the power to declare a war, and there is no declared war in Southeast Asia now that the Bay of Tonkin resolution has been repealed.

I am deeply concerned that our country continues U.S. war activity in Southeast Asia when there is no congressional foundation for that activity. This is a serious erosion upon the constitutional provisions which give Congress the sole authority to declare war. The present course of the administration involves America in a very dangerous situation.

And this is being done without the country having the debate and congressional action which should always precede any war activity on the part of our Nation. The legislation I have introduced reads as follows:

H.R. 725

A bill to prohibit certain belligerent activities by United States personnel in Southeast Asia

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall be unlawful for any military or civilian personnel of the United States to engage in any military or paramilitary belligerent activity in Southeast Asia, or to cause any other military or civilian personnel of the United States to engage in any such activity, except to defend themselves in case of attack.

SEC. 2. The provisions of the first section of this Act shall take effect on the ninetieth day after the date of its enactment but shall not apply with respect to any activity specifically authorized by an Act of Congress enacted on or after such date of enactment.

A WORLD IN REVOLUTION AND A REAPPRAISAL OF THE SPANISH CIVIL WAR

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

Mr. PRICE of Illinois. Mr. Speaker, I would like to include in the Pan American Day Record two book reviews. One was featured in the Fordham University quarterly, Thought, spring 1973; and the other in America, a national weekly published by the Jesuits of the United States and Canada.

The first of these reviews was written by one of my friends, the Reverend Dr. Joseph F. Thorning, an associate editor of World Affairs, Washington, D.C., and the second by Dr. José M. Sánchez, chairman of the history department at St. Louis University, Missouri. Unless I am mistaken, the two pieces by recognized scholars throw considerable light upon recent history.

The reviews read as follows:

THE FORDHAM UNIVERSITY QUARTERLY, THOUGHT, SPRING 1973

(A World Revolution. A Newspaper Man's Memoir. By Herbert L. Matthews. New York: Charles Scribner's Sons, 1971. Pp. 462, $12.50.)

Although Herbert L. Matthews retired from *The New York Times* in 1967, he remains an interesting and controversial figure. One reason for continued interest and debate is the fact that Matthews helped to shape several State Department policies whose effects may endure for generations. His name, his dispatches, his books, including the one under review, are already quoted in surveys of foreign affairs. Nor are they apt to be overlooked by future historians. If the peoples of the planet are in a revolutionary mood, Matthews can claim some degree of responsibility for the process.

Assignments from *The Times,* starting in New York (1922), covered a wide field: France (1931–35); Abyssinia (1935–36); Spain (1936–39); Italy (1939–42); India (1943); England (1945–49); Latin America and, again, New York. Matthews and his family now reside in Australia.

The author is bitter about the treatment some of his pieces received during the Spanish Civil War. He not only harbors resentment toward critics who wrote letters to the editor, but also excoriates such widely respected newspapermen in their day as Neil MacNeill and Raymond McCaw, whose news judgment killed some of the stories he filed from Madrid, Valencia and Barcelona. Matthews, however, neglects to recall his own admitted failures to check his sources. Nothing is chronicled, for example, about the apology he was obliged to make to the widow of General José Moscardó for an attempt to deny the historicity of the Spanish officer's heroic refusal to surrender the Alcázar, Toledo, in return for the life of his son. Numerous university scholars, including Hugh Thomas, Manuel Aznar and Cecil Eby, researched and related the truth about this important historical episode.

On the other hand, the Timesman rightfully can contend that, thanks to his initiative and resourcefulness, Fidel Castro was proved to be alive and active in the mountains of eastern Cuba when spokesmen for Fulgencio Batista in Havana were trumpeting "news" (1957) of the rebel's death and the defeat of his movement. Otherwise, Castro, his brother, Raúl, and "Che" Guevara, as Matthews points out, might have remained unnoticed, unpublicized and "withered on the vine."

In his chapter on Cuba, with the benefit of hindsight, the writer does make acknowledgments about Fidel that were not prominent in his *Times* evaluation of the "Maximum Leader." Matthews now discovers that "Castro's performances in the social, economic and political fields ranged from admirable to awful" (p. 293). This admission may be grounds for Fidel's complaint, recorded by Matthews, that "this old man treats me as if he were my father."

Matthews now believes that "power has corrupted" Castro, but "in a very human way." The docility displayed to the leader by his entourage renders him "temperamentally incapable" of sharing absolute control.

It is the impression of other observers, however, that overriding authority currently resides in the hands of Soviet overlords. The ultimate surrender, it is suggested, took place when Castro voiced approval of the military occupation of Czechoslovakia. His submission, in contrast to the attitude shown by Italian, French and British Marxists, was total. Indeed, it should be obvious that Fidel has less room for maneuver than a onetime Spanish viceroy or a U.S. "proconsul" in the days of North American influence.

The former Timesman, it is fascinating to note, has warm praise for Celia Sánchez, "the faithful and charming companion since *Sierra Maestra* days, with a shrewd mind and tough core behind her gentle manners." But Matthews hardly mentions Fidel's other women friends of many nationalities, colors, sizes and shapes.

A World in Revolution has been described by Matthews' onetime colleagues on *The Times* as a "sad book." One reason for their view is the author's catalogue of complaints, grievances and long-winded disputes with the publisher, Mr. Arthur ("Punch") Ochs Sulzberger, and various Managing Editors, including Turner Catledge and Clifton Daniel. Lester Markel, the then Editor of the Sunday Magazine, was another *Times* personality who refused to print Matthews' later pieces about Cuba.

The debate was settled when publisher and news executives concluded, unanimously, that Matthews was making their newspaper "a laughing-stock of the journalistic world," adding that "it would be over their dead bodies" that the veteran correspondent ever again would be permitted the role of a reporter for *The New York Times.* It is to their credit that they kept their word. Matthews' byline on a news story appeared for the last time on July 16, 1961. It was a typical HLM appraisal of the Castro revolution as a beneficent event, free of Soviet domination.

Nevertheless, for six years (1961–67), Matthews remained in *The Times* organization as a member of the Editorial Board. Until his retirement, his views about Cuba, Spain, Latin America and other parts of the globe were expressed, freely, in numerous editorials, some of them signed. Is it not an exaggeration, therefore, for the author to charge (p. 338) that he was "muzzled"?

In the light of this record, a major question remains unanswered: "Can . a bad reporter become a good editor?"

HALF OF SPAIN DIED: A REAPPRAISAL OF THE SPANISH CIVIL WAR

(By Herbert L. Matthews)

One hardly knows where to begin on this incredibly bad book. Were it not for the fact that the author's name and reputation will attract the reading public, it would be kinder to ascribe the errors of fact and interpretation to the author's dotage and forget that he ever wrote it.

Herbert Matthews was the New York *Times* correspondent in Republican Spain during the Civil War. He was ardently pro-Republican then and remains so in this book. His sympathies cannot be quibbled with, but when he labels this work a "reappraisal" and states that he is "one of the nine or ten of the professional . . . historians who have written about the war," then one certainly expects more than a rehashing of all the old prejudices. He claims to have read all of the standard works on the war written since 1939 and to have included them in his book. In fact, he has relied heavily on Thomas, Jackson, Brenan and Payne (all of them sound historians), but he has quoted them out of context; in addition, he has benefited from other authors whom he does not cite. Statistical and chronological errors abound.

Matthews, his proofreader and his publisher are fearless. In a background chapter he makes the startling assertion that Philip II was an isolationist (I wonder what the Portuguese, French, Dutch and English would have thought). The chapter on the Church resurrects all of the hoary myths that have long been laid to rest: thus, the Jesuits are seen as controlling one-third of the wealth of pre-1931 Spain (would the Republicans have found it so easy to dissolve a Society with so much economic power?). The slaughter of over 7,000 clergy by the Republicans is mentioned, but the murder of 16 Basque priests by Nationalists is stressed over and over. The Republican terror is always referred to as being short-lived and in the "heat of passion," while the Nationalist terror is "cold-blooded." "There were no known Spanish martyrs," Matthews says about the Spanish clergy. If only Rome had the good news, it would save them the trouble of going through the thousands of causes for beatification pending in the Sacred Congregation of Rites.

I could go on and on. There are chapters on American nonintervention, the International Brigades and the Franco regime that are all equally fallacious. The Spanish Civil War certainly needs a popular reappraisal, but this book is an inept hatchet job.

GEORGE BURROUGHS—A DISTINGUISHED ATTORNEY

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

Mr. PRICE of Illinois. Mr. Speaker, a most remarkable man, George D. Burroughs, of Edwardsville, Ill., celebrated his 100th birthday April 12. Achieving this age is a unique feat in itself. What is more remarkable is that George Burroughs is an active practicing attorney who can be found in his office every work day at 8 a.m.

It has been my privilege to know George Burroughs for a long time. He is living testament to the idea that our

senior citizens make valuable contributions to our society.

At this point, I would like to include a recent article from the Edwardsville Intelligencer about this distinguished man:

BURROUGHS RECALLS 100 YEARS OF LIFE

(By Don Frost)

Edwardsville attorney George D. Burroughs will be 100 years old Thursday.

He has practiced law in Edwardsville since 1894. He was in practice with his brother, the late William G. Burroughs, after their graduation from Baltimore Law School.

Burroughs later became a partner in the law firm of Warnock, Williamson and Burroughs, which later became the existing firm of Burroughs, Simpson and Wilson. The veteran attorney can be found every work day at 8 a.m. at the firm's office in downtown Edwardsville. He moves rather slowly these days, but he still has a firm, friendly handshake.

Burroughs is the last surviving member of a family of seven children. He was born and raised in Maryland.

"My father was very apprehensive about me coming here to practice law," Burroughs recalls. "He thought I would start drinking and go to the dogs.

"But I got here and made a lot of money, and he was happy with my success."

Burroughs said that he amassed a lot of property over the years, but he gave most of it away.

Burroughs once gave a sizable amount of money to several secretaries in the Madison County Courthouse.

Recalling the incident, Burroughs simply said, "Those girls were always nice to me, and I knew they didn't make much money, so, I wanted to give them something for a rainy day."

His nephew, Gordon Burroughs said the elder Burroughs used to be quite a gardener, but he has given that up.

"In fact, he gave a good chunk of his yard to the school district," the nephew said.

Burroughs said that he was regarded mostly as a corporation lawyer.

Burroughs' greatest contribution to the Bar is his "hard work and faithful service," his nephew said.

In 1969, the Illinois Bar Association made Burroughs a Senior Counselor, Magna Cum Laude, for 75 years of law practice. That number has now reached 79 years.

Burroughs admits, "I don't do much trial work anymore."

The firm has offices on the fifth floor of the Old Bank of Edwardsville building on the corner of Purcell and Main Streets. The elevator occasionally breaks down, but Burroughs doesn't.

"He comes right on up the stairs," Gordon Burroughs said, "and it takes a damn good man to keep up with him."

In addition to being a practicing lawyer, Burroughs served on the Board of Governors of the Illinois Bar Association for many years.

Burroughs spends much of his time in his fifth floor office, reading works of literature and the Bible.

"I read the Bible a lot," Burroughs said. "It's a pretty good book. I recommend it."

Burroughs said he has experienced and seen many things during his century on earth.

The most pleasant experience he recalls is a trip to Europe with a fellow attorney, he said.

"April 12, I'll be 100 years old," he said. "That's a good long time to live and still have your faculties. That's quite a privilege."

George D. Burroughs remembers the past, but he also has some thoughts about the present.

"I think we live in a pretty wonderful age," he said. "There are many opportunities in life, but some people just don't seem to want to take advantage of them."

Burroughs will be honored Thursday at a reception in the Sunset Hills Country Club, given by his daughter and son-in-law, Mr. and Mrs. Robert Saner of Springfield, and his grandchildren, Judith Saner of New York City and Robert Saner II of Washington, D.C.

Also joining him in celebrating his 100th birthday will be his niece, Mrs. William Southwick, and two nephews, Gordon Burroughs and Raymond Burroughs.

THE EFFORTS OF CONGRESSMAN GUDE

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

Mr. MITCHELL of Maryland. Mr. Speaker, as phase II ended, Americans were greeted with the unwelcome news that the wholesale price index and the retail price index were rising faster than at any time in our Nation's history. I received numerous letters and telephone calls from my constituents cataloging the disastrous effect these price increases were having on the family budget.

When the Banking and Currency Committee, of which I am a member, began its hearings on the economic stabilization program, I was pleased to see my colleague from Maryland (Mr. GUDE) as our first witness. His comprehensive testimony clearly spotlighted the nature of the problem facing consumers and pointed toward viable solutions.

Mr. GUDE has for over a year been in the forefront of efforts to calm the seas of inflation. The leadership role my colleague assumed through legislation he sponsored and statements made on the floor of the House has been crucial to the efforts of those of us who have sought answers to this complex question.

When the House considered legislation which would amend the Economic Stabilization Act to provide greater control over prices, Mr. GUDE again sought to persuade the House to adopt the strongest practical bill. His empathy for consumers confronted by soaring prices is a beacon of light to all concerned Americans.

INTERNATIONAL BUSINESS STUDENTS

(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, as you know, I am very proud that we have in the Miami area one of the outstanding institutions of higher learning which is in tune with the current emphasis upon international business and economic development.

The University of Miami, through its school of business administration, has sought to expand the horizons of its students by including them in international trade missions of Florida businessmen to various countries in this hemisphere. It is appropriate, I believe, to note on Pan American Day, the program for these students this year.

Several University of Miami business students will be members of international trade missions to Panama and Venezuela this spring and summer in cooperation with International Center, headquartered in Coral Gables, Fla.

Last November, four UM students accompanied 25 Florida businessmen to Jamaica where exhibits and sales of their products were held.

Dr. John M. Dyer, professor of marketing and coordinator of inter-American business at the UM School of Business Administration, has called the trips "invaluable firsthand experiences for our students of international business."

The students man exhibition booths, act as observers, and report back to fellow students what they learned of commercial operations in other nations.

Participation in international trade missions is only one aspect of business education offered. As Professor Dyer said recently:

The University of Miami is a private, independent, international university located in one of the fastest growing sections of the country. The area provides a fertile international business environment. To meet the manpower needs of international business, the School of Business Administration has a well-developed program of international courses, organizations, conferences, and access to the multinational companies and the international business community. All of these attributes are coupled with the cross-disciplinary resources within the University's School of Law and Center for Advanced International Studies.

Under the international business curricula are courses in international relations, inter-American programs, international marketing, foreign policy, international finance, foreign languages, plus graduate programs, executive and professional development programs, including a certificate program in international business to begin in September 1973.

The school cooperates with the International Association of Students in Economics and Management—AISEC—which allows students opportunities to spend their summers working in other countries, and encourages honors such as the Thomas E. Flynn & Co., and Seaway Lines, Inc., travel awards for distinguished students in international business.

CRIME COMMITTEE'S STREET CRIME HEARINGS ENCOURAGING

(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, I am encouraged by hearings currently underway by the Select Committee on Crime that we can do more to curb crime in the United States. These hearings have revealed that a relatively few people commit most of the violent and serious crimes, many of them who start their criminal careers in their teens. To reduce crime further, the police departments must have more money for more personnel, better trained personnel, and more research programs into the causes of crime and the character of those who commit crime.

But it is very clear that the police cannot do an effective job curbing crime without the cooperation of the prosecuting attorneys, courts—trial and appellate—and the correctional system.

The beginning of the pipeline for the commission of crime is in the teenaged groups, and new and innovative procedures must be employed in dealing with juvenile crime.

During the week of April 9–13 we heard about the New York Police Department's citywide anticrime unit which has significantly reduced robbery, assault, and other street-level crimes on the streets of New York City. During that week we also learned that the New Orleans Police Department has initiated new training and planning programs to prevent a repetition of the tragic Howard Johnson's motel incident which took the lives, earlier this year, of so many innocent citizens and policemen in that city. The New York Police Department also described in great detail its high level of planning and training to prepare that department for the handling of hostage and sniper incidents.

We heard of most successful programs operated by the Indianapolis Police Department to encourage citizen cooperation with police programs. Citizens in that city frequently ride in patrol cars and engage in crime alert operations. We also learned that at a saving of $3 million the city has established a policy of enabling patrolmen to use their patrol cars as family vehicles.

We learned from the Police Department of Cincinnati of a new kind of police programs which reinvolves police with close contacts with local neighborhoods. We learned that Chicago, Ill., has maintained a very successful police-community service aid program designed to employ young people in the Chicago ghetto area and to use those people to reduce crime and increase police-community relations.

The Washington, D.C. Police Department described the success it has achieved through the use of increased police manpower. The Detroit, Mich., Police Department described at length its STRESS program, which places policemen in civilian clothes throughout the city to, in effect, create invisible police charged with the responsibility of intervening in street crimes and aprehending street criminals.

The St. Louis Police Department described its most interesting program to provide additional mobile crime laboratories enabling that department to now use skilled evidence technicians at the scene of 35 percent of serious crimes—a rate far in excess of the national average. That same department also described its commendable program to provide concentrated counseling to hard-core delinquents. This counseling program to date has achieved remarkable success in reducing the recidivism rate of young people who have participated in counseling sessions.

The Dallas Police Department described its thorough and professional "Study of Repeat Offenders"—a study which corroborates the fact that 63 percent of serious offenders are recidivists. The Dallas department also described its imaginative program of utilizing in-house attorneys on a large scale to provide street-level legal advice to police officers.

The Miami Police Department forwarded to us a statement indicating its very considerable success in reducing crime in certain areas of that city by implementing new street-lighting policies.

Finally, the Kansas City Police Department described its heavy commitment to research and analysis and its equally heavy commitment to the development of new techniques for police patrol. This department is now engaged in studies of homicide, aggravated assault, and family disturbance calls which can redesign the theories of appropriate police response to these kinds of crimes. This department is also in the process of equipping all its vehicles with computer terminals which will soon be able to provide a formidable array of vital information to street-level patrolmen.

These and other unique programs were described to the committee. We have learned much; we have heard an impressive array of policemen who have indicated that in their judgment an overriding proportion of crime is committed by the young; that all too frequently police effectiveness is hampered by the subsequent dismissal of criminal charges in the offices of prosecutors and in courts; that all too frequently offenders are released on bail and commit additional offenses; that correctional sentences do not correct and do not rehabilitate.

We also learned that in making these comments police administrators were not simply passing the blame to other agencies. Those administrators, officers, and patrolmen who testified were most candid in pointing up their own shortcomings.

Above all, we learned during the course of these hearings that police departments are making honest and effective efforts to reduce crime, and especially to reduce those violent crimes which prey upon so many of our citizens, and that those administrators and agencies need additional Federal support and need the encouragement and support of their citizens.

From April 14 to through April 19 we heard testimony on "Crime in the Streets—The Reduction of Juvenile and Adult Recidivism Through New Correctional Approaches." During this week new kinds of correctional programs and better ways of dealing with juveniles who are involved in serious delinquency and serious crime were described. The reduction of juvenile crime and delinquency offers the best hope for the eventual reduction of all crime in the United States.

As a priority matter, we must devote massive and sustained attention to those individuals who early in their lives demonstrated a propensity for committing anti-social and criminal acts. We have learned long ago that the correctional systems in this Nation are ineffective when they are asked to "correct" a criminal who has already reached the midpoint in his criminal career.

We must, therefore, strengthen our resolve to bring to bear as many financial and personnel resources as necessary to attack criminality before it becomes an established life style. The many professional specialists who testified, describe in detail new approaches and new ideas in rehabilitating young delinquents. We are convinced that a sound way to deal with crime is to utilize our considerable correctional and social service resources when our young men and women first indicate that they are potential delinquents.

Finally, from May 1 through May 4, our hearings will concentrate on prosecution and court programs which offer the means to expedite criminal cases in our courts. These hearings then will cover the entire criminal justice process: They are practical hearings in that they are designed to demonstrate that many police, court, and correctional agencies are attempting to improve the administration of justice, thereby making our streets safer for all Americans.

GENE AUSTIN

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

Mr. BURLESON of Texas. Mr. Speaker, Gene Austin the great composer and singer of American folk songs, was born in Gainesville, Tex. in 1900 and spent the first years of his life in that typical Texas town.

It has been a year since he died, but his songs live on and will live so long as people have music in their hearts. There are songs he wrote, music he composed, and other songs that he sang and made popular. For the young people who on the spur of the moment have trouble in placing Gene Austin, it might be in order to mention that one of his recordings, "My Blue Heaven" sold over 7 million records in 1927. Songs he composed are many, and include such popular ones as "That Old Gang of Mine," "The Lonesome Road," "When My Sugar Walks Down the Street," and on and on. He popularized and made famous "Sleepy Time Gal," "Yes, Sir, That's My Baby," "My Melancholy Baby," and more and more. He was endowed with talent such as come to few men, and he tended it well. He left a legacy of clean, wholesome, and beautiful music. He was a great American.

THE HONORABLE BOB SIKES ADDRESSES THE NATIONAL RIFLE ASSOCIATION

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

Mr. ROBERTS. Mr. Speaker, my good friend and colleague from Florida, the Honorable BOB SIKES, delivered a speech before the National Rifle Association, which carefully examines the issues concerning individual gun ownership. I offer his statement for the consideration of my colleagues. Congressman SIKES has a perspective which is too often overlooked or ignored, and this is unfortunate. He speaks to the issues and he makes sense. I hope his advice and recommendations will be heeded.

His remarks follow:

SPEECH BY CONGRESSMAN BOB SIKES TO THE NATIONAL RIFLE ASSOCIATION, MARCH 31, 1973

The title for today's general session is "Gun Laws—Here and Abroad", and the comment

in your program refers to "speakers who will examine in detail the present and pending firearm controls in the United States and England and how they affect you, the firearm owner.

There are many ways in which this subject can be approached. Not long ago, after the murder of the Governor of Bermuda and his bodyguard, officials there ordered the confiscation for ballistics tests of 800 registered handguns owned by Bermuda residents. Bermuda has laws which permit this. The Governor also offered amnesty to owners of unregistered handguns who turned them in.

It is significant that the assassins have not been found. They haven't turned in their weapons. The laws against ownership of weapons by law-abiding criminals don't reach criminals.

In Britain there was within one year a marked increase in crime. The Criminal Court judges began cracking down. They imposed stiff jail terms even to first-offenders and crime dropped off by 75% in some districts. There was one British judge who said, "Sometimes it is said that sending young men to prison does no good—but it can do the public a lot of good."

Stiff sentences will reduce the incidents of crime in America. The problem is to get soft judges and prosecutors to think about the rights of the victims instead of the rights of the criminals. Even the President has felt it necessary to refer to the problem of soft judges.

Great Britain since 1920 has been very tough on private ownership of weapons. But the crime rate continued to go up until the judges started passing out stiff sentences. In Northern Ireland, where private ownership of firearms is strictly prohibited, revolutionists are well supplied. Those aren't marshmallows they are using to kill each other. Blanket restrictions on the ownership and use of firearms discriminates against honest citizens. They aid the criminal by disarming his victim.

The crime situation in the United States shocks the world. Our people are frightened. They are reluctant to go out after dark. They live behind barred windows and doors that are double- and triple-locked. Other nations won't put up with this situation. It is time we stopped putting up with it.

Crime control is not my subject today, but it is a very important part of the discussion of gun laws. The National Rifle Association has opposed oppressive anti-gun laws. It has indicated support for reasonable legislation which has the objective of getting the so-called "Saturday-night specials" off the streets. These cheap little handguns are available to just about everybody who wants one, particularly in Washington, which has some of the most restrictive anti-gun laws in the country.

Now this would seem to be a very reasonable approach for an organization of sportsmen and outdoor lovers and conservationists, and NRA and similar groups want the right to state their case in Congress. Nevertheless, a bill has been introduced by none other than Senator Ted Kennedy which would restrict, I quote, "gun lobbying activity." Mr. Kennedy, who defends most of the leftist groups in this country and who also is critical of the Federal Bureau of Investigation apparently doesn't want our side to be able to state our case in the Halls of Congress. He would be the first to object if any of his liberal friends were hampered in free expression—even when they speak against our country.

NRA also is a favorite target of the Washington Post—also known as the uptown edition of the Daily Worker. A constant advocate of leftist doctrine, it consistently brands NRA as a gun lobby and depicts us as the handmaidens of gangsters.

So you bear the name lobbyist. You are the target of those who want anti-gun legislation passed. Now let me urge that you live up to the name; that you do really effective lobbying. You have a good cause. Speak up for it. The key to successful lobbying is contacts from the grass-roots level. Members of NRA in the cities and towns of our Nation and others who feel as you do on the subject of anti-gun legislation should contact your Senators and Congressmen not once, but repeatedly. Let them know how the homefolks feel.

You see, in Washington we are exposed day after day to massive doses of anti-gun propaganda. We need to hear from the other side. When a Congressman or Senator hears from the people back home, this impresses him more than what he reads in the Washington Post. This work needs to be supplemented by a vigorous, well organized strike force which operates constantly on Capitol Hill.

John Dingell, one of the great champions of conservation and sound firearms legislation, also has some thoughts on lobbying which he will impart to you. Listen to him. He knows whereof he speaks.

Above all, let's attempt to be fully practical in our objectives as individuals and as an organization. Don't spin your wheels on impossible objectives. Most of us want the 1968 gun law repealed. It is a nuisance. I think it does as much harm as good. But it isn't going to be repealed in the foreseeable future. Since 1968 it has not been possible to get a repeal measure reported either in the House or in the Senate. It isn't possible now. Don't waste your time. What you can do is pick the most objectionable things about the 1968 law and concentrate on repealing these. For instance, the reporting requirements on .22-caliber ammunition.

Let me caution—there is much more likelihood that additional anti-gun legislation will be passed than there is of repealing what already is on the statute books. Our fight has not been won. We can lose it. I don't think we will. But we haven't a prayer of stopping an anti-gun bill in the Senate. The sentiment of the House has not been tested, and it is in the House where we may have to undo the damage which can be done by a heavy liberal majority in the Senate. Fortunately, this Administration is not pressing for restrictive anti-gun legislation.

I like to see a constructive approach—education in gun safety; stress on sound marksmanship programs—it was NRA that kept McNamara's crowd from killing the National Board For the Promotion of Rifle Practice, something very important in marksmanship; National Hunting and Fishing Day; and always the fight against crime. It would cost $3 billion to administer a gun registration and licensing law. Let's show how effectively that amount or money could be used in the fight against crime. We must help to insure an awakening across the land to the truth that it isn't guns that are responsible for crime. It is the criminals who use guns or bottles or knives or brickbats.

Let's not discount the fact that the forces mounted against us are formidable and they enjoy the support of influential individuals and organizations both in Washington and throughout the country. You can be certain that a combination or honest liberals and Communist-loving leftists which enjoy the support of a large segment of the press are going to hammer at you from every side. That you will be swamped with a tidal wave of half-truths, innuendos, outright falsehoods, and emotional poppycock about the evils of gun ownership.

Let me give you just one example of the type of emotional appeal which is being used in the effort to enact repressive anti-gun legislation.

Earlier this month, on March 17th, there appeared in the Washington Star-News an article which carried the headline, "Saturday-Night Specials Must Go." This was a syndicated column with broad circulation. In it, the writer tells of a mass murder in Santa Cruz, California, where a man killed 9 or 10 people with a gun.

No question—the crime is terrible. Nine or ten people dying by violence of any sort is ghastly. The writer devoted 10 lines to saying the suspect was a known drug addict. The remainder of the 2-column story is an argument for gun registration and national firearms legislation, not crime control. There is no suggestion that this man should have been in custody as a drug addict; nor does the writer go into detail on how a man with a known record of drug addiction passed the state and local clearance required in California before he could purchase a gun.

The writer does mention the fact that Santa Cruz became what he calls an armed camp and that grandmothers and young girls are "packing guns and revolvers." The writer shows no concern that lack of police protection against criminals is responsible for the fact that grandmothers and young girls want a weapon; nor does he say that they are going around shooting people. Presumably, millions of people who have read this account may assume that it was shortcomings in the law which made it possible for the man to get a gun and commit crime with it. It was not a lack of laws which brought about the crime.

When Senator John Stennis was shot on the sidewalk in front of his home—and we can thank the good Lord above that he has been spared to carry on his very important work in the Senate—the cry went up for stricter gun controls. Not a word was said about the laws already on the statute books against guns and against crime in Washington—laws which are ineffectively enforced. If the men guilty of attacking Senator Stennis had beaten him half to death with a length of lead pipe, how many of the anti-gun advocates would be calling for the registration of lead pipe?

The proponents of anti-gun legislation will take advantage of any such incident to push their viewpoint. They do not raise their voices against setting criminals free to prowl the streets. They don't call for prompt justice. They want to take guns away from the victims of crime. Some of them are rabid on the subject.

What, then, can you and I do about this situation? How can we use cold, hard logic to substantiate our position? We need not expect the liberal press to report the facts without coloration. You will not get an even break there.

We can, by personal effort and initiative, help to destroy the myth that guns make criminals and that no guns means no crime, but we must tell our story over and over in the places where it counts. We can do this as individuals and as an organization.

We can bring our influence to bear on the election or selection of men and women who will engage in the prosecution and sentencing of those who commit crimes. No deals and no copouts. Arrest them, try them, and sentence them. No more, and no less.

We can carry the war to the enemy—the enemy is crime and criminals.

There have been some very good illustrations in the recent past of effective work by members of this organization. Your presence has been felt at the polls and better representation in the Halls of Congress and in other public offices has resulted.

There also is better understanding of the true facts on gun controls on the part of the lawmakers. Last year there was intense pressure to bring the Bayh Bill, which was just another bad anti-gun bill, to the floor of the House. It had passed the Senate. The same people who brought the 1968 Gun Control Act to Congress were still here and they worked day and night for the Bayh Bill. They were unable to get it out of committee. This tells a very significant story. Education and personal contact with the Members of Congress made the difference. NRA spearheaded

this effort. NRA's leadership was the key to victory.

There is much more to this story than the preservation of the rights of law-abiding citizens to own weapons without undue restriction. This right has been a part of the pattern of individual freedoms which made America the great land that it is. Now there are now forces abroad in our country. They seek to type America into new patterns. They want to tear down the old institutions, to destroy the great traditions. They want even the right to violate the law in their own cause. The result has been permissiveness, confusion, and indifference on the part of the public.

The work of these new forces has been reflected in part in U.S. Supreme Court rulings. They have been demonstrated time and again in court proceedings whereby the criminal got a better break than his victim. Demonstrated in the protests, the marches, the flag-burnings. Demonstrated in the way that it was made to appear time and again that America was guilty of atrocities in Vietnam when few of the actual atrocities of the enemy against innocent South Vietnamese ever were portrayed.

That is the kind of battle you face. You are not fighting just to own weapons. You are fighting for America—the kind of America in which we grew up and which we love for its greatness and its opportunity.

You in this organization are part of an essential breed of Americans who seek to insure the preservation and protection of the institutions which make America the great land that it is.

Ours is a large organization. You take comfort in that fact and you gain a feeling of security in its traditions and its work. Perhaps it hasn't occurred to you that the effectiveness of this organization starts with you as an individual. It is easy to have the feeling that there isn't much that one man can do, but that the organization can do much. That is where you are wrong. The organization is better and more effective if you are active. That is when it really is able to flex its muscles.

This is the start of a new age. Peace is finally here. America's longest war has officially ended. We are out of Vietnam. Our POW's have, at long last, come home, ending one of the most tragic chapters in United States history. We can be everlastingly proud and grateful for the things they have said, for the way they came back believing in and standing up for this America of ours.

Many Americans died in Indochina. Others will always bear the scars of war. Family disruptions and the readjustment of returning veterans have been a major factor. It is time to give thanks to the Almighty that, hopefully, all of this is in the past. There is much to be done at home. There are adjustments to be made here, too—very important ones. But we can now concentrate more on our own problems and tomorrow can be a brighter day for America. And in my book, none of this includes reparation payments to Hanoi or amnesty for draftdodgers.

I hope this is the start of a new age in other ways. The President's Inaugural Address carried a hopeful message to the nation. It contained much that America needed to hear. I am impressed by his frankness in stating that government has too long attempted to gather all power in Washington. This is the inevitable result of more and bigger government programs and less and less individual responsibility. The President said we must take less from the people so they can do more for themselves. This, I hope, means that we take less of their individual initiative as well as less taxes. It could represent a complete turnabout from present paternalistic trends in government. How and when it is to be accomplished will depend in large measure on strong leadership from the President with cooperation from the Congress. Now they are sparring—not cooperating. They must find a way to a better understanding. These things are essential for a solvent America.

Perhaps now, more than ever, a commitment of the American people to historic ideals is needed. Perhaps now, more than ever, you and I can help to preserve those ideals.

Last November we celebrated Thanksgiving Day. Let's make every day a Thanksgiving Day for the blessing that this nation and that we as individuals have enjoyed; and let's give thanks to the voices of reason that rise above the din and the noisy clamor of the mob. Let's give thanks for the fact that we do cling to the teaching of our fathers, particularly to the Constitution that must guide the nation as we seek to solve problems at home and abroad through the process of reason, and to the God above who gave our nation the strength, the courage and the beliefs on which we have built.

All of this is a part of your responsibility as an individual. It represents the need for personal involvement by you. The whole fight—for America—can be lost by default if enough of us say, "Let Joe do it."

So above all, let's be about our work. We pass this way but once and time is running for each of us—for you—for me. America needs our help now.

A CASE STUDY OF PENTAGON OBFUSCATION—DOD MANPOWER COSTS

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

Mr. GRAY. Mr. Speaker, one of the main reasons the Pentagon gives for an increasing defense budget is high manpower costs. Manpower assumes 56 percent of the fiscal year 1974 defense budget, or $43.9 billion of the total $79 billion in outlays.[1]

Yet the Pentagon is never quite clear about what constitutes that high figure. In reality, while a large proportion of the $43.9 billion goes for men and women in the Armed Forces, another large part is spent on civilian bureaucrats.

It is estimated that by June 30, 1973, there will be 1,012,000 DOD full-time permanent civilians. The Pentagon sees no further decrease in fiscal year 1974; in fact, it projects a slight net increase.[2] While 1,012,000 civilians represent a substantial decline from the Vietnam high-point, there is much room for further reductions of DOD bureaucrats.

EVEN NIXON AGREES

Even President Nixon agrees that the number of DOD civilians can be reduced. In his November 9, 1972, interview with the Washington Star-News, Nixon was very clear on the subject:

When I speak of Defense, in terms of the hardware of Defense, in terms of the military personnel in Defense, the cuts that can be made certainly are minimal, except when we get mutual agreement with other countries. But in terms of the masses of civilian employees who are getting in the way of each other over in the Pentagon and around the country, they are going to have to take a thinning down.

But the Pentagon has no such thinning-down plans for fiscal year 1974. The overall level of DOD civilians will remain the same despite a reduction of more than 30,000 civilians, because their places will be taken by 31,000 soldiers becoming civilians.[3]

CONFUSION OVER MANPOWER COSTS

When the Pentagon discusses the high manpower costs consuming 56 percent of its budget, it leaves the inaccurate impression that this money goes to pay the poor grunt and decent wage, and not to pay bureaucrats. This implies that manpower costs cannot be cut without cutting the number of men in uniform.

The resulting confusion of politicians is understandable. Note the statement of Senate Majority Whip ROBERT C. BYRD of West Virginia, on the Senate floor February 22, 1973, while defending the high military budget:

What I am saying is that 56 percent of this budget is to pay people, and yet we are going to have a lower overall manpower level—2.2 million—than we have had at any time since before the Korean war.[4]

However, that 56 percent figure, as previously noted, includes those 2.2 million military personnel plus another million civilians—and other categories.

Or follow a subsequent dialog that same day between Mr. ROBERT C. BYRD and Senate Appropriations Committee Chairman JOHN MCCLELLAN of Arkansas, on manpower costs:

Mr. ROBERT C. BYRD. Yes. And the military pay increases and increases in military retirement result from laws which we ourselves have passed.

Mr. MCCLELLAN. Yes. There was a substantial increase in legislation Congress passed last year, and it was a deserved increase in my judgment. Now we have to make additional appropriations for it. This necessarily increases the cost of Government.

Mr. ROBERT C. BYRD. Yes. And the only way to cut that is to cut down the manpower level which has already been cut to 2.2 million in the 1974 budget.

Mr. MCCLELLAN. Whether that can be further reduced is a matter of opinion. I am not prepared to say, but as long as we have the present level of forces, it takes this amount, 56 percent, of the total budget to meet this cost.

Mr. ROBERT C. BYRD. To pay people.

Mr. MCCLELLAN. To pay the people; to pay servicemen.[5]

WHAT THE 56-PERCENT FIGURE INCLUDES

Actually, Mr. ROBERT C. BYRD and Mr. MCCLELLAN are mistaken. The tremendous manpower costs can be cut without touching the 2.2 million men in uniform—although that amount would appear to be ripe for cutbacks as well. It can be cut by slicing away the fat among the civilians.

In reality, of the $43.9 billion slated for fiscal year 1974 manpower outlays, $13.5 billion will be paid for DOD civilians. In other words, more than $1,000,000,000 a month will be paid to these civilians. And when the Pentagon uses its 56 percent manpower cost figure, it is including 17 percent of the entire defense budget for civilians.

The following is a chart which breaks manpower costs into various components:

ESTIMATED DOD MANPOWER OUTLAYS FOR FISCAL YEAR 1974

[Dollar amounts in thousands]

Category	Fiscal year 1974 outlay	Percent of DOD outlays
Civilian personnel payroll	$13,512,344	17
Military personnel payroll	24,384,300	31
Retired pay	5,271,900	7
Family housing	763,216	1
Total estimated manpower outlays	43,931,760	56

DOD IN COMPARISON WITH OTHER AGENCIES

The Department of Defense employs many more civilians than any other Federal agency. As of January 1973, DOD employed 1,080,782 full-time and part-time civilians. The next largest is the quasi-Federal Postal Service, which employed 677,746 civilians in January. Next came the Veterans' Administration with 193,072, HEW with 118,950, Treasury with 111,615 and Agriculture with 109,200. No other Federal department or agency employed more than 100,000 civilians.[7]

As these figures show, the Pentagon dominates the civilian bureaucracy in the U.S. Government. Even HEW, with its supposedly swollen bureaucracy, has about one-tenth as many civilians in its employ as does DOD.

Of its million plus civilians in January 1973, the DOD employed 978,838 inside the United States and 101,994 abroad. Thus the Pentagon employs almost two-thirds of the 158,429 U.S. Federal personnel working in other countries.[8] And this figure does not include more than 100,000 foreign nationals working for DOD under contract or under agreement with a foreign power in support of U.S. Military Forces.

As for congressional oversight of the Pentagon's activities, the legislative branch employed 32,787 people in January 1973 to monitor the activities of the million DOD civilians and the 2.2 military, in addition to Congress other legislative, investigative and oversight functions.[9] A total of 55 staff members work for the Senate and House Armed Services Committees. It is little wonder that Congress performs so little oversight of the DOD.

A PROPOSAL TO REDUCE THE CIVILIAN PERSONNEL LEVEL

While DOD civilian personnel have been cut from their Vietnam war high, this group has avoided its fair share of cuts in the Pentagon pruning process. At a minimum, the civilians should be reduced in the same proportion as the military.

To use a mathematical formula, the military level will have declined from an end strength high of 3,547,000 during the Vietnam war to 2,233,000 by the end of fiscal year 1974.[10] This is a decrease of 37 percent in military personnel.

The civilian personnel, which reached a wartime end-strength high of 1,287,000 [11] should be similarly reduced by 37 percent. Thus a 37-percent reduction of the previously high level of 1,287,000 would bring the civilian personnel level to 811,000—and into line with the military cutbacks. The new level will mean a further reduction of the fiscal year 1974 civilian level by 202,000, or a potential savings of $2.7 billion in outlays. And a cutback of 202,000 just about matches the normal DOD attrition rate, which totaled 201,183 for the last complete fiscal year, 1972.

If President Nixon follows through with his words of November 9, $2.7 billion can be saved with little hardship.

FOOTNOTES

[1] The Budget of the United States Government—Fiscal Year 1974.

[2] Pentagon statistics supplies at Congressional Staff Briefing on FY 1974 Department of Defense Budget.

[3] Former Asst. Secretary of Defense Robert Moot's budget briefing of January 27, 1973.

[4] Congressional Record, February 22, 1973, p. 5100.

[5] Congressional Record, February 22, 1973, p. 5100.

[6] Entire chart from statistics supplied by DOD Comptroller's office on March 14, 1973, by phone.

[7] Additional Report of the Joint Committee on Reduction of Federal Expenditures, Joint Committee Print No. 348, January 1973, p. 17.

[8] *Ibid.*, p. 7.

[9] *Ibid.*, p. 1.

[10] Pentagon statistics supplied at Congressional Staff Briefing on FY 1974 Department of Defense Budget.

[11] *Ibid.*

HAWAII DELEGATION ACTS TO PRESERVE SHIPPING

(Mrs. MINK asked and was given permission to extend her remarks at this point in the RECORD and to include extraneous matter.)

Mrs. MINK. Mr. Speaker, I am glad to join with my colleague from Hawaii, the Hon. SPARK M. MATSUNAGA, in cosponsoring legislation to preserve Hawaii shipping. Similar legislation has been introduced in the Senate by the Honorable DANIEL K. INOUYE and HIRAM L. FONG. Thus, all four members of the Hawaii congressional delegation are joining in cosponsorship of this important legislation.

We have introduced two bills, which are complementary. The first bill would provide an extension for Hawaii lasting 160 days, from any labor-management dispute in the west coast maritime or longshore industries. The exemption would be obtained through a court injunction by request of any party to the dispute, or by the Governor of Hawaii.

The second bill would provide for a common expiration date for all labor-management contracts in the west coast maritime and longshore industries affecting shipping to Hawaii. Under its provisions, Hawaii would be guaranteed a period of 3 years of uninterrupted shipping.

If adopted, these bills would provide a solution to the shipping disputes which have so severely injured Hawaii's economy in the recent past. First, we would be assured of at least 160 days of continued shipping of all our products if a strike does occur. Second, there would be no series of successive strikes for all contracts would expire and be renegotiated at the same time for a new 3-year period.

The four members of the Hawaii delegation have introduced their own shipping strike measures. My own bill, H.R. 3566, introduced on February 1, 1973, would provide a 160-day exemption for Hawaii similar to that envisioned by the legislation introduced jointly today with the other delegation members. H.R. 3566 also contained a provision for a common expiration date.

I am happy that all four members of our delegation are cooperating in this united effort to preserve Hawaii shipping. Through this concerted drive for action, we will enable Hawaii to speak with one voice in protecting its vital interests as the most vulnerable State in the Union. At the same time, each delegation member will be able to continue seeking all avenues of legislation or voluntary activity to solve the shipping problem.

Since the exemption for Hawaii would only affect about 3 percent of the labor involved in west coast shipping, our bill has no significent effect on the right of west coast maritime or longshore workers to strike, nor management's right to suspend service. It only protects the interests of an innocent third party, Hawaii, whose workers are not on strike in west coast shipping disputes. The legislation does not apply to disputes in Hawaii itself.

To show labor and management support for the principle of a common contract expiration date, I am including at the end of my remarks, correspondence on this matter. To date, we have received written support from management and from four unions, as well as stated support from the Hawaii local of Warehousemen's Union.

Adoption of this legislation is necessary to put Hawaii on a par with other States which still have transportation even if shipping is interrupted. Hawaii by its unique geographical status has no such alternative means and depends solely on shipping for its daily necessities.

I hope my colleagues in the Congress will realize how imperative it is that we act to save Hawaii from crippling economic consequences of shipping disputes. Hopefully, we can secure favorable action on this legislation early in the current session of Congress. The aforementioned correspondence follows:

SAN FRANCISCO, CALIF.,
March 1, 1973.

Representative PATSY T. MINK,
House of Representatives,
Washington, D.C.:

In response to your telegram the Pacific Maritime Association does support the principle of a uniform expiration date for all future labor contracts in the west coast maritime and longshore industries as suggested in your telegram, staggered expiration dates could result in successive shipping interruptions. We are as anxious as the people of Hawaii to alleviate the number and frequency of these interruptions.

EDMUND J. FLYNN,
President, Pacific Maritime Association.

FEBRUARY 27, 1973.

Mr. EDMUND J. FLYNN,
President, Pacific Maritime Association, San Francisco, Calif.:

We urge that the Pacific Maritime Association executive board at its meeting tomorrow consider and support a uniform expiration date for all future labor contracts in the west coast maritime and longshoring industries.

We urge that the executive board approve the principle of a uniform expiration date. A common date for all labor contracts is essential for the economic stability of the State of Hawaii which is so adversely affected by shipping interruptions. Both labor and management would also benefit from entering into negotiations on all labor matters at one time instead of piece meal as at the present time.

Presently there are eight or more groups of employees whose contract disagreements could result in successive shipping interruptions. The people of Hawaii are most anxious that all avenues be explored to alleviate the number and frequency of these events.

Your voluntary support for such a principle would help greatly to alleviate our deep concerns.

Very truly yours,

Senator DANIEL K. INOUYE, of Hawaii; Senator HIRAM L. FONG, of Hawaii; Representative PATSY T. MINK, of Hawaii; Representative SPARK M. MATSUNAGA, of Hawaii.

AMERICAN RADIO ASSOCIATION,
New York, N.Y., March 14, 1973.

Hon. PATSY T. MINK,
Congress of the United States, House of Representatives, Washington, D.C.

DEAR CONGRESSWOMAN MINK: Received your letter of March 6th and want you and your colleagues to know that we in the ARA share your concern to help protect the people of Hawaii from possible shipping interruptions that might occur due to differing expiration dates for contracts.

The ARA supports a common expiration date and will support all positive moves to achieve that objective.

We appreciate your contacting us, and wish to extend our best wishes to you and your constituents, the good people of Hawaii.

Sincerely yours,

W. R. STEINBERG,
President.

MARINE FIREMEN'S UNION,
San Francisco, Calif., March 29, 1973.

Hon. PATSY T. MINK,
U.S. House of Representatives, Cannon Building, Washington, D.C.

DEAR MRS. MINK: We have always felt that a common expiration date for all Maritime contracts was desirable.

To the best of my knowledge the only contracts that do not expire on June 15, 1975 are the contracts negotiated between the West Coast Longshoremen (I.L.W.U.) and the Pacific Maritime Association.

We would be willing to make any accommodation in future negotiations in contracts if it would help in attaining a common contract expiration date.

I am sure I can speak for my colleagues in the Pacific District; namely, the Sailors Union and the Marine Cooks & Stewards Union in this area.

Very truly yours,

HARRY JORGENSEN,
President.

WASHINGTON, D.C.,
March 6, 1973.

Mr. HARRY BRIDGES,
President, International Longshoremen's and Warehousemen's Union, San Francisco, Calif.

DEAR MR. BRIDGES: This is to request your union's voluntary acceptance of the principle of establishing a uniform expiration date for all future labor-management contracts in the west coast maritime and longshore industries.

We sincerely believe that a common expiration date would benefit both labor and management, as well as help to protect the people of Hawaii from successive shipping interruptions that could occur due to differing expiration dates for contracts.

On March 1, 1973, in response to our request to the executive board, president Edmund J. Flynn stated that the Pacific Maritime Association does support a common expiration date.

To pursue this matter further, we are contacting each of the unions involved with this same request. We ask that you consider this matter as soon as possible.

Hopefully, labor and management can reach voluntary agreement on a uniform expiration date for all contracts. This would do much to alleviate the deep concern of the people of Hawaii over the prospect of repeated shipping interruptions in the future.

Very truly yours,

HIRAM L. FONG, Senator; DANIEL K. INOUYE, Senator; SPARK MATSUNAGA, House of Representatives; PATSY T. MINK, House of Representatives.

[From the Honolulu Advertiser, Feb. 16, 1973]

SHIP TIE-UP "SOLUTION" SUGGESTED

(By Charles Turner)

ILWU Regional Director Robert McElrath has suggested a possible solution to labor disputes which tie up Hawaii's vital shipping lines.

McElrath told the Industrial Traffic Association of Hawaii:

"There is one way such stoppages can be reduced in number and give the business community more economic elbow room.

"That is for all of the maritime unions to enter into collective bargaining agreements that expire at the same time."

McElrath emphasized that joint expiration dates in themselves would not prevent a strike. However, he said they "certainly would eliminate the possibility of a multiplicity of strikes for a given period of time."

The union official said joint expiration dates on contracts are not unusual in Hawaii. He pointed out that the unions with contracts at the two major Honolulu daily newspapers have the same expiration dates.

"Those unions also negotiate jointly on community issues and break up when issues are particular to one or more of the six unions involved," he said.

The ILWU's Hawaii and West Coast longshore contracts expire June 30 of this year. Most of the maritime contracts with other unions expire in 1975.

McElrath said ILWU doesn't like strikes any more than businessmen do.

"We in the ILWU, and I believe that I am speaking for the rest of the labor movement in Hawaii, would like to see the day come about when organized labor and management—organized or otherwise—can settle all of our differences at the bargaining table and retire the strike and lockout weapons to the arsenal of history," he said.

But he said there are complications which arise in negotiations because "there are human beings on both sides of the table . . ."

"Sometimes in collective bargaining we make mistakes—both labor and management negotiators," he said. "Sometimes we falter and stumble during the course of long and protracted discussions."

He told the Isle businessmen attending Wednesday's luncheon meeting at Ala Moana Banquet Hall:

"In my opinion, there is no substitute for good-faith collective bargaining. The law of the jungle won't work; it didn't work in Hawaii back in 1949."

PRESIDENT URGED TO EXEMPT HAWAII FROM OIL IMPORT TARIFF

(Mrs. MINK asked and was given permission to extend her remarks at this point in the RECORD and to include extraneous matter.)

Mrs. MINK. Mr. Speaker, the President yesterday submitted to Congress an energy message which would do severe damage to the already strained economy of the State of Hawaii.

Hawaii is uniquely dependent on imported fuel sources to supply all its energy needs. Partly, as a result of the higher cost paid by the people of Hawaii for imported energy sources, our cost of living has soared to a level some 15 percent higher than that of mainland States, even those with heavy costs of living.

The President's statement announces suspension of the existing oil import control system which has resulted in these excessive energy costs in Hawaii. This is to be applauded, as the system was found unworkable several years ago by the President's own Task Force on Oil Import Control.

Yet I am disappointed, to say the least, that the new system is to continue the same old discrimination which Hawaii has endured for years. In place of the import control system, the President said he is "substituting a license-fee quota system." There is no mention of any exemption for Hawaii, or any consideration at all for its unique geographic status and needs.

I have sent an urgent appeal to the President to modify his program to exempt Hawaii from any system of tariffs on imported oil. It seems to me this is essential in any sound, equitable program to reconcile our energy needs with sources of fuel.

Hawaii has no fuel sources and must import all that is necessary to meet energy and other needs. No system can overcome this physical fact. There is no increased national security, as far as Hawaii is concerned, whether we pay higher for imported oil or not. All must be imported, regardless. An attack could be made on a ship bearing mainland oil as easily as one bearing foreign oil as it traversed thousands of miles of open ocean.

To levy an import duty on oil brought to Hawaii has only one result: it increases the already-excessive costs which must ultimately be borne by consumers. I repeat there is no stimulus or encouragement to the development of U.S. sources.

As chairman of the Subcommittee on Mines and Mining of the House Committee on Interior and Insular Affairs, I question whether the President's newly-announced program is sound and equitable in all its ramifications. I believe that the program must be examined minutely by Congress to restore the balance presently lacking.

For the benefit of my colleagues, I am inserting correspondence from Hawaii illustrating the regressive nature of the President's new program as far as Hawaii is concerned. I am also attaching my wire urging its urgent modification to exempt Hawaii:

WASHINGTON, D.C.,
April 19, 1973.

Hon. RICHARD M. NIXON,
President of United States, White House, Washington, D.C.:

Request urgent revision new energy policy to exempt Hawaii from any increased tariff on imported crude oil. Hawaii's absolute dependence on imported energy sources and existing importation costs place extremely heavy burden on Hawaii consumers as determined by your cabinet task force on oil import control. Hawaii's living costs at least 15 percent higher than those on mainland now. Your proposal for additional charges would contribute nothing to national security but severely damage Hawaii economy. Request explanation why State of Hawaii's unique geographical status and needs ignored by your policy and urgent revision to provide exemption.

PATSY T. MINK,
Member of Congress.

HAWAIIAN INDEPENDENT REFINERY, INC.,
Honolulu, Hawaii, April 13, 1973.

Hon. PATSY T. MINK,
Suite 302, Cannon House Office Building, Washington, D.C.

DEAR REPRESENTATIVE MINK: Under separate cover we airmailed you a copy of our April 11, 1973 submission to Mr. W. E. Simon, Chairman of the Oil Policy Committee, concerning possible revision to the U.S. oil import policy.

We would greatly appreciate your active support so that the only U.S. foreign-trade zone refinery located in Hawaii, Hawaiian Independent Refinery, Inc., will not be bypassed but, rather, be given the same objective treatment under President Nixon's new energy policy as other U.S. refineries. I believe there is an urgency in apprising the Oil Policy Committee of our unique situation as I understand they are in the process of finalizing the new oil import program.

Your timely assistance will be most helpful.

Best regards.

Sincerely,

PAUL C. JOY.

HAWAIIAN INDEPENDENT REFINERY, INC.,
Honolulu, Hawaii, April 11, 1973.

Mr. W. E. SIMON,
Chairman, Oil Policy Committee, Deputy Secretary of the Treasury, Washington, D.C.

DEAR MR. SIMON: Any revision to U.S. oil import policy must fully consider the role of U.S. refinery operations being undertaken within U.S. foreign-trade zones. We plead that you not overlook Hawaiian Independent Refinery, Inc.'s position in the development of the special "national security fee" tariff program you are reportedly preparing. Our U.S. refinery, operating on U.S. soil within a U.S. foreign-trade zone, must be given the same objective treatment as other secure U.S. refinery capacity, and not be thrown in with overseas refining capacity on foreign soil!

1. Finished products manufactured by a U.S. foreign-trade zone refinery must not be penalized by the imposition of special national security fees or tariffs which may be placed on petroleum products manufactured in overseas foreign areas.

2. Finished products manufactured by a U.S. foreign-trade zone refinery for domestic consumption must be given all the consideration and benefit afforded less secure finished products of Canadian manufacture that are imported into the U.S. by overland transportation or that refined in Puerto Rico and the U.S. Virgin Islands.

3. If the benefits generated by new U.S.-based refinery capacity erected in a foreign-trade zone are to be maintained and supported, U.S. zone refiners must be afforded consideration significantly different than that afforded overseas foreign refinery operations. (Attachment A factually outlines the direct benefits afforded our nation by America's first foreign-trade zone refinery operating in the State of Hawaii.)

What is a "Foreign-Trade Zone Refinery?" Briefly, the only difference between a U.S. refinery processing foreign crude oil in a U.S. foreign-trade zone and a typical U.S. refiner processing imported foreign crude is a Customs distinction as to when, in the chain of events, duties become payable on foreign source petroleum destined for U.S. consumption. A FTZ refinery is an American manufacturing facility within a unique U.S. location where foreign materials may be brought without being subject to payment of U.S. Customs duties unless and until such materials or products manufactured therefrom actually leave the zone for entry into U.S. markets. Petroleum fuels refined with a FTZ plant are truly products of U.S. manufactuer and are fully subject to U.S. jurisdiction, laws and regulation. The U.S. zone refiner's manufacturing operation takes place on duty-free crude oil within an essentially duty-free Customs enclosure and only those zone products entering U.S. markets or consumed within the zone must be duty paid. Non-zone U.S. refiners pay Customs duties on the foreign crude oil imported before its processing and must apply to Customs for duty drawback or credit to recover the duty previously paid on that portion of their products which are exported to foreign markets.

U.S. zone refineries are structured to engage in manufacturing for both world and U.S. bonded markets, whereas most U.S. domestic refiners are structured to serve mainly U.S. domestic markets. But, in time of crisis, the full output of the U.S. zone refinery can be readily diverted to supply fuels to the U.S. economy rather than to overseas foreign markets!

It was the intent of Congress that the FTZ law provide such duty-free enclosures on U.S. soil to encourage American business to undertake "value added" manufacturing operations within the U.S. which would otherwise be conducted on foreign soil. Such activities, of course, support the domestic economy, improve U.S. balance of payments and U.S. participation in world trade and commerce, and, in the case of zone petroleum refining, have a positive impact on our national security.

Without knowing more about the new import program you are developing, it is difficult to make specific recommendations. However, since Hawaiian Independent Refinery is the only operating U.S. foreign-trade zone refinery in existence, we could be placed in a most difficult situation through a simple oversight. Therefore, we would certainly appreciate an opportunity to discuss with you the future role of U.S. foreign-trade zone refineries and the probable effects of the proposed "national security fee" program upon them prior to promulgation of the new program. Since this may not be possible, we make the following suggestions:

1. A foreign-trade zone refinery can be considered analogous to (1) a Canadian refinery operation although a zone refinery is a totally U.S. operation or (2) those refineries in U.S. Virgin Islands or Puerto Rico. Under the new program you are developing, it is timely that U.S. zone refined products destined for U.S. markets be treated no less preferentially than Canadian refined products or those refined in the U.S. Virgin Islands or Puerto Rico allowed entry into District I–V. If a lower fee schedule is applied to these sources of finished products than overseas foreign refined products, then such lower fees should apply to an even more secure U.S. foreign-trade zone refinery's products.

2. Since a very significant portion of Hawaiian Independent Refinery's products are exported into international trade and commerce, it is essential that no special fee be imposed on the foreign crude oil utilized to manufacture those zone refined petroleum products which are marketed in world-wide competition with foreign-based refineries.

3. We believe it essential that during a national energy shortage, U.S. refining capacity located in trade zones be recognized and allowed to supply a portion of our nation's finished product demand deficit. U.S. zone refined products must be given fair and just treatment under the new security fee oil import control program if this is to be economically accomplished.

4. Since foreign crude oil can freely enter U.S. zones for refining, it is only reasonable that any products produced therefrom would; upon entering the U.S. market, be subject to the same national security fees which would be imposed on foreign crude or unfinished oils (not finished products) entering the domestic economy for processing by other U.S.-based refineries.

Our present program to considerably expand the refining operation in Hawaii's Foreign-Trade Sub-Zone No. 9A to produce larger quantities of badly needed low sulfur residual fuel oil, synthetic natural gas, and distillate fuel oils for electric power generation, in addition to expanding its output of essential military fuels now in short supply for the Pacific area, cannot proceed unless the new oil policy program recognizes the significant role which foreign-trade zones can play in expanding future U.S. refinery capacity.

We would prefer no change in either the current policies or regulations as they now provide a satisfactory basis for the expansion and use of zone refineries throughout the littoral U.S. However, we are concerned that your new program relating to oil imports could seriously damage U.S. refiners operating in foreign-trade zones and discourage the generation of all the peripheral benefits which zone operations provide (see Attachment A).

American refineries operating within a foreign-trade zone enclosure on U.S. soil are part-and-parcel of the U.S. refining industry and their interests must not be overlooked. Therefore, in revising the oil import program, we request you seriously consider the role of U.S. zone refineries and the advantages they offer to national security, balance of payments, and the U.S. economy.

We stand ready to meet with you at any place or time convenient to you to discuss this subject in greater detail.

Sincerely,

PAUL C. JOY,
Vice President.

HAWAIIAN INDEPENDENT REFINERY, INC.,
April 11, 1973.

ATTACHMENT A

What has the nation's first Foreign-Trade Zone refinery accomplished?

1. It effectively reduced the U.S. dollar outflow by the initial $40,000,000 of capital investment that was made in American refinery capacity rather than in a foreign based operation.

2. It has reduced the U.S. reliance on uncertain foreign sources of refined products by 30,000 barrels per day.

3. It has created 76 full time and 18 part time new U.S. jobs—mostly for skilled workers; since each refinery job reportedly creates 8 positions in affiliated services, approximately 700 new local jobs have been generated!

4. It has created a significant new source of tax revenues for both Hawaii and the U.S.A. by generating $50,000,000 of new annual corporate revenues.

5. It has enabled the development of significant new foreign trade markets for the U.S.A., helping to counter our nation's growing balance of trade deficit. (According to the actual 1972 statistics from the Executive Secretary of the FTZB, 81% of the zone re-

finery's volume of product was foreign trade oriented—either exports directly to Japan, Canada and Mexico, or sales supplanting foreign refined products historically supplied to the U.S. Armed Forces and Hawaii's bonded transportation fuels market.)

6. It has established much needed new refinery capacity on U.S. soil and particularly in strategically located Hawaii.

7. It supplies a majority of its products to the Department of Defense in support of our national security interests.

8. It has effected large dollar savings in fuel procurement for the Armed Services. (For example, DFSC JP-4 jet fuel bids for the last half of 1972 dropped nearly 2¢ per gallon from historical Hawaii levels after the zone refinery went on stream.)

9. In the interest of national defense, the U.S. zone tanker mooring and bulk fuel terminal provides the DOD with a second deep-water mooring and nearly 50% more petroleum reserve storage facilities adjacent to the Pearl Harbor Naval Base, Hickam Air Force Base, Kaneohe Marine Air Station, and the Army complex at Schofield.

10. It is providing major quantities of ecologically needed low sulfur residual fuel oil to major Hawaiian industrial consumers and U.S. utilities.

11. Every barrel of zone product produced represents approximately one U.S. dollar of "value added" by a U.S. refining and petroleum distribution activity; this one dollar per barrel is a direct saving on the U.S. balance of payments out-flow had the product otherwise been refined on foreign soil. It amounts to millions of dollars per year on the initial 30,000 barrel per day zone refinery operation.

12. By mainly serving markets historically supplied by foreign refiners, it provides Hawaii's economy with a more reliable alternate source of fuels, safe and secure from foreign political interference.

13. By using U.S. flag vessels to transport zone refined products to the U.S. West Coast to fulfill a portion of that area's petroleum deficit, its distribution operations directly support the failing U.S. maritime industry.

14. In time of national emergency or energy crisis, rather than export the zone-refined products to foreign markets, its fuels could immediately be diverted into the U.S. domestic economy in the national interest.

HONOLULU, HAWAII,
April 11, 1973.

PATSY TAKEMOTO MINK,
U.S. House of Representatives,
Washington, D.C.

Following message was sent to President Nixon this date:

Subject: Oil imports: exemption of Hawaii from the proposed new tariff system.

DEAR MR. PRESIDENT: We understand that the administration is giving serious consideration to the imposition of an additional tariff or fee program for foreign petroleum imported into the United States. This letter is to request that you and your task force consider the unique opportunity you have, through this national security fee program, to foster the development of domestic energy resources and fully sustain the price of domestic crude oil in the interest of national security while encouraging the construction of new Hawaiian refinery capacity and lowering the cost of living in the islands.

Hawaii should be made exempt from any increased tariff on imported crude oil in recognition of the island's absolute deficiency of fossil fuel energy resources, intolerably high cost of living and distant offshore location.

The Cabinet Task Force stated in its report, the oil import question (section 306B), "The Hawaiian wholesale price of gasoline is 2-4 cents a gallon higher than that on the West Coast." Obviously, Hawaii's residents pay a heavy economic penalty for living in this energy-insecure island State. Shipping costs must be added to most everything consumed here—part of the reason that Hawaii's cost of living is 15 percent to 20 percent higher than the mainland average. The cost of petroleum fuels, our primary and only significant source of energy, is likewise higher than the mainland. Why is this true even though much of the 50th State's petroleum fuels are basically derived from foreign crude oil? Under the present oil import program, the import quota generated by Hawaii's 100 percent crude oil deficiency is distributed among all the refiners in district V, even to those in crude surplus States such as Alaska. This deprives this most isolated U.S. bastion of defense of what otherwise would be significant self-sufficient petroleum refining industry and forces it to rely on the West Coast for a significant portion of its fuel.

If foreign petroleum must be imported into the United States, from a national security standpoint, Hawaii is an ideal destination for it. Regardless of the source, all of Hawaii's petroleum must be shipped in tankers over thousands of miles of ocean. It makes no sense from a national defense or economic standpoint to ship middle and far east foreign crude oil past the islands to U.S. West Coast refiners and then to ship their refined petroleum products back out to Hawaii. Such a double shipment activity not only reduces Hawaii's security of energy supply, but increases the landed cost of fuels.

Because of the cost of shipping refined products from Hawaii to the West Coast, Hawaii refined petroleum prices could be 1 to 2 cents per gallon lower than U.S. mainland prices without upsetting domestic crude or product prices. Given the 2 to 4 cents per gallon spread reported by the cabinet Task Force, and the current cost level of foreign crude oil, Hawaii could receive all the foreign crude oil it could refine directly from overseas sources without upsetting in any way the proposed tariff supported price of domestic crude oil or the island's security of fuel supply.

We urge your task force to seriously consider the unique opportunity the proposed tariff program presents to lower the cost of basic energy so essential to Hawaii's economy, while fully maintaining the national defense purpose of the mandatory oil import program. We urge you to direct the exemption of Hawaii from any proposed additional tariff on foreign crude oil or refined products.

If we may assist you or your task force by providing additional testimony on Hawaii's unique energy situation, please call on us.

Very truly yours,
CHAMBER OF COMMERCE OF HAWAII.

BETTER COMMUNITIES ACT

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

Mr. WIDNALL. Mr. Speaker, one of the nightmares of Federal social legislation is the presence of laws designed to accomplish good ends, but which so fragment the problems that the results are diluted and only marginally effective.

Such has been the case with urban development categorical grant-in-aid programs. And so today, I am introducing the Better Communities Act which seeks to replace these fragments with a single, unified program that will achieve far better results than ever before. This legislation is being cosponsored by every minority member of the Banking and Currency Committee.

We seek to establish in a single fund, all the major, current categorical programs that deal with the physical development of a community. All the activities now authorized under the separate categorical programs will be permissible under the new act.

In addition, the Better Communities Act will accomplish the following:

Give State and local elected officials direct control over funds and permit them to establish their own priorities on how the money shall be spent.

Allocate funds by a formula based on need, considering population, overcrowded housing, and especially poverty.

Provide an automatic annual fund entitlement.

Eliminate as much as possible Federal redtape and bureaucratic restrictions.

Assure localities of funds at least equal to the annual funding under the categorical grant system.

The recipients will be localities in which more than 72 percent of the American people live. These include 481 metropolitan cities—with populations of 50,000 or more—approximately 600 cities with lesser population, and 85 urban counties—with populations of 200,000 or more. States will participate in this act, and all nonmetropolitan communities, are potential beneficiaries of better community funding through the States.

President Nixon in his fiscal year 1975 budget will ask that Congress appropriate $2.3 billion for the first year beginning July 1, 1974. This is more than the total of funds currently allocated under the categorical community development programs.

The first 65 percent of the appropriation will be divided among the metropolitan cities and urban counties on a formula based on actual need.

Some cities will receive considerably more than they received in previous years. Of the major users of the replaced programs, none will receive less than what they have received during the recent past.

The remaining 35 percent of the appropriation will be used primarily for a "hold harmless" provision—that would insure a community that it will receive as much under this act as it received previously.

Of the funds not used for "hold harmless" provisions, most will go to the States to assist local community development activities.

The Better Communities Act will support community development activities as selected by local elected officials. Among the activities eligible for funding are:

Acquisition, clearance and renewal of real property and land;

Relocation of people and businesses displaced by urban renewal;

Construction of streets, malls, neighborhood, and community centers, recreation areas;

Rehabilitation of residential or commercial property;

Elimination of harmful physical conditions that endanger health or safety; and

Provision of services to support other community development activities funded by the act.

I would like to emphasize that activi-

ties funded by the replaced categorical grant programs could be continued or expanded, and new activities started, as desired by the locality, and determined by their own needs and priorities.

Funds already obligated by the Federal Government will remain with the locality to use according to the terms of the grant. These funds are in excess of $6 billion for the urban renewal program alone.

A community will be able to convert urban renewal projects to Better Communities Act funding and regulation by closing the project's financial records and converting the assets and liabilities against the community's future shared revenue entitlement.

In summary, the Better Communities Act will consolidate into a single fund all the money now used in the seven inflexible, fragmented, categorical grant-in-aid programs loosely lumped under the heading of Community Development, that is, Urban Renewal—including neighborhood development programs, code enforcement, demolition grants, and interim assistance; model cities; neighborhood facilities, water and sewer grants; open space and historic preservation; rehabilitation loans; and public facility loans.

Spending of this money by the locality would be determined by locally elected officials according to their own overall planning and priorities.

The long, seemingly interminable delays now experienced in winning approval for projects would be eliminated. So too would the reams of paperwork now required for Federal review.

The Government interest would be protected through reporting procedures, postaudits, and public disclosure.

Major users of the replaced HUD programs would receive no less under the Better Communities Act, than they did under the categorical grant system.

The Better Communities Act will return to local government the powers of decision concerning local community programs and problems, subjects on which they are far more knowledgeable than the Federal Government.

Following my remarks I am including the March 8, 1973, message of President Richard Nixon to the Congress of the United States:

To the Congress of the United States:

Today, in this fifth report to the Congress on the State of the Union, I want to discuss the quality of life in our cities and towns and set forth new directions for community development in America.

Not long ago we became accustomed to the constant rhetorical drumbeat of the "crisis of our cities." Problems were multiplying so rapidly for our larger urban areas that some observers said our cities were doomed as centers of culture, of commerce, and of constructive change.

Many of these problems still persist, but I believe we have made sufficient progress in recent years that fears of doom are no longer justified.

What is needed today is calm reflection upon the nature of modern community life in the United States, a reassessment of the manner in which we are trying to solve our remaining problems, and a firm resolve to get on with the task.

America's communities are as diverse as our people themselves. They vary tremendously in size—from massive cities to medium-sized urban and suburban areas, to small towns and rural communities.

Just as importantly, each of our communities has built up strong individual characteristics over the years, shaped by region, climate, economic influences, ethnic origins and local culture.

Of course, communities do share common needs and concerns. People in every community want adequate housing, transportation, and jobs, a clean environment, good health, education, recreation facilities, security from crime and fear, and other essential services. But local priorities differ; the intensity and order of local needs vary.

Clearly, no single, rigid scheme, imposed by the Federal Government from Washington, is capable of meeting the changing and varied needs of this diverse and dynamic Nation.

There is no "best" way, no magic, universal cureall, that can be dispensed from hundreds or thousands of miles away.

What is good for New York City is not necessarily good for Chicago, or San Francisco, much less for smaller communities with entirely different economies, traditions and populations.

Too often in the past we have fallen into the trap of letting Washington make the final decisions for St. Louis, Detroit, Miami and our other cities. Sometimes the decisions were right, and programs have succeeded. Too often they were wrong, and we are still paying the price.

The time has come to recognize the errors of past Federal efforts to support community development and to move swiftly to correct them.

The results of past errors form a disturbing catalogue:

They have distorted local priorities.

They have spawned a massive glut of red tape.

They have created an adversary climate between local communities and Washington which has often led to waste, delay and mutual frustration.

They have contributed to a lack of confidence among our people in the ability of both local and national governments to solve problems and get results.

They have led to the creation of too many complex and often competing Federal programs.

Perhaps worst of all, they have undercut the will and the ability of local and State governments to take the initiative to mobilize their own energies and those of their citizens.

The Federal policy that will work best in the last third of this century is not one that tries to force all of our communities into a single restrictive mold. The Federal policy that will work best is one that helps people and their leaders in each community meet their own needs in the way they think best.

It is this policy which binds together the many aspects of our community development programs.

THE BETTER COMMUNITIES ACT

In the near future, I will submit to the Congress the Better Communities Act to provide revenue sharing for community development. Beginning July 1, 1974, this act would provide $2.3 billion a year to communities to be spent as they desire to meet their community development needs. In the event this Better Communities Act becomes effective, funds already available to the Department of Housing and Urban Development will be used to maintain and support community development.

The Better Communities Act is intended to replace inflexible and fragmented categorical grant-in-aid programs, and to reduce the excessive Federal control that has been so frustrating to local governments.

Rather than focusing and concentrating resources in a coordinated assault on a set of problems, the categorical system scatters these resources, and diminishes their impact upon the most needy. Excessive Federal influence also limits the variety and diversity of development programs. Local officials should be able to focus their time, their resources and their talents on meeting local needs and producing results, instead of trying to please Washington with an endless torrent of paperwork.

I first proposed such legislation in 1971, and although the Congress failed to enact it, signficant support was expressed in both the Senate and the House. Since that time, members of my Administration have been consulting with Congressional leaders, mayors, Governors, other local officials and their representatives. Many contsructive suggestions have been received and will be incorporated in my new legislative proposal. As a result, I believe the Better Communities Act will represent our best hope for the future of community development and will deserve rapid approval by the Congress.

Among the most significant features of the Better Communities Act are these:

Hold-Harmless Provision: The flow of money to cities and urban counties to be based on a formula reflecting community needs, as determined by objective standards. In the years immediately following enactment, funds would be used to assure that no city receives less money for community development than it has received under the categorical grant programs.

Assistance for Smaller Communities: Funding is also to be provided for our smaller communities, recognizing the vital importance of small towns and rural communities to the future of the Nation.

The Role of State Government: State governments have always played an important part in meeting the community development needs of their communities. The Act will recognize this role.

Local Decision Making: While each of the activities now supported by categorical grants may be continued, it would be up to local leaders to determine how that money will be spent.

Minimizing Red Tape. Recipients would be required to show the Federal Government only that they are complying with Federal statutes in the way they are spending their revenue sharing money.

Elimination of Matching. Shared revenues would not have to be matched by local funds.

Protection for Minorities. Under no circumstances could funds provided under the Better Communities Act be used for purposes that would violate the civil rights of any person.

A DEPARTMENT OF COMMUNITY DEVELOPMENT

One of the most serious deficiencies in the effort of the Federal Government to assist in community development has been the fragmentation and scattering of Federal programs among a variety of departments and agencies. All too often State or local officials seeking help for a particular project must shuttle back and forth from one Federal office to another, wasting precious time and resources in a bureaucratic wild goose chase.

In order to coordinate our community development activities more effectively, I proposed nearly two years ago that we create a Department of Community Development which would pull under one roof various programs now in the Departments of Housing and Urban Development, Transportation, Agriculture, and other agencies.

After extensive hearings on this proposal, the Committee on Government Operations of the House of Representatives reached this conclusion:

"The Department of Community Development will be a constructive center in the

Federal Government for assistance to communities, large and small. It will facilitate rational planning, orderly growth, and the effective employment of resources to build viable communities throughout the United States. It will help to strengthen the physical and institutional bases for cooperative action by Federal, State and local governments."

This Administration fully agrees, of course, and will continue to work with the Congress for the prompt creation of a Department of Community Development.

In the interim, I recently appointed a Presidential Counsellor on Community Development who will coordinate community development programs and policies in the executive branch. But only when the Congress approves the basic departmental reorganization proposed by the Administration can our efforts to eliminate waste, confusion and duplication, and to promote community betterment more efficiently, be fully effective.

THE RESPONSIVE GOVERNMENTS ACT

For nearly 20 years, the Federal Government has provided assistance to State and local governments in order to strengthen their planning and management capabilities.

This aid, provided under the Comprehensive Planning Assistance Program, has always been helpful, but the program itself has several major flaws. It has tended, for instance, to stress one aspect of public administration—planning—without adequately recognizing other essential features such as budgeting, management, personnel administration, and information-gathering. Planning has often been irrelevant to the problems and the actual decisions. State and local governments have also found it difficult to coordinate their planning because of the fragmented way in which funds have been sent from Washington.

This Administration proposed new planning and management legislation to the 92nd Congress, but it was not approved. In the meantime, we took what steps we could to improve the existing program. Some progress has been made, but corrective legislation is still needed.

I shall therefore propose that the 93rd Congress enact a new Responsive Governments Act. I shall also propose that we provide $110 million for this act in fiscal year 1974—almost one-fifth of the entire amount that has been spent under the present law in the last two decades.

This Responsive Governments Act would assist State and local governments in meeting several important goals:

Developing reliable information on their problems and opportunities;

Developing and analyzing alternative policies and programs;

Managing the programs;

And evaluating the results, so that appropriate adjustments can be made.

The ability to plan and manage is vital to effective government. It will be even more important to State and local governments as they are freed from the restraints of narrow categorical Federal programs and must decide how to spend revenue sharing funds. Thus the Responsive Governments Act is a vitally necessary companion piece to the Better Communities Act.

HOUSING

This Administration is firmly committed to the goal first set forth for America in the 1949 Housing Act: "a decent home and a suitable living environment for every American family." While we believe that some of our housing programs have failed and should be replaced, we should never waiver in our commitment.

During the past four years, the Federal Government has provided housing assistance to an additional 1.5 million American families of low and moderate income. This represents more housing assistance than the total provided by the Federal Government during the entire 34-year history of our national housing program preceding this Administration.

In addition, a healthy, vigorous, private housing industry has provided 6 million new unsubsidized units of housing for Americans in the last four years. Housing starts for each of the last three years have reached record high levels,—levels, in fact, that are more than double the average for the preceding 21 years.

Most importantly, the percentage of Americans living in substandard housing has dropped dramatically from 46 percent in 1940 to 37 percent in 1950 to 18 percent in 1960 to 8 percent in 1970. Americans today are better housed than ever before in our history.

At the same time, however, there has been mounting evidence of basic defects in some of our housing programs. It is now clear that all too frequently the needy have not been the primary beneficiaries of these programs; that the programs have been riddled with inequities; and that the cost of each unit of subsidized housing produced under these programs has been too high. In short, we shall be making far more progress than we have been and we should now move to place our housing policies on a much firmer foundation.

That is why we suspended new activity under Federal subsidized housing programs effective January 5th of this year. I would emphasize, however, that commitments that were made under these programs prior to their suspension will be honored. This will mean that approximately 300,000 units of new subsidized housing will be started in 1973.

In pursuing our goal of decent homes for all Americans, we know that better means are needed—that the old and wasteful programs, programs which have already obligated the taxpayer to payments of between $63 billion and $95 billion during the next 40 years, are not the answer.

One of my highest domestic priorities this year will be the development of new policies that will provide aid to genuinely needy families and eliminate waste.

A major housing study is now underway within the Government, under the direction of my Counsellor for Community Development. Within the next six months, I intend to submit to the Congress my policy recommendations in this field, based upon the results of that study.

TRANSPORTATION

To thrive, a community must provide for the efficient movement of its people and its products. Yet in recent years, the growing separation of the city from its suburbs and changing employment patterns have made transportation more of a community problem than a community asset. To improve community development we must meet the challenge of transportation planning and provide more flexible means for communities to meet their transportation needs.

Without better transportation, our communities will either stagnate or choke.

Four years ago we initiated programs to renew and redirect our transportation systems. We took action to expand the capacity of our airways, to preserve and improve intercity rail passenger service, to continue the Nation's highway program with greater emphasis on safety, and to bring needed progress to our surface public transportation. The Federal commitment has been substantial:

The enlarged Airport Development Aid Program established under the Airport-Airways Development Act of 1970 has quadrupled Federal assistance to airports to $295 million per year.

Under the Rail Passenger Service Act of 1970 we have begun to rejuvenate rail service as part of a balanced transportation system.

From 1970 through 1974 we will have invested some $23 billion in highways. In 1972 alone we committed $3.3 billion to the Interstate system, which is now 80 percent complete. In that same year, $870 million was designated for primary and secondary roads. Equally important, we have emphasized safety on our highways, both in their design and use.

We have progressively increased the levels of Federal funding for transportation research, development, and demonstration projects. This support focuses on new transportation technology. It is designed to encourage private industry to join aggressively in the search for better transportation.

Concurrent with our programs to improve transportation between our cities, we have undertaken programs to develop freeflowing corridors for people and commerce within our cities.

Since 1970, when I proposed and the Congress passed the Urban Mass Transportation Assistance Act, we have committed more than 2 billion Federal dollars to preserve and upgrade public transportation. Nationally, urban public transportation has become a billion-dollar-a-year Federal program.

Over the past four years, Federal dollars have helped 60 American cities to help those who depend on public systems for transportation to jobs, hospitals, shops and recreational centers. Now we must deal even more aggressively with community development challenges in transportation by building on the strong foundations we have laid.

Nothing can do more to lift the face of our cities, and the spirit of our city dwellers, than truly adequate systems of modern transportation. With the best highway system in the world, and with 75 percent of our people owning and operating automobiles, we have more transportation assets per capita than any other people on earth. Yet the commuter who uses a two-ton vehicle to transport only himself to and from work each day is not making the most efficient use of our transportation system and is himself contributing to our transportation and environmental problems.

Good public transportation is essential not only to assure adequate transportation for all citizens, but to forward the common goal of less congested, cleaner and safer communities. As I pointed out a few weeks ago in my message on the environment and natural resources, effective mass transit systems that relieve urban congestion will also reduce pollution and the waste of our limited energy resources.

As we build such systems, we must be aware of the two special challenges in coordinating the needs of the inner city and the suburb and in alleviating potential disruptions which new transportation systems can bring to neighborhood life.

To further these efforts I again continue to urge Congress to permit a portion of the Highway Trust Fund to be used in a more flexible fashion, thus allowing mass transit capital investments where communities so desire.

I recommend that the Congress authorize the expenditure by State and local governments of $3.65 billion over the next three years from the Highway Trust Fund for urban transportation needs, including capital improvements for bus and rapid rail systems. I also recommend continuing the rural highway program at the $1 billion a year level, and providing ample resources to advance the Interstate system as it approaches its 1980 funding completion date. This legislation can meet old needs while at the same time addressing new ones.

Some communities now feel unduly obligated to spend Federal monies on controversial Interstate highway segments in urban areas. I urge the Congress to allow States and localities to transfer such funds to the construction of other Federal-aid highways and

mass transit capital improvements. In this way, we can help resolve controversies which have slowed work on a number of Interstate links in urban areas.

It is very important to recognize that this proposal does not represent an arbitrary Federal shift of funds from highways to transit. What it does stress is the right of local governments to choose the best solutions for their urban transportation problems.

This year, in a companion measure to our Federal Highway Bill, I am also proposing that funding for mass transit capital grants be increased by $3 billion, bringing the obligational authority for the mass transit program to $6.1 billion. This provision would maintain a forward looking mass transit program through at least 1977. I am also asking the Congress to amend the Urban Mass Transportation Assistance Act, increasing the Federal share for urban mass transit capital grant assistance programs to 70 percent and thereby achieving parity with Federal aid for urban and rural road building projects.

RURAL DEVELOPMENT

Community Development is sometimes thought of primarily in terms of urban areas. However, as this Administration has often pointed out—and will continue to emphasize—no element of our national well-being is more important than the health and vitality of our rural communities. Thus, in pursuing a policy of balanced development for our community life, we must always keep the needs of rural America clearly in sight.

Twice in the last two years, I have recommended legislation which would provide new revenues for rural development. Under my latest proposal, loans and guarantees would have been made for projects selected and prepared by the States.

While the 92nd Congress did not enact either of these proposals, it did enact the Rural Development Act of 1972, establishing additional lending authority for rural needs. Like the Administration's proposals, this lending authority provides for insured loans and guaranteed loans which allow maximum participation of the private sector.

Several new programs are proposed to be funded under the Rural Development Act. One is a $200 million loan program to assist communities with a population of less than 50,000 in developing commercial and industrial facilities. A previously existing loan program has been increased by $100 million—to a total of $445 million—and, under the new law, can now be used to construct a wide variety of essential community facilities. In addition, grants and other programs under the act will be funded at a level of $33 million.

This Administration will implement the Rural Development Act in a manner consistent with the revenue sharing concept, allowing major project selections and priority decisions to be made by the State and local governments whenever possible. It is our intent, after fully evaluating the effectiveness of this approach, to seek whatever additional legislation may be needed.

DISASTER ASSISTANCE

To a community suffering the ravages of a natural disaster, nothing is more important than prompt and effective relief assistance. As our population grows and spreads, each storm, earthquake, drought or freeze affects larger numbers of people.

During the past four years, we have tried to reduce personal injury, deaths, and property damage by emphasizing adequate preventive measures. During the same period, however, I have had to declare 111 major disasters in 39 States and three Territories. This past year alone set a tragic record for major disaster activity, as I had to declare 48 major disasters—43 caused by storms and floodings. There were a number of especially devastating disaster emergencies in this period: the flooding in Buffalo Creek, West Virginia; flash flood in Rapid City, South Dakota; and, of course, Tropical Storm Agnes which rampaged through the eastern United States. Agnes alone caused 118 deaths and some $3 billion in property damage.

Until now, disaster relief efforts have involved a number of different agencies and have been coordinated by the Executive Office of the President. The experience of the past few years has demonstrated that:

We are not doing nearly enough to prepare in advance for disasters.

States, local governments and private individuals should assume a larger role in preparing for disasters, and in relieving the damage after they have occurred.

Responsibility for relief is presently too fragmented among too many authorities.

At the Federal level, disaster relief should be managed by a single agency.

I intend to make 1973 a turning point in the quality of governmental response to natural disasters.

To achieve this goal, I have already proposed Reorganization Plan Number 1 of 1973, which is now before the Congress. It calls for the delegation of all responsibility for coordinating disaster relief to the Secretary of Housing and Urban Development, who is also my Counsellor for Community Development. This transfer of operations would take place at the beginning of the new fiscal year and would be carried out in such a way that the effective relations which now exist with State disaster officials would in no way be harmed, while a new sense of unity and mobility at the Federal level would be fostered.

If the Congress enacts my proposal for a new Department of Community Development, that new department would be responsible for directing all Federal disaster activities, including those of several other agencies which perform disaster roles.

In addition to the improvements I have proposed in Reorganization Plan Number 1, I will shortly submit a new Disaster Assistance Act to the Congress. This new act is designed to improve the delivery of Federal assistance, to provide a more equitable basis for financing individual property losses, and to forge a more balanced partnership for meeting disasters head-on—a partnership not only among governments at all levels but also between governments and private citizens.

Under these proposals, each level of government would accept responsibility for those things it can do best. While the Federal Government would continue to assist with financing, State and local governments would have far more latitude and responsibility in the use of those funds. They would also be encouraged to assert stronger leadership in efforts to minimize the damage of future disasters.

For homeowners, farmers and businessmen who have suffered disaster losses, the Federal Government would continue to provide direct assistance.

I will also recommend to the Congress an expansion of the national flood insurance program to allow participation by more communities in flood-prone areas and to increase the limits of coverage.

CONCLUSION

As reflected by the proposals set forth here, I believe that we must strike out on broad, new paths of community development in America.

During the last few years, we have taken genuine, measurable strides toward better communities.

All of this is good; it is not good enough.

It is clear that we can and should be accomplishing more in the field of community development. There are too many programs that have been tried and found wanting. There are too many programs that strengthen the bureaucracy in Washington but sap the strength of our State and local governments.

People today want to have a real say in the way their communities are run. They want to feel that, once again, they can play a significant role in shaping the kind of world their children will inherit. And they expect their institutions to respond to their needs and aspirations.

That feeling will never flourish if the Federal Government, however vast its financial resources and however good its intentions, tries to direct the pattern of our lives. That feeling cannot be manufactured in Washington, it must come from within.

But the Federal Government can and should eliminate some of the barriers that have impeded the development of that feeling by returning resources and initiatives to the people and their locally elected leaders. It is in that spirit that I urge the 93rd Congress to give favorable consideration to my proposals for community development.

RICHARD NIXON.

THE WHITE HOUSE, *March 8, 1973.*

Mr. WYLIE. Mr. Speaker, President Nixon, in his community development message, said:

Local officials should be able to focus their time, their resources and their talents on meeting local needs and producing results instead of trying to please Washington with an endless torrent of paperwork.

Taken alone, this might be good and sufficient reason for passing the Better Communities Act. But this legislation which I am cosponsoring today does far more than relieve communities of a paperwork burden. It returns to the American taxpayer a greater measure of control over his own community.

Few can deny that previous attempts to aid urban areas, no matter how well-meaning, have distorted local priorities, spawned a massive glut of redtape, created an adversary climate between local communities and Washington, and led to the creation of too many complex and often competing Federal programs.

Perhaps more importantly—because they have been offered with such grand promises—unmet promises—the American taxpayer has had good cause to lose faith in his governmental institutions at all levels.

This legislation will help revise this dangerous trend in our great Republic. I quote the President again from his community development message. He said:

The Federal policy that will work best in the last third of this century is not one that tries to force all of our communities into a single restrictive mold. The Federal policy that will work best is one that helps people and their leaders in each community meet their own needs in the way they think best.

Mr. FRENZEL. Mr. Speaker, the Better Communities Act, which I am cosponsoring today presents a rational system for helping communities of all sizes solve the problems that beset them.

Under existing legislation, communities are confronted with a tacked-together system of grant-in-aid programs, rigid in concept, inflexible in application and wasteful in its bureaucratic strictures.

This act proposes a coordinated approach toward dealing with the physical development of a community.

Locally elected officials will determine how to use the support offered by the Better Communities Act. They will decide which functions now performed un-

der the categorical programs will be continued or expanded, or whether new activities should be initiated. Most important, communities will know each year what their annual share of the funds will be.

Under the act, communities can continue to acquire, clear and renew property and land; purchase and develop open space, historic sites, parks and playgrounds; relocate people and businesses displaced by urban renewal; build streets, malls, neighborhood and community centers, and recreation areas.

Also, communities can continue to rehabilitate residential and commercial properties; eliminate harmful physical conditions that endanger health or public safety, and provide public services or facilities supporting their community development program.

No longer will it be necessary for a community to file a separate application for each of the categorical grant programs for which it seeks Federal assistance.

The act replaces existing categorical programs with a single funding system, allocating funds by a formula based on objective standards.

It gives States and local governments more control over funds and greater flexibility in deciding how the funds are to be spent. Governors and State governments will be able to play significant roles in developing communities in their States.

The act provides automatic annual entitlement for metropolitan cities and urban counties, with localities receiving no less than recent annual funding under the categorical grant system.

The act eliminates Federal redtape and bureaucratic restrictions, but protects legitimate Federal concerns through reporting procedures, postaudits, and public disclosure.

The money already earmarked by the Federal Government for existing categorical programs is not affected. These funds will remain with the locality for use in accordance with the terms of these earlier grants.

This legislation is a milestone in bringing into the Federal Establishment efficiency, economy and a sense of purposeful order.

CLEAN AIR

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

Mr. ECKHARDT. Mr. Speaker, there has developed in recent years a poisonous atmosphere conducive to executive and administrative corruption. I have joined my chairman, the distinguished gentleman from West Virginia (Mr. STAGGERS), chairman of the Interstate and Foreign Commerce Committee, and the able chairman of the Subcommittee on Commerce and Finance (Mr. Moss) in introducing the most important bill now before us to clear this atmosphere and to clean the air in the sphere of administrative process. It would accomplish this by enhancing the independence of the Environmental Protection Agency and the independent regulatory agencies.

HISTORIC BACKGROUND

Beginning in the eighteen eighties with the creation of the Interstate Commerce Commission, Congress has created a number of agencies to regulate highly sensitive aspects of our economic system. The last of these agencies created, the Consumer Product Safety Commission, was established in the last Congress. Each of the so-called independent regulatory agencies was established as a subordinate arm of Congress to carry out assigned administrative and judicial functions within the parameters of legislative policy established by Congress. Great care was taken in the enabling statutes to create agencies which would be as far removed as possible from partisan politics or political influence. Though not in a strict sense an independent regulatory agency in form, the EPA is not unlike the typical independent regulatory agencies in its administration of environmental protection acts.

From the very inception of these agencies, however, Presidents, whether Republican or Democrat, have attempted to subject these regulatory agencies to executive control and dominance. Since these agencies together exercise more direct control over the private sector than any other segment of government, the power to manipulate them, or to shield particular businesses from the impact of their regulation, carries with it a political potential of enormous magnitude.

GROWTH OF EXECUTIVE POWER

The power of control and dominance in the President, and the power to stand between the agency and the enforcement of its orders in the Attorney General, have been enhanced through the years by administrative statutes. In the interest of promoting economy and efficiency in Government and of affording precision and selectivity, the Congress has enacted certain administrative statutes which have placed in the hands of the President and those acting under his authority the means to control the substantive programs of the regulatory agency. As Government has become more complex, the precise problem has become more difficult to anticipate and delegation of authority to the agencies has increased. Thus, legislative power has moved toward the executive department via the administrative route. As a result of these agencies increasingly look to the executive department for direction.

Increasingly, allegations appear in the press and in public statements that the President has abused this authority and encroached upon the independence of these agencies; and there has been a growing body of evidence to the effect that the application of administrative orders, controls, and enforcement is being selectively applied. Sometimes it appears that such selectivity is not without sensitivity to its political implications.

At this very moment there is mounting evidence of a close relationship between the Justice Department and the fundraising efforts of the Republican Party in the last Presidential election. There is no question but that the head of that Department moved to the leadership of the Nixon campaign and raised money from sources formerly affected by his administration of the Department and at the time affected by the enforcement authority of that Department. There is indeed now serious question as to the propriety of former Attorney General John Mitchell's conduct in the campaign.

DEPENDENCE ON THE DEPARTMENT OF JUSTICE

Currently, the EPA must rely on the Department of Justice to conduct litigation on its behalf. The White House too frequently becomes involved in decisions at the Justice Department as to whether or not to prosecute polluters. As a result, the Attorney General is placed in a position to conduct a turnstile system of justice. If applied corruptly, polluters, to avoid prosecution, might simply drop a coin in the turnstile—in the form of a campaign contribution—and pass on through. The bill we have introduced would prevent this by allowing the Environmental Protection Agency and other Government agencies to conduct their own litigation in civil cases. In the case of the EPA, criminal litigation would continue to be handled by the Justice Department; however, the Administrator of the Environmental Protection Agency would assume supervisory responsibility for such cases.

POLITICAL INTERVENTION ON BEHALF OF ALLEGED POLLUTERS

The case of Armco Steel Co. in my home district of Houston, Tex., is a case study of blatant political influence. On December 1, 1970, the Justice Department filed suit under the Refuse Act of 1899 to enjoin Armco Steel from dumping waste into the Houston ship channel. The complaint stated that the discharges were "highly toxic" and constituted an "immediate hazard to human life." The Attorney General issued a press release to emphasize that the Government sought an immediate injunction rather than a fine, as a fine would be "a mere slap on the wrist."

The case was complicated somewhat when the Texas Water Quality Board ordered Armco to commence drilling of an injection well system to take care of its wastes. The Justice Department filed an amended complaint to halt construction of such a system. On September 17, 1971, a Federal district court complied with the Justice Department requests. The judge issued a decree ordering Armco to stop discharging wastes unless a permit was issued under the Refuse Act of 1899. A few days later, the court issued a partial stay of its order pending disposition of a motion for a new trial.

On September 28, 1971, Armco's president, William Verity—who in 1968 contributed $14,000 to the GOP campaign—wrote to President Nixon about the decision:

> After hearing your comments at the Detroit Economic Club on the need for a sensible balance between the environment and jobs, and after personally hearing you tell us that industry would not be a whipping boy in solving our environmental problems, I was shocked by the actions of Mr. Ruckelshaus and the Justice Department in shutting down the blast furnace and coke ovens at our Houston plant. It is inconceivable to me that your administration believes environmental problems can be solved by shutting down industry.
>
> To us that shutdown is extremely grave,

both in and of itself and as an example of the heavy—even irresponsible—hand of big Government. I say this because our company has been trying to cure this plant's water pollution problems for over a year, but has been prevented from doing so by a petty argument between the State of Texas and EPA.

We are bringing this to your attention, and also to the attention of the Attorney General, and the director of the Environmental Protection Agency.

We are asking that you and the Justice Department take action to stay the judge's decision until a sensible, satisfactory plan can be worked out to solve our Houston problem. The company that has led the way in environmental improvement; the 300 men and women whose jobs are immediately affected; in fact, all employees of our Houston plant deserve fairer treatment than this.

Mr. Verity's plea was heeded by a sympathetic reader. In mid-October, several newspaper accounts reported that White House aide Peter Flanagan discussed the matter with Justice Department officials. The Government entered into negotiations with Armco, and a final order was issued on November 4, 1971. The order allowed Armco to continue to dump approximately 1,000 pounds of cyanide per day into Buffalo Bayou until June, Armco further agreed to construct an incinerator for waste disposal purposes, and to take up abatement measures—a far cry from the original request to halt the discharge of pollutants into the ship channel.

HEARINGS ON THE ARMCO CASE

At hearings conducted by the Conservation and Natural Resources Subcommittee of the House Committee on Government Operations to examine possible improprieties in the Armco case, Assistant Attorney General Shiro Kashiwa testified that no contract between the Justice Department and the White House had occurred. Yet, a year later—November 1972—a syndicated columnist reported that Mr. Martin Green, a section chief in the Justice Department, had prepared a memorandum to the files—dated September 30, 1971—which stated that the White House and Mr. Kashiwa were in close contact regarding the Armco case. On November 22, 1972. Congressman HENRY REUSS announced that his subcommittee staff had sought to obtain a copy of the memo. He said that on November 15, 1972.

Assistant Attorney General Kent Frizzel (Mr. Kashiwa's successor) assured our Subcommittee staff that 1) the Green memorandum was accurately and fully quoted in the column, and 2) the Subcommittee could have a copy of it.

In his account of the events, Congressman REUSS said that later:

Deputy Attorney General Ralph E. Erickson, in a letter to me reversed Mr. Frizzell, saying that my request for the Green memorandum "must be respectfully declined."

GULF RESOURCES AND BUNKER HILL

And, there is the case involving Bunker Hill Co., a mining subsidiary of Gulf Resources & Chemical Co., whose main offices are located in Houston, Tex. Despite recommendations by the administrator of the 10th region of EPA, the Government failed to bring suit against the company to prohibit heavy metal discharges into the Silver King Creek. These discharges ultimately found their way to the Coeur d'Alene River in violation of the Refuse Act of 1899.

Concurrently, Mr. Robert Allen, president of Gulf Resources, was assembling some $100,000 which in due course he delivered to the Nixon reelection campaign. Ultimately, embarrassment to the campaign having developed over the disclosures resulting from the Watergate scandal, Mr. Allen asked for the return of the money and apparently it has been most willingly returned.

It appears that the assembling of the $100,000 contribution occurred about simultaneously with the delivery of a like sum which was transmitted from the corporate coffers of Gulf Resources to its Mexican subsidiary. It has been alleged, and I think not denied, that all or a substantial part of this transfer was paid to a lawyer of the Mexican subsidiary.

OTHER EXAMPLES

There are other examples of questionable disposition of cases on the part of the Justice Department. For example, in October, 1970, the Interior Department recommended civil and criminal actions against ITT-Rayonier, Inc. For 3 years the company had failed to clean up effluent as agreed to at the Puget Sound Enforcement Conference. The Justice Department filed suit on March 30, 1971, charging the company with violation of the Refuse Act of 1899. The suit was settled on the same day.

The pattern of these cases shows that there is an open invitation for corruption when a quasi-judicial agency must enforce its orders through the Justice Department. The Attorney General of the United States is too frequently appointed as the chief henchman of the President of the United States.

There are other problems associated with reliance upon the Department of Jusitce to prosecute cases. A report issued by the Environmental Protection Agency, "The First Two Years: A Review of EPA's Enforcement Program," shows that during the period covered by the report, 106 civil actions and 169 criminal actions were referred to the Justice Department under the Refuse Act. Of those, the Justice Department initiated proceedings in only half of the civil and criminal cases. A report issued last summer by the House Committee on Government Operations described the problems which arisen when restrictive general policy guidelines affecting the prosecution of cases are established within the Justice Department. In 1970, departmental guidelines provided that U.S. attorneys could not institute civil or criminal proceedings in Refuse Act cases without the "prior authorization from the appropriate Assistant Attorney General." Fortunately, the guidelines have since been changed. However, there is little to prevent future Attorney Generals from again revising the guidelines so as to hamper prosecutions.

The bill is drafted to insure bipartisan legislative oversight of the agency's activities. All proposed legislation, comments on legislation and proposed regulations submitted to the Office of Management and Budget must also be submitted to Congress. Furthermore, if regulations are circulated among other agencies or submitted to any other person for comment, the agency must report such submissions to the Congress. Budget requests submitted to OMB must also be submitted to Congress. This is included in the bill in an effort to curb the effective policy control which is exercised by the Executive through the budgetary control exercised by OMB.

Institution of these practices will insure that regardles of who occupies the White House, and who controls the Congress, the elected representatives of the people will have an opportunity to oversee the activities of the agency.

A summary of the legislation H.R. 6962 follows:

SUMMARY

1. PURPOSE

The proposed legislation is designed to remove executive branch controls of these agencies and to augment Congressional oversight authority. The bill would reach only those independent regulatory commissions subject to the jurisdiction of the Interstate and Foreign Commerce Committee. Thus, the terms relate to the CAB, FCC, FTC, FPC, ICC, SEC, and the new Consumer Product Safety Commission. The bill does not attempt to restore the regulatory freedom of the Federal Maritime Commission, which is subject to the jurisdiction of the Committee on Merchant Marine and Fisheries, nor does it deal with the National Labor Relations Board, which has a different cross-industry function and a peculiar status among the regulatory commissions. The bill also proposes to give greater regulatory freedom to the Environmental Protection Agency in the administration of those acts which are subject to the legislative jurisdiction of this Committee (i.e., the Clean Air Act, the Solid Waste Disposal Act, and the Noise Control Act of 1972)

2. BRIEF OUTLINE OF LEGISLATION

In brief summary, this legislation would—

(1) Require Senate confirmation for appointments of agency chairmen (Today the Senate only examines the appointment of a chairman if a commissioner is designated as chairman at the time he is appointed to the commission.);

Require that chairmen, once designated, shall continue to serve as such for the duration of their terms as members of the commission (Today agency chairmen serve at the pleasure of the President.); and

Prevent removal of agency chairmen or commissioners except for neglect of duty or malfeasance in office (At present several of the enabling laws establishing the regulatory commissions fall to state grounds for removal; others would permit removal for inefficiency in addition to instances of neglect of duty or malfeasance in office. These amendments make uniform and at the same time narrowly limit the bases for which the President may remove an agency chairman or commissioner.).

This bill does not propose amendments to the procedures for appointment of the Administration of EPA, nor does it establish a fixed term for such Administrator.

(2) Remove Justice Department control of civil litigation to which the regulatory commissions are a party and permit these agencies to act on their own behalf and through their own attorneys (At present some of the enabling statutes permit the regulatory agencies to act on their own behalf and through their own attorneys in civil litigation—e.g., the SEC and FPC; other enabling statutes are silent on this point. In the absence of specific direction from the Congress to the contrary, the Justice Department assumes control and supervision of all civil litigation.) These amendments would permit EPA to act in its own name through its own attorneys in any civil action under the Clean Air Act, the Solid Waste Disposal Act, or the Noise Control Act of

1972. Also the Administrator of EPA would be permitted to control and supervise any criminal prosecution arising under violations of those acts.

(3) Eliminate the requirement that the agencies obtain the prior approval of OMB before distributing questionnaires or requests for information. The agencies would still be required to submit such questionnaires and requests to OMB and allow a reasonable opportunity for the Director to comment on them. (Existing law and practice allows the Director of OMB to exercise a veto over agency distribution of questionnaires to ten or more people. There have been instances when this authority has been exercised to deny an agency access to needed information.) These amendments apply to EPA only in the administration of the Clean Air Act, the Solid Waste Disposal Act, or the Noise Control Act of 1972.

(4) Direct the agencies to submit legislative recommendations or comments on pending bills directly to Congress and not to seek or obtain prior clearance or review of such submissions by any department of the executive branch or any other authority. (Under current practice, OMB requires the independent regulatory commissions to submit their legislative recommendations and comments for prior review and clearance. This procedure is called for by executive order. There is no legislative authority for it.) These amendments apply to EPA only in the administration of the Clean Air Act, the Solid Waste Disposal Act, or the Noise Control Act of 1972.

(5) Require the President, in submitting his budget to the Congress, to include the agency requests originally submitted to OMB together with any supporting materials furnished by the agency so that Congress may have a clear understanding of what resources the agencies themselves believe are necessary to carry out their assigned duties.

(6) Clarify the right of the duly authorized committees of the Congress to obtain access to information in the possession of these agencies. (These provisions are intended to remove any argument relating to the right of the committees charged with legislative oversight to gain access to information in the possession of the regulatory commissions. Its need is clearly demonstrated by the recent SEC–ITT experience.)

PRESIDENT'S ENERGY MESSAGE

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

Mr. UDALL. Mr. Speaker, the President's Energy Message has to be viewed as a disappointment by those who are concerned that the demand side of the energy equation is not receiving enough attention.

The fact is that America has been on a three-decade-long energy binge, and a massive hangover is in prospect. The President's answer is to take more bufferin—the only real answer is to moderate and in some cases abstain from our bad habits.

But unfortunately, except for a few exhortations, the President's message looks only at supply, and even then there is too much "dig-and-dam-and-drill" philosophy.

It is the kind of philosophy that simply accepts the premise that population, as some project, will increase 50 percent to 300 million by the year 2000 and that energy per capita will necessarily quadruple. If we are going to simply accept this, we had better get a grip on what it means.

What it means is six powerplants for every one we have today, and even if the sites could be found, we would not for long have the oil, gas, coal, and dollars to keep them running. It means permanently clouded skies and poisoned waters. It means inevitable conflict with other world powers competing for scarce petroleum resources and perhaps it means mortgaging our future national security for Mideast oil.

We ought to ask ourselves: Are we really gaining anything by chasing the supply rabbit? The average American uses twice as much energy as his British counterpart. Does this lavish energy use really make us 100 percent happier? We waste as much energy each year as the Japanese consume; we use as much for air conditioning annually as 800 million Chinese use for everything. Surely there are places we can cut back without reverting to a spartan life style.

The President should have used this message to tell us some hard truths. He should have told us that the joy ride is over and we are going to have to begin thinking small: smaller cars, smaller houses, smaller towns.

Instead he has accepted the premise that public demand will grow exponentially and we had better get ready for it. My reply is that I'm part of the public and I demand no such thing.

Mr. Speaker, I have put together some down-to-earth suggestions for private citizens in the form of an energy diet, and I include it in the RECORD at this point:

THE UDALL ENERGY DIET

The idea of a spartan existence is repugnant to Americans. But the fact is that by exercising modest restraint average citizens, according to one study, could reduce energy demands overnight by as much as one-third. Each family ought to start thinking in terms of an energy diet: if your weakness is a big automobile, then cut down on electrical appliances, heating and air conditioning and so on. Below I have combined the best suggestions that have been made on how the average citizen can have an impact—and without seriously changing life styles.

THE AUTOMOBILE

Buy smaller cars.

Commute to work in car pools or by public transportation if accessible.

Ride bicycles and walk wherever possible. Auto traffic averages 12 mph in the cities, no faster than the horse and buggy.

Turn the engine off when parked. Don't use the engine just to cool or heat the car.

THE UTILITY COMPANY

Write your local utility a strong letter suggesting they knock off advertising stimulating electrical use.

THE AIR CONDITIONER

Keep in mind always it is one of the worst offenders during the worst part of the year.

Turn it off when you leave and in rooms not in use.

Make sure nothing is obstructing the ducts and that drapes are drawn on hot days.

Seek a professional's advice in purchasing a unit that isn't too big for your needs. Watch efficiency ratings given various brands by consumer magazines. Efficient models use less power.

LIGHTS

Turn off lights not in use.

Use fluorescent lights where feasible because they produce more light per watt and less heat.

Neon advertising lights are garish. By discouraging their use we can improve scenery and save energy all at once.

HOUSEHOLD APPLIANCES

Do one full load of wash rather than many half loads. If clothes are dry in 20 minutes, don't run the dryer 40 minutes.

Clean the dishwasher filter often and don't run less than a full load.

Never use the range as a heater.

Turn off the TV and radio when not looking and listening.

Use the garbage disposal as seldom as possible and if you don't have one, don't buy one.

HOUSING

If you're building a home, insist on thermal insulation to greatly reduce energy consumption and your monthly utility bill.

Use storm doors and windows to further cut utility costs.

Set your thermostat for a comfortable reading and leave it alone. Constant changing wastes fuel.

If you have individual room thermostats, keep a lower temperature in rooms, such as bedrooms, not in constant use.

ELECTRIC GADGETS

Start walking rather than riding those 18 holes.

Stop giving Christmas presents like electric toothbrushes, hair stylers, blankets, shoe polishers and so on.

RECYCLING CENTERS

Start using your local center!

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. ROGERS, for 15 minutes, today.

(The following Members (at the request of Mr. MCCOLLISTER) and to revise and extend their remarks and include extraneous matter:)

Mr. BELL, for 5 minutes, today.

Mr. ROBISON of New York, for 15 minutes, today.

Mr. BLACKBURN, for 5 minutes, today.

Mr. KEMP, for 10 minutes, today.

Mr. MITCHELL of New York, for 5 minutes, today.

Mr. MCDADE, for 15 minutes, today.

Mr. VEYSEY, for 10 minutes, today.

Mr. HOGAN, for 5 minutes, today.

Mr. YOUNG of Alaska, for 5 minutes, today.

Mr. WYATT, for 10 minutes, today.

Mr. MILLER, for 5 minutes, today.

(The following Members (at the request of Mr. STUDDS) and to revise and extend their remarks and include extraneous matter:)

Mr. ALEXANDER, for 60 minutes, today.

Mr. O'NEILL, for 5 minutes, today.

Mr. MCFALL, for 5 minutes, today.

Mr. BURKE of Massachusetts, for 15 minutes, today.

Mr. FULTON, for 5 minutes, today.

Mr. MEEDS, for 5 minutes, today.

Mr. GONZALEZ, for 5 minutes, today.

Mr. DRINAN, for 15 minutes, today.

Mr. MOAKLEY, for 5 minutes, today.

Mr. MATSUNAGA, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. GROSS to insert his remarks in the body of the RECORD on S. 502 prior to the vote on the Anderson amendment.

Mr. RANDALL, to revise and extend his remarks, just prior to the vote on the Railsback amendment.

Mr. HORTON to extend his remarks during debate on the Anderson amendment and on the Walsh amendment in the Committee of the Whole, today.

Mr. MICHEL to extend his remarks following those of Mr. RAILSBACK during debate on the Railsback amendment in the Committee of the Whole, today.

Mr. DON H. CLAUSEN to include in the RECORD during debate on S. 502, today, remarks of Mr. JONES of Alabama.

Mr. WYLIE and Mr. FRENZEL to follow the remarks of Mr. WIDNALL today.

(The following Members (at the request of Mr. MCCOLLISTER) and to include extraneous matter:)

Mr. YOUNG of Alaska in two instances.
Mr. CONLAN.
Mr. KEATING.
Mr. WYMAN in two instances.
Mr. QUIE.
Mr. KEMP in two instances.
Mr. KUYKENDALL.
Mr. RINALDO.
Mr. GUYER.
Mr. HASTINGS.
Mr. ROUSSELOT.
Mr. ZWACH in three instances.
Mr. LENT in two instances.
Mr. VEYSEY in four instances.
Mr. HOGAN in two instances.
Mr. NELSEN.
Mr. SARASIN in two instances.
Mr. DICKINSON.
Mr. GERALD R. FORD.
Mr. ESHLEMAN.
Mr. STEIGER of Arizona.
Mr. THOMSON of Wisconsin.
Mr. MCDADE.
Mr. ARMSTRONG.
Mr. CONTE.
Mr. BURGENER.
Mr. CRONIN in two instances.
Mr. COUGHLIN in three instances.
Mr. WYDLER.
Mr. PARRIS in five instances.
Mr. HUBER in two instances.
Mr. FRELINGHUYSEN in two instances.
Mr. ASHBROOK in three instances.
Mr. MAILLIARD.
Mr. BUCHANAN in two instances.
Mr. WIDNALL in two instances.
Mr. BROOMFIELD in two instances.
Mr. FREY.

(The following Members (at the request of Mr. STUDDS) and to include extraneous matter:)

Mr. UDALL in seven instances.
Mr. GONZALEZ in three instances.
Mr. RARICK in three instances.
Mr. KOCH in two instances.
Mr. ROONEY of New York to extend his own remarks on the 30th anniversary of the Warsaw ghetto uprising.
Mr. BADILLO.
Mr. DRINAN in seven instances.
Mr. EDWARDS of California in two instances.
Mr. BLATNIK in two instances.
Mr. EILBERG in 10 instances.
Mr. GIAIMO in three instances.
Mr. DINGELL in two instances.
Mr. CAREY of New York in two instances.
Mr. RANGEL in three instances.
Mr. CORMAN.
Mr. ANDERSON of California in three instances.
Mr. FUQUA.
Mrs. MINK in four instances.
Mr. DANIELSON.
Mr. ROY.
Mr. RODINO in two instances.
Mr. WOLFF.
Mr. JAMES V. STANTON.
Mr. STOKES in five instances.
Mr. DOMINICK V. DANIELS in eight instances.
Mr. PICKLE.
Mrs. CHISHOLM.
Mr. RUNNELS.
Mr. HOWARD.
Mr. JOHNSON of California.
Mr. ROGERS in five instances.
Mr. FULTON.
Mr. ECKHARDT in two instances.
Mr. KYROS.

SENATE ENROLLED BILL SIGNED

The Speaker announced his signature to an enrolled bill of the Senate of the following title:

S. 50. An act to strengthen and improve the Older Americans Act of 1965, and for other purposes.

ADJOURNMENT OVER TO MONDAY, APRIL 30, 1973

Mr. STUDDS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 2 minutes p.m.), pursuant to the provisions of the Senate concurrent resolution 22, 93d Congress, the House adjourned until Monday, April 30, 1973.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

793. A letter from the Acting Secretary of the Navy, transmitting a draft of proposed legislation authorizing the Secretary of the Navy to receive for instruction at the U.S. Naval Academy two citizens and subject of the Empire of Iran; to the Committee on Armed Services.

794. A letter from the Secretary of Health, Education, and Welfare, transmitting a report of actual procurement receipts for medical stockpile of civil defense emergency supplies and equipment purposes, covering the quarter ended March 31, 1973, pursuant to section 201(h) of the Federal Civil Defense Act of 1950, as amended; to the Committee on Armed Services.

795. A letter from the Director, Office of Management and Budget, Executive Office of the President, transmitting a draft of proposed legislation to amend the International Economic Policy Act of 1972; to the Committee on Banking and Currency.

796. A letter from the Secretary of Housing and Urban Development, transmitting a draft of proposed legislation to provide Federal revenues to State and local governments and afford them broad discretion in carrying out community development activities; to the Committee on Banking and Currency.

797. A letter from the Commissioner of the District of Columbia transmitting a draft of proposed legislation to authorize certain programs and activities of the government of the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

798. A letter from the Deputy Assistant Secretary of Commerce for Product Standards, transmitting notice of proposed amendments to the Flammability Standard for Mattresses, DOC FF 4–72; to the Committee on Interstate and Foreign Commerce.

799. A letter from the Secretary of State, transmitting a report on U.S. foreign policy during 1972; to the Committee on Foreign Affairs.

800. A letter from the Acting Secretary of the Interior, transmitting a draft of proposed legislation to amend the Outer Continental Shelf Lands Act and to authorize the Secretary of the Interior to regulate the construction and operation of deepwater port facilities; to the Committee on Interior and Insular Affairs.

801. A letter from the President, National Safety Council, transmitting a report of the audit of the financial transactions of the Council for 1972, pursuant to section 15 of Public Law 83–259; to the Committee on the Judiciary.

802. A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to amend section 142 of title 13, United States Code, entitled "Census"; to the Committee on Post Office and Civil Service.

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. BRADEMAS: Committee on House Administration. House Concurrent Resolution 109. Concurrent resolution providing for the printing of remarks of tribute to the late President of the United States, Lyndon Baines Johnson; with amendment (Rept. No. 93–150). Referred to the House Calendar.

Mr. BRADEMAS: Committee on House Administration. House Concurrent Resolution 126. Concurrent resolution to provide for the printing of 1,000 additional hearings entitled "Year-Round Schools" (Rept. No. 93–151). Referred to the House Calendar.

Mr. BRADEMAS: Committee on House Administration. House Concurrent Resolution 156. Concurrent resolution to provide for the printing of 1,000 additional hearings entitled "Corrections, Federal and State Parole Systems", parts VII–A and VII–B, serial 15, 92d Congress (Rept. No. 93–152). Referred to the House Calendar.

Mr. BRADEMAS: Committee on House Administration. Senate Concurrent Resolution 2. Concurrent resolution authorizing the printing of additional copies of Senate hearings entitled "Runaway Youth" (Rept. No. 93–153). Referred to the House Calendar.

Mr. BRADEMAS: Committee on House Administration. Senate Concurrent Resolution 3. Concurrent resolution authorizing the printing of additional copies of Senate hearings entitled "Saturday Night Special Handguns, S. 2507" (Rept. No. 93–154). Referred to the House Calendar.

Mr. BRADEMAS: Committee on House Administration. Senate Concurrent Resolution 4. Concurrent resolution authorizing the printing of additional copies of Senate hearings entitled "Juvenile Confinement Institutions and Correctional Systems" (Rept. No. 93–155). Referred to the House Calendar.

Mr. BRADEMAS: Committee on House Administration. Senate Concurrent Resolution 13. Concurrent resolution authorizing the printing of additional copies of Senate hearings on the sudden infant death syndrome (Rept. No. 93–156). Referred to the House Calendar.

Mr. STAGGERS: Committee on Interstate and Foreign Commerce. H.R. 6388. A bill to amend the Airport and Airway Development Act of 1970 to increase the U.S. share of allowable project costs under such act; to amend the Federal Aviation Act of 1958 to prohibit certain State taxation of persons in

air commerce; and for other purposes; with amendment (Rept. No. 93–157). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ALEXANDER (for himself and Mr. MILLS of Arkansas):

H.R. 7211. A bill to utilize the repayment of delinquent foreign debts for the establishment of the National Outdoor Recreation and Wilderness Trust Fund to be used to acquire land and waters for national outdoor recreation and wilderness areas; to the Committee on Ways and Means.

By Mr. BELL:

H.R. 7212. A bill to amend the Labor Management Relations Act, 1947, to permit employee contributions to jointly administered trust funds established by labor organizations to defray costs of legal services; to the Committee on Education and Labor.

H.R. 7213. A bill to extend the National Foundation on the Arts and the Humanities Act; to the Committee on Education and Labor.

By Mr. BURKE of Massachusetts:

H.R. 7214. A bill to amend the tax treatment of moving expenses; to the Committee on Ways and Means.

By Mr. BURKE of Massachusetts (for himself and Mr. ST GERMAIN):

H.R. 7215. A bill to increase the duty on rubber filament; to the Committee on Ways and Means.

By Mr. BURKE of Massachusetts (for himself, Mr. BRASCO, Mr. BROYHILL of Virginia, Mr. COLLINS, Mr. WILLIAM D. FORD, Mrs. GRASSO, Mr. JOHNSON of California, Mr. KUYKENDALL, Mr. MICHEL, Mr. NIX, Mr. RARICK, Mr. SPENCE, Mr. TIERNAN, and Mr. WOLFF):

H.R. 7216. A bill to amend the Internal Revenue Code of 1954 to allow an itemized deduction for motor vehicle insurance premiums; to the Committee on Ways and Means.

By Mr. DIGGS (by request):

H.R. 7217. A bill to provide for the appointment of alternates and hearing examiners by the Zoning Commission of the District of Columbia, to change the composition of the Board of Zoning Adjustment, and for other purposes; to the Committee on the District of Columbia.

H.R. 7218. A bill to improve the laws relating to the regulation of insurance companies in the District of Columbia; to the Committee on the District of Columbia.

By Mr. DINGELL (for himself, Mr. PEPPER, Mr. REES, Mr. LUJAN, Mr. BROWN of California, Mr. MCCLOSKEY, Mr. WILLIAM D. FORD, Mr. ROYBAL, Mr. MOSS, Mr. WALDIE, Mr. LEHMAN, Mr. BUCHANAN, Mr. EILBERG, Mr. MOAKLEY, Mr. FORSYTHE, and Mr. MURPHY of Illinois):

H.R. 7219. A bill to encourage the movement in interstate and foreign commerce of recycled and recyclable materials and to reduce the quantities of solid waste materials in commerce which cannot be recycled or do not contain available recycled materials, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. ESCH (for himself, Mr. BROYHILL of North Carolina, Mr. COLLINS, Mr. DAVIS of Georgia, Mr. ERLENBORN, Mr. FORSYTHE, Mr. FRENZEL, Mr. GILMAN, Mr. HAMMERSCHMIDT, Mr. HARVEY, Mr. HEINZ, Mr. KEMP, Mr. MCCLOSKEY, Mr. MOSHER, Mr. REGULA, Mr. RHODES, Mr. ROBISON of New York, Mr. TEAGUE of California, Mr. TOWELL of Nevada, Mr. VEYSEY, and Mr. WON PAT):

H.R. 7220. A bill to assure an opportunity for employment to every American seeking work and to make available the education and training needed by any person to qualify for employment consistent with his highest potential and capability, and for other purposes; to the Committee on Education and Labor.

By Mr. GUDE:

H.R. 7221. A bill to amend the Freedom of Information Act to require that all information be made available to Congress except where Executive privilege is invoked; to the Committee on Government Operations.

By Mr. HARRINGTON (for himself, Ms. ABZUG, Mr. BROWN of California, Mrs. CHISHOLM, Mr. DIGGS, Mr. DRINAN, Mr. KYROS, Mr. MACDONALD, Mr. MOAKLEY, Mr. OWENS, Mr. PODELL, Mr. ROYBAL, and Mr. WON PAT):

H.R. 7222. A bill to provide public service employment opportunities for unemployed and underemployed persons, to assist States and local communities in providing needed public services, and for other purposes; to the Committee on Education and Labor.

By Mr. HARRINGTON (for himself and Mr. DRINAN):

H.R. 7223. A bill to establish a New England Regional Commission, and for related purposes; to the Committee on Public Works.

By Mr. HARRINGTON (for himself, Mr. ADAMS, Mr. BADILLO, Mr. BROWN of California, Mr. CARNEY of Ohio, Mrs. CHISHOLM, Mr. DELLUMS, Mr. EDWARDS of California, Mr. EILBERG, Mr. FRASER, Mr. HAWKINS, Mr. HECHLER of West Virginia, Miss HOLTZMAN, Mr. MITCHELL of Maryland, Mr. MOAKLEY, Mr. NIX, Mr. PODELL, Mr. RANGEL, Mr. ROE, Mr. SARBANES, Mr. STOKES, Mr. STUDDS, Mr. WON PAT, and Mr. YATRON):

H.R. 7224. A bill to amend the Federal-State Extended Unemployment Compensation Act of 1970 to permit Federal sharing of the cost of unemployment benefits which extend for 52 weeks; to the Committee on Ways and Means.

By Mr. HARRINGTON (for himself, Mr. BADILLO, Mr. BROWN of California, Mrs. CHISHOLM, Mr. DELLUMS, Mr. EDWARDS of California, Mr. EILBERG, Mr. FRASER, Mr. HAWKINS, Mr. HECHLER of West Virginia, Miss HOLTZMAN, Mr. MITCHELL of Maryland, Mr. MOAKLEY, Mr. NIX, Mr. PODELL, Mr. RANGEL, Mr. ROE, Mr. SARBANES, Mr. STOKES, Mr. WON PAT, and Mr. YATRON):

H.R. 7225. A bill to improve the extended unemployment compensation program; to the Committee on Ways and Means.

By Mr. HASTINGS (for himself, Mr. MEEDS, Mrs. HANSEN of Washington, Mr. HOWARD, Mr. JONES of Tennessee, Mr. BAKER, Mr. DUNCAN, Mr. ROE, Mr. SEIBERLING, Mr. COUGHLIN, Mr. EVINS of Tennessee, Mr. ASHBROOK, Mr. ARCHER, Mr. EDWARDS of California, and Mr. BINGHAM):

H.R. 7226. A bill to extend through fiscal year 1974 the expiring appropriations authorizations in the Public Health Service Act, the Community Mental Health Centers Act, and the Developmental Disabilities Services and Facilities Construction Act, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mrs. HECKLER of Massachusetts (for herself, Mr. MAYNE, Mr. SISK, Mr. BROOMFIELD, and Mr. O'NEILL):

H.R. 7227. A bill to provide that respect for an individual's right not to participate in abortions contrary to that individual's conscience be a requirement for hospital eligibility for Federal financial assistance; to the Committee on Interstate and Foreign Commerce.

By Mr. KASTENMEIER:

H.R. 7228. A bill to amend title 10 and 37, United States Code, to provide for equality of treatment for military personnel in the application of dependency criteria; to the Committee on Armed Services.

By Mr. KOCH (for himself, Ms. ABZUG, Mr. BADILLO, Mr. BELL, Mr. DRINAN, Mr. EDWARDS of California, Mr. FRASER, Mr. KASTENMEIER, Mr. MOAKLEY, Mr. REES, Mr. ROSENTHAL, Mr. STARK, and Mr. RANGEL):

H.R. 7229. A bill to amend the Immigration and Nationality Act with respect to the waiver of certain grounds for exclusion and deportation; to the Committee on the Judiciary.

By Mr. MITCHELL of New York:

H.R. 7230. A bill to amend title 10, United States Code, so as to provide that the Chief of the Medical Service Corps of the Navy shall be a rear admiral and for other purposes; to the Committee on Armed Services.

By Mr. KYROS (for himself, Mr. STEELE, Mr. BLACKBURN, Mr. CLEVELAND, Mr. CONLAN, Mr. FREY, Mrs. GRASSO, Mr. HOWARD, Mr. JONES of North Carolina, Mr. PIKE, Mr. REES, Mr. ROSENTHAL, Mr. SARBANES, Mr. SHIPLEY, Mr. VIGORITO, Mr. WHITEHURST, and Mr. YOUNG of Alaska):

H.R. 7231. A bill to amend the act of May 20, 1964, entitled "An Act to prohibit fishing in the territorial waters of the United States and in certain other areas by vessels other than vessels of the United States, and by persons in charge of such vessels", to define those species of Continental Shelf fishery resources which appertain to the United States, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. MARAZITI:

H.R. 7232. A bill to amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits thereunder; to the Committee on Ways and Means.

By Mr. MEEDS:

H.R. 7233. A bill to authorize grants to encourage and assist the States in developing and implementing land use planning processes and programs; to coordinate Federal programs and policies which have a land use impact; to establish a public land policy and to provide public land use planning directives; to provide for the protection and enhancement of the environment; and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MIZELL:

H.R. 7234. A bill to establish a national development program through public works, including a special component for the development of rural America, and to consolidate under the program so established certain existing development programs; to the Committee on Public Works.

By Mr. MURPHY of New York:

H.R. 7235. A bill to provide that respect for an individual's right not to participate in abortions contrary to that individual's conscience be a requirement for hospital eligibility for Federal financial assistance and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. NIX:

H.R. 7236. A bill to provide increased annuities under the civil service retirement program; to the Committee on Post Office and Civil Service.

By Mr. OBEY (for himself, Mr. CORMAN, Mr. BEVILL, Mrs. MINK, Mr. CONYERS, Mr. NIX, Mr. YATRON, Mr. SARBANES, Mr. MELCHER, Mr. STUDDS, Mr. HARRINGTON, Mr. RANGEL, Mr. OWENS, and Mr. FAUNTROY):

H.R. 7237. A bill to assist the States in providing the opportunity for an elementary and secondary education of equal quality to all students throughout each State and in providing for greater equity in the distribution of the burden of school financing; to the Committee on Education and Labor.

By Mr. OBEY (for himself, Mr. HECHLER of West Virginia, Mr. LEGGETT, Mr. ROONEY of Pennsylvania, Mrs. CHISHOLM, Mr. MITCHELL of Maryland, Mr. PODELL, Mr. EILBERG, Ms. ABZUG, Mr. BROWN of California, Mr. MOAKLEY, Mr. BINGHAM, Mr. ROSENTHAL, Mr. CLARK, and Mr. MURPHY of New York):

H.R. 7238. A bill to assist the States in providing the opportunity for an elementary and secondary education of equal quality to all students throughout each State and in providing for greater equity in the distribution of the burden of school financing; to the Committee on Education and Labor.

By Mr. PATMAN:

H.R. 7239. A bill to authorize and direct the Secretary of the Treasury to make grants to Eisenhower College, in Seneca Falls, N.Y., out of proceeds from the sale of silver dollar coins bearing the likeness of the late President of the United States, Dwight David Eisenhower; to the Committee on Appropriations.

By Mr. ROUSH (for himself, Ms. ABZUG, and Mr. CHARLES H. WILSON of California):

H.R. 7240. A bill to amend the Communications Act of 1934 to provide grants to States and units of local government for the establishment equipping, and operation of emergency communications facilities to make the national emergency telephone number 911 available throughout the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. ROYBAL:

H.R. 7241. A bill to amend the Federal Food, Drug, and Cosmetic Act to include a definition of food supplements, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. SHRIVER:

H.R. 7242. A bill to amend the Uniform Time Act of 1966 in order to provide that daylight saving time shall be observed in the United States from the first Sunday following Memorial Day to the first Sunday following Labor Day; to the Committee on Interstate and Foreign Commerce.

By Mrs. SULLIVAN (for herself, Mr. GROVER, Mr. DOWNING, and Mr. MAILLIARD):

H.R. 7243. A bill to amend section 27 of the Merchant Marine Act of 1920, to provide a monetary penalty for the transportation of merchandise in violation of the coastwise laws; to the Committee on Merchant Marine and Fisheries.

By Mrs. SULLIVAN (for herself, Mr. BIESTER, Mrs. BOGGS, Mr. DAVIS of South Carolina, Mr. BREAUX, Mr. DENNIS, and Mr. BEARD):

H.R. 7244. A bill to extend until November 1, 1978, the existing exemption of the steamboat Delta Queen from certain vessel laws; to the Committee on Merchant Marine and Fisheries.

By Mr. ULLMAN:

H.R. 7245. A bill to limit the authority of the Secretary of Health, Education, and Welfare to impose, by regulations, certain additional restrictions upon the availability and use of Federal funds authorized for social services under the public assistance programs established by the Social Security Act; to the Committee on Ways and Means.

By Mr. VEYSEY:

H.R. 7246. A bill to amend the Clean Air Act to require more effective testing and control of motor vehicle emissions; to the Committee on Interstate and Foreign Commerce.

By Mr. WALDIE (for himself, Mr. ROONEY of Pennsylvania, Ms. ABZUG, Mr. RANGEL, and Mrs. BURKE of California):

H.R. 7247. A bill to extend Migrant Health Act and increase appropriation; to the Committee on Interstate and Foreign Commerce.

By Mr. WHITEHURST (for himself and Mr. DOWNING):

H.R. 7248. A bill to direct the Secretary of Labor to study the feasibility of and need for a Cost of Existence Index; to the Committee on Education and Labor.

By Mr. YOUNG of Alaska:

H.R. 7249. A bill creating an additional Federal district judgeship for the district of Alaska; to the Committee on the Judiciary.

By Mr. BADILLO:

H.R. 7250. A bill to amend the Civil Rights Act of 1964 to prohibit housing discrimination on the basis of race, color, creed, national origin, sex, marital status or, in the case of adults, age; to the Committee on the Judiciary.

By Mr. BENNETT:

H.R. 7251. A bill to prohibit ceratin belligerent activities by U.S. personnel in Southeast Asia; to the Committee on Foreign Affairs.

By Mr. BLATNIK:

H.R. 7252. A bill to enable domestic growers or canners of seasonal fruits or vegetables or of fruit juices, fruit nectars, or fruit drinks prepared from such seasonal fruits, which were packed in hermetically sealed containers and sterilized by heat, to secure an adjudication of certain claims for losses in the Court of Claims; to the Committee on the Judiciary.

By Mr. BURLISON of Missouri:

H.R. 7253. A bill to provide for the study of certain lands to determine their suitability for designation as wilderness in accordance with the Wilderness Act of 1964, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 7254. A bill to further the purposes of the Wilderness Act of 1964 by designating certain lands for inclusion in the National Wilderness Preservation System, and for other purposes; to the Committee on Interior and Insular Affairs

By Mr. CARTER:

H.R. 7255. A bill to authorize the acquisition of certain lands for addition to the Cumberland Gap National Historical Park, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. DELANEY (for himself and Mr. CONABLE):

H.R. 7256. A bill to eliminate racketeering in the sale and distribution of cigarettes and to assist State and local governments in the enforcement of cigarette taxes; to the Committee on the Judiciary.

By Mr. FINDLEY:

H.R. 7257. A bill to amend section 3041 of the Internal Revenue Code; to the Committee on Ways and Means.

By Mr. GILMAN (for himself, Mr. RONCALLO of New York, Mr. MITCHELL of New York, and Mr. WALSH):

H.R. 7258. A bill to amend the Internal Revenue Code of 1954 to allow a credit against the individual income tax for tuition paid for the elementary or secondary education of dependents; to the Committee on Ways and Means.

By Mr. GUDE:

H.R. 7259. A bill to amend the act of March 16, 1926 (relating to the Board of Public Welfare in the District of Columbia), to provide for an improved system of adoption of children in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

H.R. 7260. A bill to encourage earlier retirement by permitting Federal employees to purchase into the civil service retirement system benefits unduplicated in any other retirement system based on employment in Federal programs operated by State and local governments under Federal funding and supervision; to the Committee on Post Office and Civil Service.

By Mr. HUNGATE (for himself, Mr. LITTON, Mr. SYMINGTON, and Mr. THORNTON):

H.R. 7261. A bill to authorize appropriations to the Winston Churchill Memorial and Library in the United States for the construction of educational facilities at such memorial and library, and for other purposes; to the Committee on Education and Labor.

By Mr. LANDGREBE (for himself, Mr. CONLAN, Mr. DAVIS of Georgia, Mr. HOGAN, Mr. KETCHUM, Mr. PARRIS, and Mr. WON PAT):

H.R. 7262. A bill to provide for the continuation of programs authorized under the Vocational Rehabilitation Act, and for other purposes; to the Committee on Education and Labor.

By Mr. LEHMAN:

H.R. 7263. A bill to extend the Environmental Education Act for 3 years; to the Committee on Education and Labor.

By Mr. MINISH:

H.R. 7264. A bill to amend the State and Local Fiscal Assistance Act of 1972 with regard to the definition of township; to the Committee on Ways and Means.

By Mrs. MINK (for herself, Mr. STEIGER of Wisconsin, and Mr. HAWKINS):

H.R. 7265. A bill to provide for the operation of programs by the ACTION Agency, to establish certain new such programs, and for other purposes; to the Committee on Education and Labor.

By Mr. MITCHELL of Maryland (for himself, Mr. HAWKINS, Mr. MOAKLEY, Mr. WAMPLER, Mr. CONYERS, Mr. HARRINGTON, Mrs. CHISHOLM, Mr. DELLUMS, and Mr. MAZZOLI):

H.R. 7266. A bill to establish the Federal Protective Service police force within the General Services Administration, provide minimum training, pay, and other benefits for such police force, and for other purposes: to the Committee on Public Works.

By Mr. MITCHELL of Maryland:

H.R. 7267. A bill to amend the Internal Revenue Code of 1954 to exempt the taxpayer's principal residence from a levy for collection of taxes and to remove the limitation on the amount of certain books and tools exempt from such levy; to the Committee on Ways and Means.

By Mr. MOORHEAD of Pennsylvania:

H.R. 7268. A bill to amend section 552 of title 5, United States Code, known as the "Freedom of Information Act"; to the Committee on Government Operations.

By Mr. MURPHY of New York (for himself, Mr. BIAGGI, Mr. ROONEY of Pennsylvania, Mr. MCCLOSKEY, Mr. MAILLIARD, Mr. FORSYTHE, Mr. TREEN, Mr. DINGELL, Mrs. SULLIVAN, Mr. METCALFE, and Mr. MOSHER):

H.R. 7269. A bill to deduct from gross tonnage in determining net tonnage those spaces on board vessels used for waste materials; to the Committee on Merchant Marine and Fisheries.

By Mr. OWENS:

H.R. 7270. A bill to establish mining and mineral research centers, to promote a more adequate national program of mining and minerals research, to supplement the act of December 31, 1970, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 7271. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968, as amended, to provide benefits to survivors of certain public safety officers who die in the performance of duty; to the Committee on the Judiciary.

By Mr. PEPPER:

H.R. 7272. A bill for the relief of certain distressed aliens; to the Committee on the Judiciary.

By Mr. ROE:

H.R. 7273. A bill to extend through fiscal year 1974 the expiring appropriations authorizations in the Public Health Service Act, the Community Mental Health Centers Act, and the Developmental Disabilities Services and Facilities Construction Act, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. ROGERS (for himself, Mr. STAGGERS, Mr. SATTERFIELD, Mr. KYROS, Mr. PREYER, Mr. SYMINGTON, Mr. ROY, Mr. CARTER, Mr. HASTINGS, Mr. HEINZ, and Mr. HUDNUT):

H.R. 7274. A bill to consolidate and revise the laws relating to public health, to revise the programs of health service research and development, and to extend the program of assistance for medical libraries; to the Committee on Interstate and Foreign Commerce.

By Mr. ROYBAL:

H.R. 7275. A bill to authorize financial assistance for service, employment, and redevelopment (SER) centers; to the Committee on Education and Labor.

By Mr. SARASIN:

H.R. 7276. A bill to amend title 18 of the United States Code to permit the transportation, mailing, and broadcasting of advertising, information, and materials concerning lotteries authorized by law and conducted by a State, and for other purposes; to the Committee on the Judiciary.

By Mr. WIDNALL (for himself, Mr. JOHNSON of Pennsylvania, Mr. J. WILLIAM STANTON, Mr. BLACKBURN, Mr. BROWN of Michigan, Mr. WILLIAMS, Mr. WYLIE, Mrs. HECKLER of Massachusetts, Mr. CRANE, Mr. ROUSSELOT, Mr. MCKINNEY, Mr. FRENZEL, Mr. CONLAN, Mr. RONCALLO of New York, Mr. BURGENER, and Mr. RINALDO):

H.R. 7277. A bill to provide Federal revenues to State and local governments and afford them broad discretion in carrying out community development activities; to the Committee on Banking and Currency.

By Mr. FREY:

H.R. 7278. A bill to provide for the control and eradication of noxious weeds, and the regulation of the movement in interstate or foreign commerce of noxious weeds and potential carriers thereof, and for other purposes; to the Committee on Agriculture.

By Mr. DIGGS (for himself, Ms. ABZUG, Mr. BADILLO, Mr. BINGHAM, Mrs. BURKE of California, Mr. BURTON, Mrs. CHISHOLM, Mr. CLAY, Mr. CONYERS, Mr. DELLUMS, Mr. DE LUGO, Mr. DRINAN, Mr. EDWARDS of California, Mr. FAUNTROY, Mr. FRASER, Mr. HARRINGTON, Mr. HAWKINS, Miss HOLTZMAN, Ms. JORDAN, Mr. KOCH, Mr. LEHMAN, Mr. MCCLOSKEY, Mr. METCALFE, and Mr. MITCHELL of Maryland):

H.J. Res. 522. Joint resolution to protect U.S. domestic and foreign policy interests by making fair employment practices in the South African enterprises of U.S. firms a criteria for eligibility for Government contracts; to the Committee on the Judiciary.

By Mr. FINDLEY:

H.J. Res. 523. Joint resolution to deauthorize inactive Army Corps of Engineer projects; to the Committee on Public Works.

By Mr. FULTON:

H.J. Res. 524. Joint resolution authorizing the President to proclaim May of each year as "National Earth and Wildlife Month"; to the Committee on the Judiciary.

By Mr. HELSTOSKI:

H.J. Res. 525. Joint resolution to terminate American military activity in Laos and Cambodia; to the Committee on Foreign Affairs.

By Mr. MCCLORY:

H.J. Res. 526. Joint resolution proposing an amendment to the Constitution of the United States to provide 4-year terms for Members of the House of Representatives; to the Committee on the Judiciary.

By Mr. RONCALLO of New York:

H.J. Res. 527. Joint resolution to extend the provisions of the Railway Labor Act, and for other purposes; to the Committee on Interstate nad Foreign Commerce.

By Mr. BURKE of Massachusetts:

H. Con. Res. 202. Concurrent resolution requesting the President to proclaim July 4 of each year as the "Principal National Permanent Legal Holiday"; to the Committee on the Judiciary.

By Mr. DRINAN:

H. Con. Res. 203. Concurrent resolution declaring and recognizing the right to travel freely to any foreign country; to the Committee on Foreign Affairs.

H. Con. Res. 204. Concurrent resolution expressing the opposition of the Congress to certain measures for the curtailment of benefits under the medicare and medicaid programs; to the Committee on Ways and Means.

By Mr. KYROS:

H. Con. Res. 205. Concurrent resolution expressing the sense of Congress that the contingent of U.S. troops stationed in Europe be substantially reduced; to the Committee on Foreign Affairs.

By Mr. ROYBAL:

H. Res. 364. Resolution creating a special committee to conduct an investigation and study into the legal, political, and diplomatic status of lands which were the subject of grants from the King of Spain and from the Government of Mexico prior to the acquisition of the American Southwest as a result of the Treaty of Guadalupe-Hidalgo concluding of the Mexican-American War in 1848; to the Committee on Rules.

By Mr. VANIK:

H. Res. 365. Resolution creating a select committee to conduct an investigation of distillate and residual fuels in the United States; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

161. By the SPEAKER: A memorial of the House of Representatives of the State of Oklahoma, relative to the price of beef; to the Committee on Banking and Currency.

162. Also, memorial of the Senate of the State of Oklahoma, relative to the price of beef; to the Committee on Banking and Currency.

163. Also, memorial of the Legislature of the State of California, relative to oil importation on American flagships; to the Committee on Merchant Marine and Fisheries.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. FISHER:

H.R. 7279. A bill for the relief of Francisco Realme Galindo; to the Committee on the Judiciary.

By Mr. HELSTOSKI:

H.R. 7280. A bill for the relief of Ricardo Munoz; to the Committee on the Judiciary.

By Mr. KASTENMEIER:

H.R. 7281. A bill to grant a Federal charter to the Mid-Continent Railway Historical Society; to the Committee on the District of Columbia.

By Mr. PEPPER:

H.R. 7282. A bill for the relief of the estate of William H. Evans; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

180. By the SPEAKER: Petition of C. W. Johnson, Pensacola, Fla., and others, relative to protection for law enforcement officers against nuisance suits, to the Committee on the Judiciary.

181. Also, petition of S. H. Barnes, Shreveport, La., and others, relative to protection for law enforcement officers against nuisance suits; to the Committee on the Judiciary.

182. Also, petition of Samuel R. Johnston, Wyoming, Mich., and others, relative to protection for law enforcement officers against nuisance suits; to the Committee on the Judiciary.

183. Also, petition of Charles L. Stewart, Erie, Pa., and others, relative to protection for law enforcement officers against nuisance suits; to the Committee on the Judiciary.

184. Also, petition of Paul E. Bickelman, Moscow, Pa., and others, relative to protection for law enforcement officers against nuisance suits; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

THE 1974 BUDGET SCOREKEEPING REPORT NO. 1

HON. GEORGE H. MAHON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 18, 1973

Mr. MAHON. Mr. Speaker, I am inserting for the information of Members, their staff, and others who may be interested, a few excerpts from the first "budget scorekeeping" report of the staff of the Joint Committee on Reduction of Federal Expenditures for the current session.

The report reflects the impact of congressional actions on the President's budget requests through April 13, and contains considerable budget information for those who have need for details. The report itself has been sent to all Members.

This year for the first time the report is incorporating certain information pertaining to the controllability of the budget through current actions by the Congress; analysis of the unexpended balances in the "pipeline"; and historical material summarizing the five previous series of scorekeeping reports, and showing the 15-year record of Federal budgets.

In order to be able to distribute the report to the Members before the Easter recess, it was necessary to have a cutoff date of April 13. The report, therefore, does not reflect the congressional actions being taken during the current week.

The excerpts that I am inserting here are from the text of the report and include the scorekeeping highlights, some summaries and analysis of the budget requests, and the main scorekeeping table.

I would add that these scorekeeping reports, now in their sixth year, are the most comprehensive current source of information on what is happening legislatively to the President's budgetary