

Ewalt, Lois Ione
Heston, Esther Ellicott
Johnson, Audrey Maxine
McCarthy, Eileen Johanne
McCree, Hazel Pauline
Miller, Edna Feintuch
Morichelli, Irma Mary
Schoonover, Dona Jean
Sherer, Vera Lorraine

The following named officers of the U.S. Navy for permanent promotion to the grade of captain:

LINE
Taylor, Leslie A.
Goldbeck, Lewis H., Jr.
SUPPLY CORPS
Sappanos, Louis M., Jr.
CHAPLAIN CORPS
Stewart, Dell F.
Ferreri, Peter J.
MEDICAL SERVICE CORPS
Beam, Walter E.

CONFIRMATION

Executive nomination confirmed by the Senate June 20 (legislative day of June 18), 1973:

GENERAL SERVICES ADMINISTRATION
Arthur F. Sampson, of Pennsylvania, to be Administrator of General Services.
(The above nomination was approved subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

HOUSE OF REPRESENTATIVES—Wednesday, June 20, 1973

The House met at 12 o'clock noon.
Rabbi Nathan Kapner, Hillel Hebrew Academy and Synagogue, Massapequa, N.Y., offered the following prayer:

O Lord, be Thou with this assembly of legislators who have been selected to guide the destinies of our great Nation. Humbly we ask Thy blessings to grant them good health and strength so that these honored lawmakers be sparked with God's divineness and inspired to translate into law the Biblical moral and ethical ideals laid down by our ancestors: The hatred of tyranny and the love of freedom—the very foundation of our democracy.

Permit us to be sensitive to our aged, to the handicapped, and to the destitute in our midst.

We pray that our Republic uphold the reverence for all humanity in every land and continue to build a society based on love and compassion and the dignity of man. Amen.

THE JOURNAL

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

Without objection, the Journal stands approved.

There was no objection.

MESSAGE FROM THE SENATE

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

H.R. 7200. An act to amend the Railroad Retirement Act of 1937 and the Railroad Retirement Tax Act to revise certain eligibility conditions for annuities; to change the railroad retirement tax rates; and to amend the Interstate Commerce Act in order to improve the procedures pertaining to certain rate adjustments for carriers subject to part I of the Act, and for other purposes; and

H.R. 7528. An act to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and research and program management, and for other purposes.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 1529. An act to authorize the Secretary of the Interior to enter into agreements with non-Federal agencies for the replacement of

the existing American Falls Dam, Minidoka project, Idaho, and for other purposes.

RABBI NATHAN KAPNER

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

Mr. RONCALLO of New York. Mr. Speaker, I am proud that our opening prayer in the House of Representatives was delivered by Rabbi Nathan Kapner, the spiritual leader of the Hillel Hebrew Academy and Synagogue of Massapequa, my hometown. It is indeed an honor for all the residents of the Third Congressional District on Long Island to have Rabbi Kapner here. He is the first clergyman from my new district to deliver the House opening prayer and I am proud that he was invited to do so.

It is most appropriate that Rabbi Kapner is with us today for, this evening, in my district, Jew and non-Jew alike are to march to the Russian mission estate in Glen Cove to protest the plight of Soviet Jewry.

Rabbi Kapner has long been concerned with the well-being of his Jewish brethren. Among his many outstanding accomplishments is his work with many blind Jewish youth in our community. With the assistance of braille prayer books and texts, Rabbi Kapner has helped these young people to become educated and fulfilled members of the Jewish community so that they can take full part in the traditional services of the synagogue and be knowledgeable of their traditions and history.

On behalf of my constituents and colleagues, I thank Rabbi Kapner for being with us today.

JUDICIAL REVIEW FOR VETERANS' CLAIMS

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

Mr. KOCH. Mr. Speaker, Congressman LES ASPIN, and I are introducing legislation today that would allow veterans judicial review over their disputes with the Veterans' Administration. An identical bill is being introduced in the Senate today by Senator WALTER MONDALE.

Under current law, all differences of opinion on veterans' claims are determined administratively, and no appeals outside the Veterans' Administration are possible.

This legislation is necessary to extend

the right of judicial review to veterans. The way it is set up now, the veteran too often does not get a fair shake. The Veterans' Administration is both a party to a dispute and the judge.

Furthermore, the bill concerns procedural changes within the Veterans' Administration and relates specifically to representation by counsel of the veteran. At the present time, the law provides that an attorney may only charge a veteran no more than \$10 for legal services. This provision, purported to safeguard a veteran, in effect denies him the services of counsel. Our bill would permit a veteran to pay an attorney up to \$100 for legal services rendered and, if the matter is the subject of an appeal decided in favor of the veteran, our bill further provides that the Veterans' Administration would be obliged to pay the attorney representing the veteran a reasonable fee for services rendered as well as reimbursing the veteran the \$100 first advanced by him.

We are outraged by finding that VA regulations prevent an attorney for a veteran from contacting a Member of Congress for assistance in handling a veteran's claim. The penalty for seeking such congressional assistance is that the attorney is warned he subjects his competency to represent a claimant to investigation and he forfeits his right to a fee. Our bill would correct this violation of first amendment rights.

Mr. Speaker, we believe that this legislation, if enacted, will go a long way to redress the legitimate grievances of the young men who have served this country in its Armed Forces.

PRISONERS OF WAR AND MISSING IN ACTION

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

Mr. MONTGOMERY. Mr. Speaker, last Thursday when Dr. Kissinger met with Members of the House on an informal basis, I asked him the question, Did he think there were any Americans still being held captive in North Vietnam, Laos, and South Vietnam? I failed to include in my question Cambodia. Because many Members were interested in Cambodia, I have received an answer from Dr. Kissinger that before May of this year there were no known Americans held as prisoners or missing in action in Cambodia.

In May of this year, Mr. Speaker, two Americans in an F-4 were lost and are classified as missing in action over Cambodia. It is presumed that these two Americans have lost their lives.

Also, Mr. Speaker, there are 20 international civilian press personnel missing in Cambodia, and of these 20, 5 are members of the American press.

MAJORITY LEADER THOMAS P. O'NEILL, JR., SAYS CONGRESS WILL NOT BE BULLIED AWAY FROM ITS RESPONSIBILITIES AS GUARDIAN OF THE PURSE

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

Mr. O'NEILL. Mr. Speaker, I am gratified to note that President Nixon has signed four pieces of domestic legislation which he previously opposed.

These new public laws are the health programs extension, including a continuation of Hill-Burton hospital construction;

The Economic Development Act to help rural areas help themselves;

The Airport Development Acceleration Act; and

The Veterans' Cemeteries and Burial Assistance Act.

It is unfortunate that the President could not have accepted the will of Congress graciously and simply signed the legislation. Instead, he had to deliver his little lecture attacking Congress on fiscal responsibility.

According to his definition, a program is fiscally irresponsible if he has not recommended it in his budget. Congress has no intention of accepting the President's budget recommendations, part and parcel, without question. We will continue to examine each program carefully and to pass judgment on it.

We do not intend to overspend an overall budget ceiling. But we do intend to adjust the national priorities reflected in this budget. We must assure that domestic and humanitarian programs receive a fairer share of the money that is available.

The President can shake his finger all he wants. The Congress is not about to be bullied away from its constitutional responsibilities as guardian of the purse.

TEXTILE ROLLBACK?

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

Mr. DORN. Mr. Speaker, in April the Congress time and again rejected as unwise and unfair any price rollback. However, the effect of the recent freeze order, as it now stands, is to implement a rollback in the textile industry. This is because manufactured goods being shipped by the industry to its customers at the time the freeze was imposed were goods that were contracted for—and their prices determined—months ago when the industry's costs were lower. To impose a freeze based on the price levels of current shipments will result

not in a freeze but in a rollback. This would have particularly disastrous effects on the cotton and wool segments of the textile industry, as extensive commitments have been made for raw materials at higher prices.

I urge the Cost of Living Council to date the effect of the price freeze for manufactured textile goods at the date of the actual contract or the date of the invoice. Contracts for shipments to customers were formulated many months ago for delivery at certain price levels. I respectfully urge the Council to eliminate this rollback provision. This can be accomplished by changing the definition of "transaction" so as to allow the industry to deliver in accordance with contracts which were within ceiling guidelines in effect at the time the contracts were agreed to.

If this rollback provision is not eliminated we face substantial curtailment of production at a number of textile plants, with the resultant underemployment and unemployment. Crippling our great textile industry, with its more than 2 million employees, will not aid our efforts to curb inflation. We pledge our continued support for all reasonable efforts to control inflation, which is perhaps the greatest threat to the Nation today. But this must be done in a fair manner, one that does not lead to greater problems of underemployment and curtailment.

PRICE FREEZE FORCES CLOSING OF MARGARINE PLANT

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

Mr. KEATING. Mr. Speaker, I have been informed by the president of the Miami Margarine Co. of Cincinnati, Ohio, that this company will be forced to close its doors effective Friday of this week as a result of the current price freeze.

Approximately 280 persons employed in my district will be out of their jobs. According to information I have received from the company, it is unable to purchase the vegetable oil it needs to produce margarine at a price low enough to allow it to sell margarine at the "freeze base period" price.

The Miami Margarine Co. is the largest single margarine manufacturing facility in the United States. It is a very sad state of affairs when the U.S. Government forces companies to close down and forces employees out of their jobs.

I have written to John Dunlop, Director of Cost of Living Council, protesting the lack of flexibility of the Cost of Living Council in dealing with drastic situations such as this case. A meeting has been set for 2 o'clock today with the National Association of Margarine Manufacturers and the Cost of Living Council in Washington, D.C.

This problem is not limited to my district. Margarine manufacturers throughout the United States are adversely affected.

It is my sincere hope that immediate remedial action will be taken to enable the company to continue in operation

and avoid the displacement of these employed people.

APPOINTMENT OF CONFEREES ON H.R. 7200, AMENDING RAILROAD RETIREMENT ACT

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 7200) to amend the Railroad Retirement Act of 1937 and the Railroad Retirement Tax Act to revise certain eligibility conditions for annuities; to change the railroad retirement tax rates; and to amend the Interstate Commerce Act in order to improve the procedures pertaining to certain rate adjustments for carriers subject to part I of the act, and for other purposes, 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 West Virginia? The Chair hears none, and appoints the following conferees: Messrs. STAGGERS, JARMAN, DINGELL, HARVEY, and KUYKENDALL.

CALL OF THE HOUSE

Mr. SCHERLE. 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 device, and the following Members failed to respond:

[Roll No. 245]		
Ashbrook	Fraser	Mathias, Calif.
Badillo	Gray	Passman
Blatnik	Gubser	Pepper
Bolling	Hanna	Pritchard
Breaux	Harsha	Rarick
Burke, Calif.	Hébert	Reld
Chisholm	Heckler, Mass.	Rooney, N.Y.
Clark	Hollfield	Steelman
Culver	Kazen	Teague, Calif.
Danielson	Landgrebe	Thompson, N.J.
Dingell	McKinney	
Fisher	Mann	

The SPEAKER. On this rollo call 399 Members have recorded their presence by electronic device, a quorum.

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

DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS, 1974

Mr. MURPHY of Illinois. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 448 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 448

Resolved, That during the consideration of the bill (H.R. 8760) making appropriations for the Department of Transportation and related agencies for the fiscal year ending June 30, 1974, and for other purposes, the provisions of clause 2, rule XXI, are hereby waived with respect to any appropriation contained in such bill.

Mr. MURPHY of Illinois. Mr. Speaker, I yield the usual 30 minutes to the minority to the distinguished gentleman from Tennessee (Mr. QUILLEN) and pending that I yield myself such time as I may consume.

Mr. Speaker, House Resolution 448 permits the Committee on Appropriations to submit the 1974 appropriations bill without being subject to points of order for the Department of Transportation and other related agencies for action on the floor of the House of Representatives.

House Resolution 448 provides that the provisions of clause 2, rule XXI of the Rules of the House are waived with respect to any appropriation contained in the bill which is not yet authorized by law.

The total cost of H.R. 8760 is \$2,752,631,006, which is a reduction of \$140,101,000 below the amount requested.

Appropriations are made in the bill for the Department of Transportation, the National Transportation Safety Board, the Civil Aeronautics Board, the Interstate Commerce Commission, the Federal Aviation Administration, and the Coast Guard.

Mr. Speaker, I urge adoption of House Resolution 448 in order that we may discuss and debate H.R. 8760.

Mr. QUILLEN. Mr. Speaker, House Resolution 448 is the rule under which we will consider H.R. 8760, the Department of Transportation and related agencies appropriation bill of 1974. This rule waives points of order against the provisions of clause 2, rule XXI, because the bill includes funds for several programs for which the authorization has passed the House, but has not yet been enacted into law.

The purpose of H.R. 8760 is to appropriate funds for the Department of Transportation and related agencies for fiscal year 1974.

The total cost of this bill is \$2,752,631,006, which is a reduction of \$140,101,000 below the amount requested. The total amount of new budget authority in this bill is broken down as follows:

<i>Title I—Department of Transportation</i>	
Office of the Secretary.....	\$50,475,000
Coast Guard.....	720,628,000
Federal Aviation Administration.....	1,527,400,000
Federal Highway Administration.....	40,300,000
National Highway Traffic Safety Administration.....	44,632,000
Federal Railroad Administration.....	37,500,000
Urban Mass Transportation Administration.....	34,800,000
<i>Title II—Related agencies</i>	
National Transportation Safety Board.....	\$7,975,000
Civil Aeronautics Board.....	81,198,000
Interstate Commerce Commission.....	34,750,000
Panama Canal Zone Government.....	62,500,000
Washington Metropolitan Area Transit Authority.....	110,473,000

The Appropriations Committee deferred action on a \$25,000,000 request for Coast Guard training, a \$93,000,000 request for grants to the National Railroad Passenger Corporation and \$35,063,000 of the request for the traffic and high-

way safety appropriation. The authorization for these items has not yet passed the House.

Mr. Speaker, I urge the adoption of House Resolution 448 in order that the House may begin debate on H.P. 8760.

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

Mr. MURPHY of Illinois. Mr. Speaker, I have no further requests for time.

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

The previous question was ordered. The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. McFALL. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 8760) making appropriations for the Department of Transportation and related agencies for the fiscal year ending June 30, 1974, and for other purposes; and pending that motion, Mr. Speaker, I ask unanimous consent that general debate continue not to exceed 2 hours, the time to be equally divided and controlled by the gentleman from Massachusetts (Mr. CONTE) and myself.

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

There was no objection.

The SPEAKER. The question is on the motion offered by the gentleman from California (Mr. McFALL).

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 8760, with Mr. MURPHY of New York in the chair. The Clerk read the title of the bill.

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

The CHAIRMAN. Under the unanimous-consent agreement, the gentleman from California (Mr. McFALL) will be recognized for 1 hour, and the gentleman from Massachusetts (Mr. CONTE) will be recognized for 1 hour.

The Chair recognizes the gentleman from California (Mr. McFALL).

Mr. McFALL. Mr. Chairman, I yield myself 20 minutes.

Mr. Chairman, the Department of Transportation is now in its seventh year of operation. During the agency's existence we have seen a number of significant steps to improve our Nation's transportation system. Congress has passed important new legislation relating to virtually every mode of transportation. Urban mass transportation assistance, rail passenger service, airport and airway development are just a few examples.

The Congress has also encouraged and directed the Department to develop a meaningful statement on national transportation policy. To date the Department has failed to produce such a statement.

The new Secretary of Transportation, Secretary Brinegar, has indicated that the development of a coordinated national transportation policy is one of his principal goals. I think this is good. We

can no longer afford to concentrate our efforts solely on transportation projects at the expense of transportation policy. Our transportation problems were difficult enough before the energy crisis emerged. With the present and projected energy situation, these problems become even more difficult, and the need for a sound transportation policy statement becomes even more essential.

As chairman of the Subcommittee on Transportation Appropriations, I want to express my appreciation to the members of the committee for their cooperation during the detailed hearings on this bill. It is a real pleasure to serve with them. I especially want to thank the distinguished ranking minority member from Massachusetts (Mr. CONTE) for his active participation and support in developing this legislation.

SUMMARY OF THE BILL

The bill includes a total of \$7,803,303,000, of which about \$5 billion is liquidating cash, and nearly \$2.8 billion is new obligational authority. The committee's recommendation is \$164,758,000 less than the administration's request and \$716,303,000 less than funds appropriated during fiscal year 1973.

The bill provides funds for about 127,000 positions, including more than 37,000 military personnel for the Coast Guard. This is roughly the same number of positions as are presently authorized. The only major increase in personnel is the air traffic control field.

SELECTED MAJOR RECOMMENDATIONS

I would call the attention of the members of the committee to the summary beginning on page 4 of the report. The major recommendations are as follows:

First, the appropriation of the \$250,000,000 requested for facilities and equipment of the Federal Aviation Administration.

Second, a reduction of \$14,800,000 from the FAA request for Federal airport security personnel based primarily on the fact that adequate procedures have been established to reimburse the Federal Government for these personnel.

Third, approval of the \$74,500,000 requested for the capital acquisition, construction, and improvement programs of the Coast Guard;

Fourth, approval of the \$2,100,000 requested to identify and demonstrate ways of achieving a 30 percent reduction of automobile fuel consumption;

Fifth, a reduction of \$33,400,000 in the research program of the Urban Mass Transportation Administration based primarily on the availability of significant carryover balances;

Sixth, a general provision providing for commitments of not to exceed \$980,000,000 for urban mass transportation;

Seventh, a liquidating cash appropriation of \$4,315,900,000 for the Federal-aid highways programs;

Eighth, approval of all 686 additional air traffic personnel requested by the FAA;

Ninth, a reduction of 15,000,000 in the research, engineering and development—trust fund—appropriation of the FAA;

Tenth, provision of the full \$97,745,000 requested for the Federal share of the

subway system in Washington, D.C., and the full \$12,728,000 requested as a Federal interest subsidy for the revenue bonds marketed by WMATA; and

Eleventh, the appropriation of the \$15,000,000 requested by the National Highway Traffic Safety Administration to continue the implementation of the Motor Vehicle Information and Cost Savings Act.

ADMINISTRATIVE USER CHARGES

Before discussing the specific appropriations recommended, I think I should briefly explain the new general provision included in the bill. This provision would prohibit the use of funds, contained in the bill, to implement a program of increased aviation user charges.

Our committee was concerned that these new charges, amounting to \$30 million to \$50 million, would be imposed administratively, without any specific prior congressional review or approval. The committee felt that these specific charges should be considered by the Congress. This is particularly true, since the Department is presently conducting an aviation cost allocation study to determine the taxes to be paid by aviation users. The Department's recommendations from that study will be reviewed by the Congress. And I feel that any other major changes in aviation charges should also be reviewed by the Congress. Now, I should like to review the specific provisions of the bill.

OFFICE OF THE SECRETARY

Mr. Chairman, the bill provides a total of \$50,475,000 for the Office of the Secretary of Transportation. This includes \$24.3 million for salaries and expenses. We have provided for 5 additional civil rights positions, but have denied funds for staff assistants for the Secretary's regional representatives.

It is the Office of the Secretary which, in my opinion, has the primary responsibility for developing national transportation policy. I hope that next year I can report that progress has been made in this area.

The bill also includes \$25.5 million for the transportation research activities of the Office of the Secretary. Under this heading, we recommend \$2.1 million for a new program to demonstrate ways of achieving a 30-percent reduction in automobile fuel consumption. This is a very important study, and one which I hope can be completed in less than the 3 years considered necessary by the Department.

As in fiscal year 1973, no appropriation is recommended for transportation research activities overseas.

COAST GUARD

The Coast Guard is one of the finest organizations in our Government. It has a reputation for being cost conscious and submitting tight budgets. We reduced the agency's appropriation for operating expenses by \$2,570,000. That is equivalent to less than one-half of 1 percent of their budget.

I am pleased to report that the Department has indicated that it no longer intends to phase down its loran-A program in fiscal year 1974. I want to emphasize that none of our reduction is directed toward this program. We are also very concerned over the closing of 15 rescue

units and have asked the Coast Guard to give us a full report on this matter.

Mr. Chairman, the bill includes the full \$74.5 million requested for the capital acquisition, construction, and improvement program of the Coast Guard. Because of the substantial delays being encountered on certain bridge alteration projects, we recommend a \$3 million reduction in this appropriation. However, none of the 1974 request was to have been spent in the upcoming fiscal year, so our reduction should not delay any projects.

Since the legislation to authorize the average strength of the Coast Guard Selected Reserve has not yet been enacted, we deferred our action on the Reserve Training appropriation. I do want to commend the Coast Guard for its use of the Reserve as a peacetime contingency force. This substantially coincides with the posture we have advocated for the past 4 years. Twice during the recent Mississippi River floods Coast Guard reservists worked side by side with their regular counterparts. I am told that they performed a very important and a very beneficial service during this massive flood relief operation.

The bill also includes \$14 million for the Coast Guard's research and development efforts. We fully concur with the emphasis being placed on research programs designed to protect and enhance the marine environment.

In the area of State boating safety assistance, we recommend an appropriation of \$3.5 million. With these funds, plus the contemplated increase in State spending, there should be an overall improvement in our nationwide boating safety efforts.

FEDERAL AVIATION ADMINISTRATION

Mr. Chairman, the committee recommends the sum of \$1,193,500,000 for operations of the Federal Aviation Administration. This provides for all personnel engaged in the operation and maintenance of the air traffic control system, as well as for all supporting services, administrative costs, and regulatory personnel in the FAA.

Under our recommendation, no additional funds would be provided for Federal airport security personnel. The budget included \$14.8 million for this purpose. These funds were denied. Based on the testimony received during the hearings, it is clear that adequate procedures have been established to provide the airports with the funds necessary to reimburse the Federal Government for those Federal personnel who are performing screening activities.

As in past years, no reduction is proposed for facilities and equipment. Part of these funds will be used to continue the programs to automate our en route traffic control system and our major terminals. In addition, the bill includes funds for 25 new instrument landing systems. The locations for these systems are contained on page 17 of the committee report.

The R. & D. programs of FAA have grown considerably in recent years. We feel it is essential for FAA to develop better equipment to cope with the future growth which is projected in aviation.

The bill includes \$11.5 million in general funds and \$55 million in trust funds for FAA's research programs.

We have recommended the full budget request for airport development grants. In the planning grant program, we felt the unobligated balance was too large, and therefore, we have not recommended any new funds for this purpose.

With respect to the National Capital Airports, the committee recommends \$14.4 million for operation and maintenance and \$3 million for construction. I think Members will be pleased to know the FAA is projecting that revenues at Dulles will cover direct operating costs in fiscal year 1974.

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

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

Mr. DENNIS. Mr. Chairman, this is a field I am not at all expert in, but I have a letter which is somewhat typical of some other mail I have had. I want to ask the gentleman if he has any comment. This is from a constituent of mine who is a pilot. He says:

As an active pilot, I have been concerned with the continued increase in the bureaucracy of the Federal Aviation Administration and what, in my opinion, spells a slow but sure doom to general aviation.

The enclosures, which are copies from a news bulletin of the Aircraft Owners and Pilots Association, I believe clearly indicate the trend and intent of the Federal Aviation Agency to practically clear the skies of all general aviation aircraft.

It would appear that an intensive review of the FAA budget on the part of Congress would save many taxpayers dollars without having any effect whatsoever on aviation safety. I hope the enclosures will give you some information upon which you can base future actions to stop some of the disastrous moves and rule making of the Federal Aviation Agency.

Mr. Chairman, as I say, I am not versed in this field and I do not know whether the Chairman is, but, if there is somebody here who is, I would like to have some information which I could transmit to this constituent and others who have written me along the same line.

Mr. McFALL. Mr. Chairman, I can give a general answer to the gentleman's question. One of the valuable members of the subcommittee is the gentleman from Ohio (Mr. MINSHALL) who is a pilot and who is very much interested in aviation. He expresses from time to time in the committee the point of view of general aviation. I think he has, in his participation with us in the deliberations of the committee, made the point for general aviation.

My personal opinion is that the writer may be describing something that he sees coming, but which has not yet arrived. I do not believe that the FAA is in a position at this point where it is going to do away with general aviation.

I would like to talk with the gentleman from Indiana about this. We can get some of the representatives from the FAA to discuss this matter with him. Perhaps, in that way, we can arrive at a conclusion which will help the gentleman from Indiana to respond to his constituent in a very meaningful way.

Mr. DENNIS. Mr. Chairman, I thank

the chairman for his reply. I appreciate it, and will try to follow through.

Mr. BURLISON of Missouri. Mr. Chairman, will the gentleman yield?

Mr. McFALL. I yield to the gentleman from Missouri (Mr. BURLISON).

Mr. BURLISON of Missouri. Mr. Chairman, I appreciate the chairman of the committee yielding to me.

I would like to associate myself, Mr. Chairman, with the concern of the gentleman from Indiana (Mr. DENNIS).

Mr. Chairman, as a member of the committee, I rise in support of the Appropriations Committee recommendation prohibiting the use of any of the Department of Transportation funds for the implementation of a program of increased aviation user charges.

The administration has asked DOT to institute additional new fees and charges for certain aviation certificates and licenses. I believe that such action would be unwise at this time. The Department of Transportation has been required by law in the Airport and Airways Development and Revenue Act of 1970 to conduct a cost allocation study of the Nation's aviation system. The act required the study to be completed in 2 years. After a number of delays I am hopeful that the DOT will issue its report on its latest target date—June 30. Until these recommendations are sent to the Congress and studied I feel it would not be in the best interests of the aviation industry or to the public to allow DOT to increase administrative user charges.

The cost allocation study should provide the Congress with a useful guideline of information and data that will help the Congress determine the best policy for establishing fair aviation rates. I do not believe that an administrative arm of DOT is the best vehicle for deciding user rate increases. This whole problem of user charges should be discussed in the legislative branch before the appropriate congressional committees.

I am fearful that increased administrative user charges, as contemplated by the Administration, could have disastrous effects on the general aviation industry. The Administration must understand that the airways are not the exclusive rights-of-way for jumbo jets and large cargo carriers. General aviation accounts for 98 percent of the airplanes in this country and 95 percent of the pilots and this aircraft make a substantial contribution to the domestic economy in the form of jobs, taxes, and supporting industries. There are also indirect contributions to the economy made by general aviation users for services in hotels, restaurants, car rentals, et cetera. Furthermore, general aviation helps small businessmen, some law enforcement agencies, and most smaller communities that are not serviced by major carriers.

We on the Appropriations Committee believe that the House should take action that will prohibit the FAA from imposing further administrative user charges. I advocate the more proper procedure of waiting for the recommendations of the DOT cost allocation study that will shortly be sent to the Congress. The congressional hearing process will be the

only responsible way in which the Members of Congress, as the elected representatives of the people, can insure that fair and equitable user charges are imposed. The activity of the DOT in the entire cost allocation problem must be closely monitored by the Congress.

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

Mr. McFALL. I yield to the gentleman from Iowa (Mr. GROSS).

Mr. GROSS. Mr. Chairman, did the gentleman in his previous remarks say something about a certain amount of money for civil rights positions in this bill, \$5 million for civil rights positions?

Mr. McFALL. Mr. Chairman, I referred to the civil rights positions in the Office of the Secretary. I said five civil rights positions, not \$5 million for civil rights positions.

The Department had asked for 10 new people in the Office of the Secretary for civil rights duties which are required of them by the legislation. Instead of giving them 10, we gave them five.

I imagine the positions will probably cost in the neighborhood of \$75,000 per year, assuming an average salary of \$15,000 per year. I cannot give the gentleman an exact estimate of how much the five new positions will cost, but I would estimate it will be somewhere between \$60,000 and \$75,000.

Mr. GROSS. Did the gentleman from California, in hearings in connection with this bill, come across the recruitment program to train 400 members of a certain minority as traffic controllers? And, what was the basis for that recruitment program? My information was that they could find only a handful of minority recruits who could qualify as potential traffic controllers.

Mr. McFALL. I believe there is such a program, although I would have to check in the transcript of the hearings. However, in order to give the gentleman a specific answer, if he will allow me to delay my answer until later on in the debate, I would appreciate it.

Mr. GROSS. Mr. Chairman, let me go back to my original question. What is the purpose of five civil rights employees?

Mr. McFALL. There would be five offices in the Office of the Secretary who will assist in the enforcement of the laws which the Congress has passed with reference to the civil rights activities of the Department of Transportation.

Mr. GROSS. Then that is the continuation of the famous program they used to have, and perhaps still have in operation, the perspective plan for affirmative action. In other words, a variation of the numbers game in which employers in the Federal Government must hire so many persons in the Federal Government of a certain minority.

Mr. McFALL. No, sir; I do not believe so.

Mr. GROSS. Then what would be the reason for the existence of a civil rights office in the Department of Transportation? What other reason could there be for it?

Mr. McFALL. There are a number of activities in which the Department of Transportation must enforce the civil

rights laws which have been passed by this Congress. The Department conducts the largest federally assisted contract construction program in the Government, and is one of the largest Federal employers.

The Department of Transportation, like every other Department of Government, must comply with the laws passed by the Congress on the hiring and firing of people and in the operation of their programs. The testimony was that they needed additional people in order to handle this operation. We felt that they needed, instead of 10, 5 additional positions.

I turn now, Mr. Chairman, to the Federal Highway Administration.

FEDERAL HIGHWAY ADMINISTRATION

Mr. Chairman, our Nation's highway network provides our citizens with an independent mobility which is unequaled in the history of mankind. This mobility is a cornerstone of the American way of life.

To continue our highway program, the bill includes a liquidating cash appropriation of \$4,315,900,000 from the Highway Trust Fund. Of this amount, \$101.9 million will be used for salaries and expenses of the Federal Highway Administration. In addition, we are recommending a direct appropriation of \$14.3 million for salaries and expenses of FHWA.

For highway beautification, we recommend a \$30 million liquidating cash appropriation. The bill also includes a limitation on highway beautification obligations for fiscal year 1974. The \$45 million limitation is an increase of \$5 million over fiscal year 1973.

We recommend a reduction of \$8 million for the demonstration projects to eliminate or improve certain rail-highway crossings. I believe this is an important program, but it is one which has been slow in getting started. The basic legislation required a 10-percent contribution from the railroads. Since these funds were not provided by the railroads, alternative financing procedures had to be developed. This is being accomplished, and we feel that with our \$10 million appropriation and the use of carryover funds that this program can go ahead without any major delays.

Under our recommendations, the Darien Gap highway project would be maintained at the fiscal year 1973 level, and the budget requests for the territorial highways and public lands highways programs would be approved. We also recommended a \$2 million increase over the budget with respect to the limitation on obligations for forest highways.

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

In the field of highway safety, we recommend \$53,632,000 for the traffic and highway safety program, a reduction of \$3,250,000 below the requests considered. This includes a transfer of \$9 million from the appropriation "construction of compliance facilities." We did not consider programs amounting to about \$35 million, since the House has not yet acted on the necessary authorizing legislation.

One of the important programs on which we had to defer action was the experimental safety vehicle program. In prior years, this program concentrated on the 4,000 pound "family sedan" vehicle. Recently, the emphasis has been shifted to providing crash protection for a compact 3,000 pound, four passenger vehicle. We applaud this move as recognition of a need for safer small vehicles. I consider such a move particularly significant in view of our projected energy situation.

The other activity under this Administration is a matching grant program for State and community highway safety. We recommend \$100 million to pay for obligations already incurred in this program, and, also, recommend a limitation of \$80 million on obligations to be made in 1974 for this program by the Highway Safety and Federal Highway Administrations.

FEDERAL RAILROAD ADMINISTRATION

For the Federal Railroad Administration's appropriations for salaries and expenses, railroad research, and railroad safety we have provided essentially the same amounts as in the current year. I am somewhat dissatisfied with the minimal contributions being made by this administration in attempting to cope with the many problems facing our Nation's railroads. These deficiencies are evident in the field of railroad safety.

Information provided to the committee indicates that, in just 1 year, more than 2,200 train accidents were caused by defective or improperly maintained roadway and track. In spite of this, the Administration has failed to hire the additional safety inspectors authorized by the Congress. Moreover, the 1974 funding authorization for matching grants to enable States to hire safety inspectors was just submitted to the Congress less than 2 weeks ago. Railroad safety is an important field, and one which I feel deserves a higher priority than it is presently being given.

For high-speed ground transportation, we recommend a program level of \$32.1 million, consisting of \$17.1 million new authority and \$15 million in carryover funds. Generally, we feel that the Federal Railroad Administration should emphasize those programs which appear to have the greatest potential for immediate or near-term improvements for our railroads. Most of the reductions recommended are for the more advanced, longer range programs.

URBAN MASS TRANSPORTATION ADMINISTRATION

Mr. Chairman, we recommend \$5.2 million in new authority plus the use of \$1.7 million in carryover funds for administrative expenses of the Urban Mass Transportation Administration. This is an increase of \$358,000 over 1973 and provides for 20 additional positions.

Under our recommendation, UMTA's research and development program would be slightly less than the obligation level for the current fiscal year. Much of our reduction in new budget authority can be offset by the use of carryover funds. As indicated on page 30 of the committee report, we have made a reduction of \$9.7 million from UMTA's request for its so-called personal rapid

transit projects. We do not feel that UMTA has determined what role these "people movers" should play in an urban mass transportation system.

We have included the full budget request of \$380 million to liquidate obligations which have been made under the contract authority provided in the basic legislation. In addition, the bill provides for an obligation level of \$980 million for UMTA programs in 1974. The breakdown of this amount is contained in the committee report.

RELATED AGENCIES

Title II of the bill provides \$296,896,000 for five transportation related agencies. This includes \$7,975,000 for the National Transportation Safety Board. The Safety Board investigates and determines the probable cause of all aviation accidents and selected surface transportation accidents.

The full budget request of \$81,198,000 is recommended for the Civil Aeronautics Board. This includes \$14,767,000 for the administration of the regulatory activities of the Board and \$66,431,000 for subsidy payments to certain local service and Alaskan air carriers.

Under our recommended \$34,750,000 appropriation for the Interstate Commerce Commission, all 70 new positions would be approved. The \$250,000 reduction below the budget is directed toward ICC's special investigation of the railroad freight rate structure. ICC seems to be undecided about how to proceed with this study and I am advised that about \$600,000 of our 1973 appropriation for this investigation will lapse.

For the Panama Canal Zone Government, we recommend \$59 million for operating expenses and \$3.5 million for capital improvements. Both of these amounts will be repaid to the Treasury.

Finally, the bill includes the full amounts requested for the funding of the Washington, D.C., Metro system. I was very disappointed that WMATA did not choose to take a small chance and purchase a more advanced transit car for the system. I would hope that they will reexamine this decision prior to purchasing any additional cars.

Mr. Chairman, I believe we have brought a trimmed, functional, and carefully considered piece of legislation to the committee and I urge its adoption.

Mr. CONTE. Mr. Chairman, I rise in support of the bill, and I yield myself such time as I may consume.

Mr. Chairman, before beginning my presentation of the committee's recommendations for the fiscal year 1974 transportation appropriations bill, I want to take this opportunity to commend my able colleagues on the transportation subcommittee, and, in particular, the distinguished chairman, the gentleman from California (Mr. McFALL). It was a pleasure to work with them once again this year.

The Department of Transportation has now completed 6 full years of operation. Much progress has been made by this young agency, but the transportation problems facing our Nation are still formidable. The energy crisis is affecting every sector of our transportation system. The number of traffic fatalities re-

mains inexcusably high. The problems of air pollution have become so significant that we are now facing actions which will require a significant reduction in the use of the automobile in many cities, and soon. Delays and congestion continue to plague the air traveler. The future of rail service in the Northeast is uncertain. With the anticipated need to double our transportation capabilities by the turn of the century, the economic and social well-being of the United States will be largely dependent on the viability of its transportation system.

In recognizing these and many other needs, we are also mindful of the need to put our Nation's fiscal house in order. The committee worked long and hard to balance these two factors in carrying out its crucial responsibility of determining the nature and extent of the Federal Government's effort in the transportation field. I believe that the bill we are considering today is a good bill. It reflects a continuing commitment to the improvement of transportation in the United States, and it holds back inflationary spending.

The bill we are considering today recommends appropriations of \$7.80 billion. This is \$716.3 million less than the 1973 appropriation and \$164.8 million less than the total 1974 request. These figures, however, should be placed in perspective. During 1973, substantial sums were unexpended, and the committee has taken action to bring the carryover balances back under congressional control. In many cases where there are large carryover balances, the committee has reduced the 1974 appropriation by a similar amount. The net effect of the committee's reductions from the budget request will reduce net outlays by some \$70 million.

For many years, I have been vitally concerned with our Nation's energy resources. Today almost everybody is aware of the magnitude of the problems we face, mostly because the pinch in our energy supply affects almost everyone to one extent or another.

The United States has one of the finest transportation systems in the entire world. Our citizens have a mobility which is unequalled by any other country in the world. The unfortunate part of the problem is that the great transportation network we have also makes the United States the greatest consumer or the world's energy supplies. On a per capita basis, our citizens consume energy at a rate equal to seven times that of the rest of the world. To put it another way, we have 6 percent of the world's population, and we are responsible for 40 percent of the energy consumed in the world every year.

The interdependence between our energy resources and our transportation system is a major concern to the committee and to myself. One of the committee's first actions in its review of the 1974 budget was to conduct a separate hearing to assist in determining what role the Department of Transportation has in solving our short- and long-term energy problems. The committee's concern with energy problems runs as a common thread through all the hearings held this year.

We have not found all the answers, but I hope that the Department will continue to pursue the goal of putting our precious energy to its optimum use.

The budget for fiscal year 1974 stated that the Department of Transportation would initiate additional administrative user charges for aviation certificates and licenses. These charges would be separate from, and in addition to, any user fees that might be proposed as a result of the current aviation cost allocation study now being conducted by the department.

While the budget stated that \$50 million would be collected through these charges, the testimony before the committee indicated that the amount would probably be closer to \$30 million.

The committee is concerned that these charges would be imposed without prior congressional review and approval. The committee believes that the Congress should have adequate time to review the user charge proposal and the recommendations of the aviation cost allocation study before any new charges are imposed. It should be noted that the authority for the imposition of these charges is also open to question. On May 14, 1971, the Supreme Court decided to hear two cases dealing with the precise authority on which the FAA is basing its proposed actions.

The committee notes that aviation users are already contributing \$770 million each year in fees. While the committee is not expressing a judgment as to whether aviation users should pay more or less, the committee does believe that the implementation of these proposed user fees should be delayed until the Congress has had time to review them.

For this reason, the committee has recommended a new general provision which would prohibit the increase of any user charges above the January 1, 1973, level. This will give the Congress the time to review both the user charge proposal and the recommendations resulting from the cost allocation study.

TITLE I

Title I of the bill covers the Department of Transportation itself. We cut \$138.5 million from the requested budget, and recommended a level of \$2.46 billion. This is a \$324.3 million decrease from last year's appropriation.

I will begin the discussion of the committee's recommendations for title I with the Office of the Secretary.

OFFICE OF THE SECRETARY

The committee cut \$4.9 million from the request for the Office of the Secretary and recommended a level of \$50.5 million. This is \$6.7 million below the fiscal 1973 appropriation.

The committee cut \$200,000 from the request for salaries and expenses and recommended a level of \$24.3 million. This is \$330,000 more than the fiscal 1973 appropriation. Of the requested 20 new positions, the committee recommends allowing 5. This is a net reduction of 17 positions from 1973.

As was the case last year, the committee recommends no new positions for the secretarial representatives. Staff assistants for each of the 10 secretarial repre-

sentatives were requested. Each of these secretarial representatives has an authorized clerical position, and the committee feels that this is adequate for the performance of their responsibilities.

Five of the 10 requested positions for the Office of Civil Rights were allowed. The Department of Transportation presently has 200 individuals working full time on civil rights. In the bill presently being considered, the committee has approved all 14 requested civil rights positions in the operating administrations. The committee feels this should be adequate for the Department to meet its civil rights responsibilities.

One matter of vital concern to the committee is the lack of a defined national transportation policy. The committee feels that the responsibility for establishing this policy rests with the Secretary and the assistant secretaries. Throughout the hearings, I and the other members of the committee were concerned over the lack of progress and definition in this area. There is much progress which should be made, and the committee will carefully scrutinize progress in the establishment of a national transportation policy in considering the future requests for the Office of the Secretary.

For transportation planning, research, and development, the committee recommends \$25.5 million, including \$1 million by transfer. This is a cut of \$4.2 million from the budget request and is \$13 million less than was appropriated in 1973. Major programs under this appropriation include the following:

Climatic impact assessment, for which the committee is recommending the full \$5.8 million request. These funds will be used to assess the environmental effect of fleet operations of high altitude aircraft. The committee expects a formal report by the end of calendar year 1974.

Automotive energy optimization, for which the committee recommends the full \$2.1 million request. These funds are to be used for the study of methods to reduce fuel consumption by 30 percent with state-of-the-art technology. The results of these studies should be available for use in 3 years, and there should be no sacrifice of environmental or performance standards.

University research, for which the committee recommends \$2 million of the requested \$3 million. During 1973 \$1 million of the appropriated funds were reserved, and the recommended amount will allow for the program to operate \$500,000 above the 1973 level. The committee expects that this program will contribute more meaningfully to transportation policy and problems solving than it has in the past.

Noise abatement, for which the committee recommends \$2 million of the requested \$2.57 million. These funds are for the development of technically and economically feasible solutions to noise problems.

State and local planning grants, for which the committee recommends \$1 million of the requested \$1.5 million to obtain State and local input into national transportation planning. The committee recommendations is based on

the fact that some of this money is being used for State programs as well. For this reason, the committee believes that these programs should receive a smaller Federal subsidy.

The committee has denied a request for \$500,000 for transportation research activities overseas. These funds were to be used for research in Poland and India. However, the committee is concerned that only \$143,000 of the \$500,000 appropriated in 1972 had been obligated at the time of the hearing.

For Grants-in-Aid for Natural Gas Pipeline Safety, the committee recommends the full \$875,000 requested in the budget. These funds are used to assist State agencies in carrying out natural gas pipeline safety programs.

This year, the committee is recommending \$800,000 for the consolidation of departmental headquarters in the Nassif Building. This is the same amount as was appropriated last year and is \$50,000 less than the budget request. Of these funds, \$600,000 are for employee parking, and \$200,000 for the operation and maintenance associated with the garage areas.

COAST GUARD

Coming now to the Coast Guard, the committee is recommending a decrease of \$9.6 million from the budget request, for a total recommendation of \$720.6 million.

The request for operating expenses was cut by \$2.57 million, with a level of \$543.8 million being recommended, including \$171,994 for debt reduction. The activities funded under this item include search and rescue, aids to navigation, merchant marine safety, marine law enforcement, marine environmental protection, icebreaking, oceanography, and pay and allowances for military and certain civilian personnel.

The Coast Guard reserved \$10.5 million of its 1973 appropriation, and the funds available will allow a spending level of \$5.4 million over 1973.

The Coast Guard has indicated that it will not be closing any of its loran-A stations during 1974. Because of this, the Coast Guard will have to absorb approximately \$2 million in costs, and the committee did not recommend some cuts it ordinarily would have had this not been the case.

The proposed budget contained program increases of approximately \$32 million. However, these increases were largely offset by the reduction of approximately \$24 million in line items. The major reductions are the closing down of 15 search and rescue stations, the discontinuation of the ocean station program, reductions in headquarters and support staffs, and the phase down of loran-A.

The recommended reduction of \$2.57 million for operating expenses is less than one-half of 1 percent, and the committee believes that these reductions can be accomplished through lapses, delays in hiring and recruitment, and slippages in the completion of new rescue stations. Further reductions can be accomplished in the clerical support for the pollution enforcement inspectors. The committee believes that the sta-

tions to which these personnel are assigned can provide adequate support for these pollution enforcement inspectors.

The committee also feels that further reductions can be accomplished in the boating safety compliance standards program by deferring some recruitment and training.

There are two matters in this appropriation which are of concern to the committee. First, the Coast Guard is planning to close 15 search and rescue stations. The committee is unsure as to whether the remaining stations will be able to adequately assume the operations of the stations being closed. The committee feels that the Coast Guard should strengthen the auxiliary and increase the utilization of the Reserve in these areas, and the committee expects a detailed report on this matter in not more than 1 month.

The second matter of concern is the continuing decrease in the ratio of enlisted personnel to officers. This ratio has fallen from 9 to 1 in 1962 to 6.8 to 1 in 1974. While the committee recognizes the need for the employment of increased technology by the Coast Guard, it also believes that the trend toward an all-officer service should be leveled off.

For acquisition, construction and improvements, the committee has recommended the budget request of \$74.5 million. The funds under this activity are used for capital acquisition, construction, and improvement programs for Coast Guard vessels, shore facilities, and navigation aids.

The funds are allocated as follows: \$23.9 million for vessels; \$41 million for shore stations and navigation aids; \$7.5 million for repair and supply facilities; \$2.1 million for training and recruitment facilities.

The authorization for these activities passed the House on May 8, 1973. We have made a change from past practices in this appropriation. In the past, these funds had been made available until expended. This year, the committee recommends that the funds be made available until the end of fiscal year 1975.

The House-passed authorization bill provides an additional \$22 million for the Ioran-C navigation system. The committee feels that this is an important project, especially in light of the planned phaseout of the Ioran-A navigation system in 1975. The committee believes that the Ioran-C system should be pursued on a priority basis using unobligated carryover funds. As of April 30, 1973, the Coast Guard had an unobligated balance of \$90 million.

The request for the alteration of bridges was reduced \$3 million to the committee recommendation of \$4 million. These funds are used for the alteration of bridges which have become unreasonable obstructions to navigation. The reason for the committee's reduction is the large unobligated balance in this fund. At the end of 1973 the unobligated balance will be \$9 million. Of this amount, \$3 million was used to cover pay increases, and between \$1.8 million and \$2.2 million will be used to repair the Penn Central Bridge over the Chesapeake and Delaware Canal.

Substantial construction delays, which are beyond the control of the Coast Guard, have been encountered, and the practical effect of this cut will be to reduce the unobligated balance at the end of 1974 to \$1 million. The cut will not delay any of the projects.

The committee approved the full request of \$81 million for retired pay. These funds provide for the retired pay of military personnel of the Coast Guard and the Coast Guard Reserve, members of the former lighthouse and lifesaving services, and for payments to survivors pursuant to the retired serviceman's family protection plan and the survivor benefit plan. The average number of personnel on the retired rolls is estimated to be 15,380. This is up from 14,826 in 1973.

I again take strong exception to one decision by the committee. The committee has decided not to include funds for Coast Guard Reserve training. The temporary lack of authorization should not prevent the House from rectifying this omission, and I intend to offer an amendment at the appropriate time. The Coast Guard Reserve has an outstanding record of service to this Nation.

Recently the Coast Guard Reserve had its first involuntary callup under its new peacetime mission, and I believe that the Reservists provided valuable assistance to the victims of the Mississippi River flood. Despite all its positive contributions, the administration has subjected the Reserve to many budgetary hassles. I, for one, do not intend for the House to contribute to this unfortunate situation.

For research, development, test and evaluation, the committee recommends \$14 million. This is a \$3 million cut from the budget request and a reduction of \$3.5 million from 1973. It should be noted that this request will not affect the program in 1974. There is a projected unobligated carryover of \$3.5 million into 1974, and \$3 million in 1973 funds have been placed in reserve for use in 1974. The committee recommendation would allow for a 10-percent increase in obligations in 1974.

The major items budgeted under this function are oil pollution control, vessel traffic systems, cargo safety, and vessel safety. The committee agrees with the Coast Guard's continued emphasis on programs designed to protect and enhance the marine environment. I hope we will see substantial improvement here in the coming years.

The committee cut \$1 million from the boating safety assistance program and recommends that \$3.5 million be appropriated for this program. The funds under this program provide assistance to the States in carrying out boating safety programs. The unobligated balance in this fund is \$3.4 million, approximately one-half of what was appropriated for this program in 1972 and 1973. The recommended cut will not affect the level of the program in 1974. In 1974, the State share of the program support increases from one-third to one-half. Because of the increase in the State share, the total boating safety effort should increase in 1974.

FEDERAL AVIATION ADMINISTRATION

Proceeding now to the Federal Aviation Administration, the committee cut \$38.8 million from its budget requests and approved a level of \$1.5 billion; \$1.19 billion was approved for operations.

This is a cut of \$17.8 million from the budget request and an increase of \$43 million from the 1973 appropriation. This appropriation provides for all personnel engaged in the operation and maintenance of the air traffic control system, air navigation and communications systems, support and administrative costs, and all FAA regulatory personnel.

This appropriation no longer contains funds for equipment and research necessary to establish or to modify FAA regulations. These are contained in a separate appropriation because the committee believes that no-year funds should not be mixed with those funds which are available for 1 fiscal year.

The committee recommendation includes a request for 336 new positions. Of these, 686 are for the air traffic control system, with 200 being assigned to the flight service stations and 486 being assigned to en route traffic control centers and airport control towers.

The largest reduction, \$14.8 million, is in the funds for Federal airport security personnel proposed to be funded under this appropriation. The local jurisdictions are presently responsible for police enforcement at the gates, and the committee believes that appropriations for this purpose are no longer needed. Any personnel remaining on duty should only do so on a reimbursable basis.

The committee has also reduced the funds for the second career program for controllers \$900,000, to \$10 million. Only \$1 million was spent on this program in 1973, when the program was first started, and the committee believes that the FAA estimate is inflated. As of April 30, 1973, there were over 4,000 authorized, but unfilled, positions. The committee believes that \$1.5 million could be saved by delays in filling of authorized positions. The committee also recommends that the request for long range planning contracts be reduced by \$500,000 to \$846,000. This is an increase of \$610,000, or 250 percent, over the 1973 level.

As I mentioned previously, the committee is providing a separate fund for the research and the equipment needed to establish or modify FAA regulations. The funds for engineering and development were previously contained in the operations appropriations. This year, the committee recommends that \$11.5 million be appropriated for this function, a cut of \$2.25 million from the budget request. On a comparability basis, this provides for an increase of \$1.2 million over 1973, when \$6.6 million in non-recurring items during 1973 are taken into account.

The committee recommends the full \$250 million requested for facilities and equipment. Most of these funds will be devoted to the urgent needs of air navigation and the air traffic control system. The budget includes \$22.8 million for continuing the automation of the en route traffic control system and \$25.8 mil-

lion to automate major air terminals. Funds for three surveillance radars, 25 instrument landing systems and one control tower specified in the report are provided, and these funds cannot be used for any other purpose.

In the past, the committee has made these funds available until they are expended. However, the committee has become increasingly concerned with the size of the unobligated balance in this and other items. The unobligated balance in this appropriation is \$353.4 million, and the committee recommends that the funds under this appropriation be available only until the end of fiscal year 1975.

Fifteen million dollars was cut from the research, engineering and development request, and the committee recommends \$55 million.

Ten million dollars in 1973 funds will not be available for expenditure until 1974. This would make the actual requested increase \$24 million, and the committee recommendation of \$55 million allows for a 15-percent increase over the program level for 1973.

No part of the reduction in this appropriation is directed to the microwave landing system. The committee believes that the FAA should fund the analyses and other tasks best done by the military under this appropriation. However, the Department of Defense is expected to cover the expected costs of permitting acceptance of the microwave landing system at the end of the development program.

The committee notes that there has been a recent upsurge in traffic delays. The committee is asking the FAA to submit a report on what the research, engineering and development, and the facilities and equipment programs are doing to avert the increasing delays in the near term. The particular emphasis of the report is to address capacity and productivity increases.

The committee recommends denial of the \$2.7 million for the aerosat program. The committee believes that it is necessary to obtain the support and cooperation of the potential users of this system before proceeding further with the program. This support and cooperation does not exist today. The committee also wishes to impress on the FAA its belief that the committee must be consulted in advance of any future agreements on a satellite program involving foreign governments where the program would entail any future Federal financial support.

The committee has allowed the entire budget request of \$200 million for grants-in-aids to airports. These are liquidating cash funds for development grants. The committee also recommends that the \$280 million limitation on obligations be retained. At the time of the hearing in April, only \$71 million of the \$280 million in the 1973 programs had been obligated.

The committee is recommending that no funds be appropriated for the airport planning grants in 1974. The unobligated balance under this appropriation was \$23.4 million in April 1973. This is more than half the amount that has been appropriated for this purpose in the past 3 years.

The committee is recommending \$14.4 million for the operation and maintenance of the National Capital Airports, a reduction of \$400,000 from the budget request, and an increase of \$2.1 million over the 1973 appropriation.

The committee recommends that the 110 additional positions for antiskyscraping security be granted. Seventy of these personnel will be placed at National Airport and 40 will be placed at Dulles.

No part of the reduction is directed to the security personnel. The committee believes that the reductions can be accomplished through the deferral of lower priority capital items such as replacement snowblowers and snow removal equipment which were not used during the past winter and through delays in filling of authorized positions. At the time of the hearing, approximately 100 of the 726 authorized positions were unfilled.

As has been true in the past, National Airport is operating at a profit, and Dulles Airport is operating at a loss. The net loss, including interest and depreciation, will be \$855,000 during 1974. However, I am pleased to say that there is an expected net profit of \$7.2 million in 1974, exclusive of interest and depreciation.

For construction of the National Capital airports, the committee cut \$400,000 and recommends \$3 million. At the time of the hearings, the unobligated balance was \$7.6 million. \$4 million of this amount is in the pending supplemental appropriations bill to cover increased pay costs. Because of the large unobligated balances in this appropriation, the committee recommends that these funds be available until the end of fiscal 1975, rather than until expended as had been the case in the past. Because of the large size of the unobligated balances, the committee has also directed that part of the unobligated carryover funds be used to accomplish urgent priority projects.

FEDERAL HIGHWAY ADMINISTRATION

The committee has cut \$23.9 million from the request for the Federal Highway Administration and recommends \$40.3 million. This is an increase of \$9 million over the 1973 appropriation.

For salaries and expenses, the committee has cut \$900,000 and recommends \$14.3 million. This item provides for salaries and expenses to conduct Federal-aid and certain direct highway programs and the motor carrier safety program. The expenses for planning, operation, and administration of the Federal-aid highway program and for financing highway research are financed by transfers from the trust fund. The committee recommends that the transfers be cut by \$4.1 million and that \$101.9 million be appropriated.

The appropriation and the trust fund recommendations reflect a \$5 million reduction from the budget and an increase of \$4.5 million over 1973.

The committee trimmed \$5 million from the appropriation for the liquidation of contract authorization for highway beautification and recommends \$30 million. This is an \$18 million increase over 1973. The committee bill also contains a limitation on obligations of \$45 million, a \$10 million reduction from the

budget and an increase of \$5 million over 1973.

The bill also contains \$1 million for administrative expenses for the highway beautification program, a decrease of \$20,000 from the budget.

The committee reduced the budget request for highway related safety grants by \$3 million to \$7 million. These funds are used to assist States and localities in implementing the Highway Administration's safety standards. At the time of the hearing, almost 85 percent of the 1973 appropriations were unobligated.

The committee recommends that \$10 million be appropriated for the rail crossings demonstration projects. This is a reduction of \$8 million from the budget request. These funds are used to eliminate or upgrade ground-level grade crossings in the area of Greenwood, S.C. and along the route of the high-speed ground transportation projects between Washington and Boston.

This program got off to a very slow start as many railroads, because of their financial difficulties, did not contribute their 10 percent share required by the authorization. Most States have now agreed to finance the railroads' share. Because of the unobligated carryover of 1973 funds, the program should be able to allow the \$18 million obligation level proposed in the budget.

The committee recommends the full \$2.6 million requested for Territorial Highways. These funds are used to assist the territorial governments of the Virgin Islands, Guam and American Samoa in the improvement of their highway systems.

The committee recommends \$15 million for the Darien Gap Highway. This is the same as the 1973 level and is a cut of \$15 million from the 1974 request. These funds will allow for the construction of 250 miles of highway in the Darien Area of Panama and Colombia.

For Federal-aid highways, the committee has recommended \$4.316 billion, a cut of \$4.1 million from the budget request. This reduction reflects the reductions in Salaries and Expenses, and it will not result in a reduction of the construction program. Work is completed or underway on 41,300 miles of the 42,500 mile Interstate System.

The committee has cut \$12 million from the right-of-way revolving fund and recommends \$4 million. These funds are used for the advance acquisition of rights-of-way and relocation expenses to help reduce potential inflationary pressures and to assist in more adequate advance planning. However, only \$72 million of the appropriated \$135 million have been obligated for this program.

No cut was made from the \$8 million request for forest highways. However, the committee recommends that the ceiling on obligations be set at \$18 million, \$2 million below the 1973 level, \$2 million above the budget request. These funds are used for the construction or improvement of highways within or adjacent to national forests.

No cut is recommended for the \$3 million request for public lands highways. The funds under this program are used for construction and improvements to

highways through public lands where a State has large areas of such lands. The committee also recommends the requested limitation on obligations of \$5 million. This amount is \$7 million less than the obligations expected to be incurred in 1973.

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

The committee cut \$12.3 million from the overall budget request for the National Highway Traffic Safety Administration and recommends a level of \$144.6 million, \$30 million of which will be derived from the highway trust fund.

For traffic and highway safety, the committee recommends \$44.6 million, a reduction of \$12.2 million from the budget request. This reduction, however, does not include the authority to transfer \$9 million appropriated in 1972 for the construction of a compliance test facility. The net reduction is \$3.25 million when the transfer is taken into account.

The budget request for traffic and highway safety was \$91.9 million. Of this, \$41.8 million is authorized in the pending Federal-Aid Highway Act (S. 502). The amount of \$35 million is not authorized and action was deferred by the committee. The deferred items include the development and promulgation of safety performance standards for new and used cars, motor vehicle research, and related administrative support.

The alcohol research and test program is reduced \$800,000 to its 1973 program level. The requested increase was over 30 percent above the \$2.2 million appropriated in 1973. The Department of Health, Education, and Welfare is already spending more than \$10 million each year on alcohol research and training and is spending over \$60 million on treatment programs and projects. The driver/pedestrian factors research was reduced \$1.8 million to \$2 million, an increase of \$162,000 over 1973.

I am somewhat concerned about the diagnostic inspection demonstration projects. We are appropriating over \$5 million for this program, and the expected accomplishments of the program are somewhat unclear at the present time. There are 730 privately owned diagnostic centers in the country, and the Traffic Safety Administration estimates the annual growth rate at 10% per year. It is abundantly clear that there will be a great deal of duplication with what the private sector is doing here, and I believe that the National Highway Traffic Safety Administration should concentrate on safety and pollution factors in their demonstrations.

The committee recommends \$100 million for State and community highway safety, a reduction of \$557,000 from the budget request and an increase of \$30 million over 1973. The funds under this program are used to assist States and communities in establishing highway traffic safety programs. The committee also recommends a limitation on obligations of \$80 million, \$10 million less than was requested.

FEDERAL RAILROAD ADMINISTRATION

The committee cut a total of \$13.8 million from the budget request for the

Federal Railroad Administration and recommended \$37.5 million.

\$300,000 was cut from the salaries and expenses request, with \$2.9 million being recommended. This item covers the salaries and expenses of the Office of the Administrator and other organizational elements supporting that office.

The committee is very concerned with the performance of the Federal Railroad Administration in dealing with the problems of today's railroads. Since 1970, the Congress has given the Administrator a three-fold increase in staff. Despite this fact, the office has had little positive impact on railroads. In the future, the committee will weigh requests for increases in staff and funding on the performance of the administration.

The committee cut the request for railroad research by \$2.5 million and recommends an appropriation of \$10.5 million. As of April 30, only \$4.9 million of the \$10.4 million appropriation for 1973 had been obligated.

The major areas of research under this item involve industry structure, freight car management, improved freight service, and railroad safety operations. The committee notes that there continues to be very significant problems in each of these areas, and evidence that the FRA is having a meaningful impact on developing solutions to these problems is less than completely convincing.

The committee recommends that the railroad safety program be maintained at its 1973 level, \$7 million. This is a cut of \$1 million from the budget request.

The \$1 million was to go for the establishment of a new program to assist states in setting up training programs for railroad safety inspectors. However, none of these funds would be used for assisting in hiring or paying for these personnel. Further, the FRA was unable to show a clear basis for expecting the states to participate in this program unless the cost of the personnel was also subsidized by the Federal Government.

For high-speed ground transportation research and development, the committee recommends an appropriation of \$17.1 million and an obligational level of \$32.1 million, a reduction of \$10 million in each category. The program levels recommended by the committee will emphasize the areas that have the greatest potential for near-term improvements.

The reduction of \$3 million in advanced systems and the \$1.9 million reduction in advanced technology are reflections of the need to concentrate on near-term results. Of note here, the President of Amtrak, the corporation which would be the prime beneficiary of technological improvements, indicated that Amtrak's primary interest is to raise train speeds from 100 m.p.h. to 125 m.p.h.

The committee recommends \$1.5 million for the completion of experimentation with the Metroliner retrofit program. The committee does not believe that the retrofit program should be initiated until such time as the total cost of the program is established. At such time, the committee will be favorably inclined to consider appropriations for the retrofit program.

The committee recommends the full appropriation request of \$5.6 million for the improved passenger train and recom-

mends that the FRA have full responsibility for the research with the tracked air-cushion vehicle in the future. It appears that, in spite of its potential for inter-city transportation, the TACV will have no practical application to an urban mass transit system, and the committee believes that UMTA should have no further concern with the program.

No appropriation was requested or recommended for the Alaska Railroad Revolving fund.

The committee deferred consideration on the request for a \$93 million grant to the National Railroad Passenger Corporation—Amtrak—because of the lack of authorizing legislation.

The committee does note, however, that \$9.1 million contained in the Supplemental Appropriations bill, 1973, for existing and proposed experimental services has been impounded. The committee directs that these funds can be spent for no other purpose than that for which they were appropriated.

URBAN MASS TRANSPORTATION ADMINISTRATION

The committee cut \$35.2 million from the request for the Urban Mass Transportation Administration and recommends \$34.8 million.

The committee cut \$1.8 million from the request for administrative expenses and recommends an appropriation of \$5.2 million. The Urban Mass Transportation Administration has an unobligated carryover of \$1.7 million from 1973. Therefore, the committee reduction is only \$100,000 below the program level in the budget.

Lower increases are granted for program planning, administration, and research, development, and demonstration. The full increases are recommended for civil rights and program operations.

The committee cut \$33.4 million from the 1974 appropriation and obligational request for research, development, and demonstration and university research and recommends an appropriation of \$29.6 million. In addition to the appropriation, the committee bill provides authority to use \$13.9 million in unrestricted carryovers for this purpose. When these amounts are added to the \$20 million in impounded 1973 funds, this will allow a program level of \$63.5 million.

The committee notes that there have been no cuts in the funds for rail or bus technology. The committee hopes that UMTA will move quickly to complete the research in these areas so that the developments can be used by cities in upgrading their bus and rail operations.

The committee cut \$13.95 million from the new systems request. The committee is very concerned with the fact that UMTA is presently engaged in the development of three completely different personal rapid transit systems without having yet determined the proper role for PRT's or whether they will have a practical application in urban mass transportation. I also believe that some of the spending under this program has been more than a little bit wasteful.

The committee notes with approval that the transit operations and management program will contain a new project on intermodal integration. The committee believes that this project has great potential for improving mass transporta-

tion effectiveness and that it could provide significant benefits to the public and to the system operators.

As an outgrowth of its belief in the development of an integrated system, the committee has included a role for taxis for the first time. The committee recommends that \$1 million, not requested in the budget, be spent on the development of an improved, efficient, quiet, nonpolluting taxi.

For liquidation of contract authorization, the committee recommends the full budget request of \$380 million, an increase of \$148 million over 1973. The committee bill also includes a limitation on commitments during 1974 of \$980 million. This amount is \$20 million below the budget request; \$872 million of these funds will be used for capital facilities grants.

ST. LAWRENCE SEAWAY DEVELOPMENT CORPORATION

The committee recommends \$820,000 for the St. Lawrence Seaway Development Corporation, a reduction of \$20,000 from the budget request. The reason for the reduction is that the proposed budget contained a built-in cushion of \$20,000. No new positions were requested or recommended.

TITLE II

Turning briefly to title II of the bill, the committee cut \$1.64 million from the budget request and recommends a level of \$296.9 million. This is a decrease of \$48.5 million from the 1973 appropriation.

NATIONAL TRANSPORTATION SAFETY BOARD

The committee recommends two additional positions and an appropriation of \$7.98 million for the National Transportation Board, a reduction of \$25,000 from the budget request.

The Board conducts investigations of all aviation accidents and selected surface transportation accidents to determine the probable cause of the accident. The two new positions will provide the Board with complete personnel services for its employees. Previously, these services had been provided by the Department of Transportation on a reimbursable basis. The committee approves this recommendation and notes that this improvement will assist the Board in maintaining its independent status to allow complete objectivity in its review of transportation accidents. The Board provides a valuable service in our transportation system, and I, for one, believe the Board should jealously guard its independence.

CIVIL AERONAUTICS BOARD

The committee includes \$14.8 million for salaries and expenses for the Civil Aeronautics Board. This is the total amount requested in the budget and will allow the requested increase of 15 positions.

The Board regulates the economic aspects of air carrier operations and participates in the development of international air transportation. Twelve of the additional positions will be for enforcement and consumer affairs, and three of the positions will be for management support.

I am pleased to note that the Board
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has been taking a more active interest in the energy problems confronting our country. The Board recently approved a request which allows the carriers to meet and discuss means of reducing fuel consumption by reducing the speed by a small amount. The Board has also made the Director of its Bureau of Economics responsible for all fuel questions. I think that the Board is to be commended for these first steps, and I hope that its effort in this area will increase.

The committee allowed \$66.4 million for payments to air carriers. This is the full amount requested and is a reduction of \$14.4 million from the 1973 level.

INTERSTATE COMMERCE COMMISSION

The committee recommends \$34.8 million for the Interstate Commerce Commission, a reduction of \$250,000 from the budget request and an increase of \$1 million over 1973.

The committee is pleased to note that the ICC has been permitted to fill the additional positions authorized by the Congress during the last 3 years. The committee is hopeful that these positions, and the 70 new positions the committee is recommending, will bring more effective and efficient resolutions to our surface transportation problems. The new positions will be used to reduce the backlog in compliance proceedings and will assist the ICC in more effectively considering environmental issues and responding to consumer complaints.

The \$250,000 reduction relates to the requested \$450,000 for the investigation of the freight rate structure; \$1.4 million was appropriated for this program in 1973, and the committee believes that \$200,000 should be sufficient to complete the report. Having observed some of the gross inequities in the freight rate structure, I am most anxious to see the report and its recommendations.

PANAMA CANAL

The committee recommends \$59 million for the operating expenses of the Canal Zone Government. This is \$361,000 below the budget and \$3.1 million above the 1973 appropriation.

No additional positions are requested or recommended, and the increases are primarily due to mandatory pay and cost increases.

The committee also recommends \$3.5 million in capital expenses for the Canal Zone Government, a reduction of \$1 million from the budget request.

These funds are for necessary improvements and replacements of educational facilities, hospitals and clinics, and municipal facilities.

The reduction is due to the large carryover balances in past years. The unobligated balance at the end of 1973 is projected to be \$2.7 million.

The bill also provides a limitation on general and administrative expenses of \$21.04 million for the Panama Canal Co., the same as the budget request.

WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY

Finally, the committee recommends a Federal contribution of \$97.7 million for the Washington Metropolitan Area Transit Authority, the same as the budget request.

The \$90.4 million of this appropriation is an advance appropriation for fiscal year 1975. The remaining \$7.4 million is for the design and construction of the Arlington Cemetery Station and an additional Smithsonian Station entrance. These last two projects were authorized by the Congress last October.

The committee feels that WMATA should seriously consider the technological advances in the design of transit cars before it makes its next purchase. The cars purchased thus far are not as technologically advanced as the cars presently used by the BART system in San Francisco. The committee believes that the Metro system should be an exemplar of technological advancements and feels that the cars purchased by WMATA in the future should reflect the most up-to-date state-of-the-art.

The committee is also recommending the full budget request of \$12.7 million in Federal subsidies to the WMATA revenue bonds. The Federal subsidy covers 25 percent of the interest and issuance costs of the bonds.

Thank you, Mr. Chairman, for the opportunity to detail the committee bill. I have certainly enjoyed serving as the ranking minority member of the Transportation Appropriations Subcommittee, and I look forward to continued association with my distinguished colleagues on that subcommittee.

Mr. McFALL. Mr. Chairman, I would ask the distinguished gentleman from Massachusetts (Mr. CONTE) if he desires to yield time on his side?

Mr. CONTE. Mr. Chairman, I do desire to yield time.

Mr. Chairman, I yield 5 minutes to the gentleman from Minnesota (Mr. FRENZEL).

Mr. FRENZEL. Mr. Chairman, I thank the gentleman from Massachusetts for yielding me this time.

Mr. Chairman, as we have heard, the committee is recommending that we cut \$5.7 million from the budget request for personal rapid transit system development. This amounts to a very sizable 41-percent reduction in the UMTA request. If Congress applied the same spirit of economy to every agency's request, we could liquidate one quarter of the national debt this year.

As much as I am convinced that the answer to urban transportation problems lies with new transit systems yet to be developed, it is hard to disagree with the committee's logic for recommending this drastic cut even though I have more confidence in UMTA than the committee does.

For me the problem is that we simply are not getting where we want to go. I do not want to pick out any scapegoat but I want to emphasize these facts: First, mass transit development is a high priority for nearly everyone; second, there are bills pending before Congress to authorize spending for operating subsidies for what are obsolete systems; third, annual capital grants, largely for buses, reach nearly a billion dollars; fourth, the overwhelming share of present and projected spending is aimed at systems for which the public has shown little enthusiasm; fifth, new systems are needed

to solve problems of pollution, energy shortage, congestion, and even the sometimes-ignored problem of a shortage of transportation services; and sixth, the President singled out mass transit development as a priority need in his 1972 State of the Union Address.

Therefore, this country has not come close to meeting its needs for mass transit research and development; \$30 million for PRT development is a relatively insignificant commitment for a high priority national need. I only wish UMTA and DOT had been more persuasive with the committee.

Both UMTA and this Congress have been timid in their willingness to tackle the research and development of modern, sophisticated systems that will share transportation needs, conserve energy, and attract riders. The systems on which we have concentrated over little hope of improving the modal split. We need a technological overlap that will take people away from their second or third car.

As the committee report states, UMTA has not yet defined the role of PRT, but instead has chosen to ride off in three different directions. Apparently the UMTA rationale is that simple systems must be developed prior to sophisticated ones but that development of sophisticated systems cannot wait. What seems to be agency ambivalence is probably more a desire to please everybody. UMTA has really attempted to provide a legislative solution—give everybody a little something—and we have encouraged them.

The present UMTA PRT development program calls for completion of the large vehicle low capacity Morgantown system by 1976 at a cost of \$64.2 million. So far as I know we have no customers for this system but it represents the basic technology and should be completed. Secondly, we have embarked on development of a second generation system for the Denver area which is similar to the Morgantown type system, but would operate at shorter headways. This was to be the development of the Dulles Transpo Technology. This system is supposed to be available for urban installation sometime in 1976 at a cost of \$18.5 million. Finally, UMTA want to begin development of a high capacity system which is far more sophisticated than the Morgantown and Denver systems. UMTA expects to have this system ready for an urban deployment by late 1979 or early 1980. The estimated cost of this program is \$38 million.

This three pronged development effort is hard to justify particularly in view of the fact that both Germany and Japan will begin full-scale testing of the most sophisticated type of PRT system this year. The Germans and Japanese are doing now what we propose to do 4 years from now. In the meantime, UMTA proposes to spend the majority of our PRT development funds this year on systems that are substantially less sophisticated than foreign systems currently undergoing tests.

Furthermore, both the German and

Japanese development programs are alleged to cost less than our own. There is a real possibility that much of our present and proposed research is aimed at developing systems that may be obsolete. To his credit, the new Administrator of UMTA, Mr. Frank Herringer, has agreed with the Appropriations Subcommittee and will take a closer look at the state of foreign technology development. He is justly concerned that we not duplicate development efforts that have already taken place elsewhere.

I have consistently tried to get UMTA to raise its sights. I have tried to stimulate UMTA to move to more sophisticated systems and to make budget requests commensurate with the enormous need.

Frustrated by UMTA's seeming lack of direction, the committee has recommended drastic cutbacks in the PRT development program. I would only suggest that the House go one step further and insist that UMTA undertake a study of just where we should be going with our PRT development program.

At the direction of the President, DOT on January 16 of this year signed a memo of understanding with NASA to come up with a program for analysis of advanced PRT. The project plan which NASA subsequently developed would do just what the committee says is needed, namely define the role and assess the practicality of PRT with particular focus on the most advanced types of development work taking place in Europe and Japan. I believe this was just what President Nixon had in mind when he said in his 1972 state of the Union address.

For example, our outstanding capabilities in space technology should be used to help D.O.T. develop better mass transportation systems.

The NASA project plan proposal currently pending in UMTA would take only 10 months to complete and cost approximately \$3 million. The results of such a study are just what UMTA and Congress need to evaluate and guide future PRT development efforts.

I would like to propose that the House specifically provide an additional \$3 million to UMTA for the specific purpose of funding the NASA study. If we do so, next year when the House considers the UMTA budget we should have the necessary information in hand to decide how much if any additional resources should be put into PRT development.

Mr. CONTE. Mr. Chairman, I yield to the gentlewoman from Maryland (Mrs. HOLT).

Mrs. HOLT. Mr. Chairman, the debate of the Department of Transportation appropriations bill (H.R. 8760) is an appropriate time to make some observations concerning our national transportation policy. This topic was the subject of much controversy when we considered the Federal Highway Act. Everyone seems to be in agreement that we must develop operational plans to relieve the traffic crunch which afflicts our urbanized areas; however we have been

unable to reach agreement on the proper method of providing this relief.

Diversion of highway trust funds and increased funding under the Urban Mass Transit Act appears to have considerable support in both Houses of Congress. While I agree that the Government must begin to encourage modes of transportation other than the single passenger automobile. I do not think that we will be able to reform transportation habits overnight. In addition to the time required to plan and implement rail systems and new bus lines, there are also considerable costs associated with these systems.

In the short run there is an urgent need for improved vehicle traffic management in our metropolitan areas. Increasing traffic tie-ups which aggravate the current fuel shortage and add pollutants to the atmosphere cannot be tolerated indefinitely. Creeping traffic is no longer an inconvenience but a major contributor to a growing public safety and health problem. An intense program to manage the number of automobiles on the road, and at the same time, increase the efficiency of vehicular traffic movement should be given immediate implementation.

The Department of Transportation has done an outstanding job in this area under its TOPICS program and I urge its continuation. Program costs will be more than offset by the increased safety, reduced vehicle operating costs, reduced travel time, reduced air and noise pollution, and reduced fuel consumption.

Mr. CONTE. Mr. Chairman, I yield 5 minutes to the gentleman from Alabama (Mr. EDWARDS).

Mr. EDWARDS of Alabama. Mr. Chairman, I rise to speak in favor of H.R. 8760. It is my pleasure to serve on the Transportation Subcommittee of the Appropriations Committee, and I have of course followed this legislation closely from its inception. I can say to my colleagues in the House that the subcommittee under the chairman's able leadership has worked hard to see that the taxpayer will get a dollar's worth of results for every tax dollar spent by this bill.

As the subcommittee unraveled the problems standing between us and a balanced, effective transportation system, many complex threads could be seen in the fabric. The energy crisis, land use, urban planning, environmental concerns, and the strength of the economy are just a few of the problems which are so intertwined with transportation as to make it difficult if not impossible to consider one without the rest.

The point is that transportation extends its roadways into all aspects of American life. Our transportation determines how we move ourselves, our goods, and our ideas. Like it or not, we live in a highly mobile society, and to a significant degree the quality of our transportation often determines the quality of our lives.

Mr. Chairman, I believe H.R. 8760 provides the necessary direction and

leadership to move forward during fiscal year 1974 toward an improved, more efficient transportation system, a balanced system that takes into account its far-flung influence on some of the most pressing problems facing our Nation.

H.R. 8760 recognizes that the winds of change continue to blow in transportation as in other areas of congressional concern. It observes that our transportation system must be responsive first and foremost to the traveling public, to the people who need to get themselves and their goods from here to there and back again.

To achieve the transportation system that the American people deserve, we must involve ourselves in a joint enterprise, with the traveling public, the transportation industry, the regulatory agencies, and the Congress pulling together toward the goal of a better, smoother operating transportation network. H.R. 8760 is certainly not perfect, but I believe it provides the vehicles in which we can move toward this goal during the next fiscal year. I urge every Member of the House to support the Department of Transportation fiscal year 1974 appropriations.

Mr. CONTE. Mr. Chairman, I yield such time as he may consume to the gentleman from Iowa (Mr. Gross).

Mr. GROSS. Mr. Chairman, the first question I would like to ask in respect to this bill is whether there is any money in it to bail out Transpo '72 that was such a financial debacle.

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

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

Mr. McFALL. Mr. Chairman, there is no money in here for Transpo '72.

Mr. GROSS. Did the Department of Transportation make any application for that purpose?

Mr. McFALL. No, they do not.

Mr. GROSS. Does the gentleman know how they expect to pay their debts?

Mr. McFALL. I do not really know whether they have any more debts. I read in the newspapers that they may have some, but they have not advised the committee of that.

Mr. GROSS. I thank the gentleman for his reply.

I note that the Department of Transportation is getting into the business of studies, grants for studies in various universities and other places. They are joining with the arts and humanities, the foreign aid outfit and others in dishing out money for studies so that they will have some hand-made propagandists to carry on their campaigns for funds. Is the Department of Transportation trying to develop some walking delegates to lobby and propagandize the country in one way or another to continue these appropriations and expenditures?

I note that Atlanta University receives \$67,000 to tell Atlanta officials how they should make decisions, as if they did not already know how to make decisions. It also provides for a study of the "urban nomad." And Clark College got \$40,000 to help Atlanta University study the "ur-

ban nomad." I wonder if anyone here can describe an "urban nomad."

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

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

Mr. GONZALEZ. I think the House gave a pretty good definition of one urban nomad in the person of the chief of police of the District of Columbia.

Mr. GROSS. I was afraid that is who the gentleman was going to refer to.

Colorado University took in \$59,470 to put together a "computerized decision game model" to study transportation problems in Boulder, Colo. I wonder what is to be accomplished with the use of a "computerized decision game model"?

Howard University gets \$42,975 to study "bureaucratic transportation planning traits"—whatever that is.

I think before we get through with this bill today we ought to have some idea of why we are spending this money.

Are transportation studies themselves wallowing in so much bureaucracy that it requires \$42,975 to study how to get them out of the bureaucracy, or what is it for?

And, how about \$52,918 to New York State University to "identify and analyze the nature, extent, and consequences of carlessness?"

That is spelled, "c-a-r-l-e-s-s-n-e-s-s."

I suppose the report of this university will note that people who do not own cars ride buses, and students who cannot afford bus tickets thumb rides.

I notice the University of Wisconsin received \$55,730 to study how to increase fuel economy in transportation systems, and that the bill today provides another \$2,100,000 to study the same thing. Will the Department of Transportation researchers consult the findings of the Wisconsin researchers? I will wager that this may well be another case of the left hand not knowing what the right hand is doing.

Mr. Chairman, I yield back the balance of my time.

Mr. CONTE. Mr. Chairman, I have no further requests for time. I reserve the balance of my time.

Mr. McFALL. Mr. Chairman, I yield 5 minutes to the gentleman from Texas (Mr. PICKLE).

Mr. PICKLE. Mr. Chairman, I would like to ask the chairman of the committee or some member of the committee about the high speed ground transportation appropriations.

The report indicates that the committee apparently feels that the work on the tracked air cushion vehicle, the one designed to go upward of 300 miles per hour, should not receive the attention that conventional rail research is to be given under the bill. Would the gentleman from California comment on plans for that test site and why it is not given more priority in comparison to the conventional test program?

Mr. McFALL. Mr. Chairman, if the gentleman will yield, we believe that the test center that the gentleman is talking about, is very important for our rail research and certain other research activities of the Department of Transpor-

tation. We have provided them with funds over the years which we think are necessary for the development of that test center.

We agreed that this center is very important to transportation in the country.

Mr. PICKLE. Mr. Chairman, I think that it is appropriate that we give special attention to conventional rail research and try to improve in a better manner the modes and vehicles that we have now, but I do think that we are not going to solve our problems unless we give more attention to the high speed programs.

I do not think we are going to really solve these problems until we have a train going from here to New York, for instance, in 1 or 2 hours. We are going to need 300 mile per hour vehicles for that, higher than the speeds we have now.

The gentleman from California knows that we have a vehicle in Colorado now, a tracked air cushion vehicle, actually levitated and moved forward by jet power which does not touch the rail but just uses guidelines. It is moving, but moving slowly. I rode in it last fall, and I think the gentleman from California also had a demonstration ride on it. However, in 1973 they built 1 mile of track. In 1974, I think they plan to build one more mile.

On that basis, it will be the year 2000 before they can have a track, or an oval track, long enough to really test this vehicle. By that time, we are going to have a new system or something else, so it seems to me that if the committee is funding this program, somebody down the street is not releasing the money.

I talked with the Federal Railway Administration, and I am convinced that they would like to do more, but their hands are tied. I think that program is limping along out there at a much slower pace than it ought to. The only way it is going to be done is for this committee to say, "These are the funds we are giving you, and you ought to pursue it with speed and much more diligence."

Otherwise they are generally sitting on their hands and are not giving us our money's worth on a project that has to be accomplished.

We must improve our conventional transportation system, Mr. Chairman, but unless we get better high-speed systems not only on the drawing boards but also in actual demonstration we will not make much headway. That is where the answer will come if we are to make progress in high-speed rail transportation.

I would suggest to the gentleman and to the committee that they should look into the matter of the appropriation that has been made and ask why the Administration spent only one-fourth or thereabouts of the money given for that project.

We will not solve our transportation problem if we go at it in such a weak, piecemeal manner.

Would the gentleman care to comment on the tracked air cushion vehicle and the other demonstration project?

Mr. McFALL. As the gentleman points out, there was \$15 million left over in the

Administration's program. We reduced their program request by \$10 million.

Mr. PICKLE. With the \$15 million carryover, what is the total appropriation for the high-speed test program in Colorado?

Mr. McFALL. With the \$15 million carryover they will have \$17 million plus \$15 million, or \$32 million. Last year the appropriation was about \$52 million and they did not use \$15 million of it, so it will be at approximately the same level this year as it was last year.

Mr. PICKLE. They did not spend approximately \$15 million?

Mr. McFALL. That is correct, \$15 million out of \$52 million.

Mr. PICKLE. Does the gentleman know whether OMB would not release it or whether they did not request to spend it?

Mr. McFALL. OMB would not release it.

I should like to take just a minute of the gentleman's time to discuss this very important test center.

We recommended in the bill that the Urban Mass Transportation Administration divest itself of the development of the 150-mile-an-hour TACV, and that the Federal Railroad Administration take over the 150-mile-an-hour TACV, because we believe the 150-mile-an-hour TACV and the 300-mile-an-hour TACV ought to be considered by one organization. Logically high-speed rail should be that place.

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

Mr. McFALL. Mr. Chairman, I yield the gentleman 2 additional minutes.

The Urban Mass Transportation Administration really should devote its efforts to the moving of people in the urban centers. The TACV air cushion vehicle does not lend itself to the movement of people within urban centers.

Mr. PICKLE. That is correct.

Mr. McFALL. As the gentleman knows, it requires an 8 to 10 mile distance between stations in order to operate efficiently. This is not something one can provide in an urban system.

The real need for these systems, as the gentleman pointed out, is for fast transportation between, we will say, New York and Washington or Boston and New York.

If we go over 200 miles an hour we might be using up more energy than is really economical. The practical speed of an air cushion vehicle probably is in the range of 150 to 200 miles an hour.

I should like to see the Federal Railroad Administration really get to work on this. It does provide great promise, we believe, for intercity transportation, and they should get to work on it.

Mr. PICKLE. I would hope again that this demonstration project would be allowed to proceed at high speed. Some of our Members have looked at demonstration projects in other countries, particularly in the field of magnetic construction, and are convinced the United States is going to find itself far behind in this race for high speed unless we put emphasis on it. I hope that will be the case.

Mr. Chairman, in considering this legislation, I feel that the House should consider two additional points:

First, there is still no national transportation policy. When this Congress established the Department of Transportation in 1967, one of the reasons for doing so was to create an agency that would come up with a national transportation policy.

So far DOT has not done this, and I feel that it is time that the Congress, and those committees with jurisdiction over transportation matters, to give serious consideration to taking steps to mandating the development of a national transportation policy, or just doing it ourselves.

The second consideration that this House should be concerned with in reviewing DOT policies is the fact that there is really no solid, and obvious coordination of research and development in the transportation field by the Department of Transportation.

I realize that there is an assistant secretary who reviews the research and development programs of the various DOT components, but I do not think that this represents the type of research commitment this Nation needs in the transportation area.

We need to put our transportation research efforts under one umbrella.

I have studied the Canadian Government's Transportation Development Agency, and I am convinced that the same type of agency could do wonders for the transportation development in this country.

Last year, I introduced legislation to create a Transportation Development Agency. My legislation is still good, and I would hope that my colleagues, who know the need for a better transportation system in America, would join me in my efforts to bring some order to this country's transportation R. & D. efforts.

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

Mr. McFALL. Mr. Chairman, I yield 1 minute to the gentleman from Colorado (Mr. EVANS).

Mr. EVANS of Colorado. Mr. Chairman, I thank the gentleman from California (Mr. McFALL) the chairman of the committee, for yielding to me, and the committee as a whole for the job it has done, and I concur in the comments made by the distinguished gentleman from Texas (Mr. PICKLE) regarding the tests conducted at Pueblo, Colo.

I have one question with regard to a comment in the report.

My question relates to a road at the Pueblo test site that is in terrible shape. This road links this test track to the airport and highway. There have been accidents on it. I think we all agree that it should be repaired, and I think the committee indicated there were some funds on hand in the Department that could be used to improve this road.

Mr. Chairman, I take this opportunity to propose a question to the committee chairman, the gentleman from California (Mr. McFALL).

I suppose in this regard that it is the

committee's desire that this money to construct that road or improve that road should not be taken from research and development funds but, rather, from other funds which the Department has on hand. Am I correct in my understanding?

Mr. McFALL. Mr. Chairman, that was the intent of the committee language in the report. I have been at the test center, and I have ridden over that road. It is very difficult for me to understand how they can operate that test center with such a horrible road. The efficiency of the center would really be increased if they had just an ordinary road.

I understand that what has happened is that everybody has been sitting around waiting for somebody else to build a road. One says, "That is your responsibility," and another says, "Will you share in this?" But nobody is going forward.

Mr. Chairman, as we indicate in our report we feel that the Department of Transportation should use the funds available to it to go ahead and build that road. We feel that this is very important to the activities at the test center.

Mr. EVANS of Colorado. Mr. Chairman, I am very pleased with the action of the committee, and I want to thank the chairman of the committee also for his interest in the subject.

Mr. GONZALEZ. Mr. Chairman, I thank the distinguished gentleman from California, the chairman of the subcommittee, and I rise for the purpose of asking a couple of questions.

What is the net amount in this bill which is set aside for the ICC?

Mr. McFALL. Thirty-four million, seven hundred fifty thousand dollars.

Mr. GONZALEZ. Mr. Chairman, may I ask, this is mostly for administrative purposes and for carrying out its functions as set forth by law?

Mr. McFALL. Mr. Chairman, the language of the report, I would say in answer to the gentleman's question, is as follows:

The sum of \$34,750,000 is recommended for salaries and expenses of the Interstate Commerce Commission. This is a \$1,030,000 increase over fiscal year 1973 appropriations and a decrease of \$250,000 below the budget estimate.

Mr. Chairman, \$250,000, as I explained in my statement was taken from the study of the railroad freight rate structure, because they have not decided how they will conduct that study. We think it is a very important study, and we think they should go ahead. But as the gentleman knows, the legislative committee has been looking into how they should be conducting this program, and as of now the Interstate Commerce Commission has not made up its mind as to how it is going to be done.

Mr. GONZALEZ. Mr. Chairman, I noticed in the report of the committee that the sum of \$250,000 has been lopped off on the basis that they would not be able to use more right away since they had the funds that were authorized last year for the purpose of this analysis of the rate structure.

Mr. McFALL. Yes, we appropriated funds in 1973 for the freight rate struc-

ture investigation. This is a very important study.

Mr. GONZALEZ. Yes, it is very important. That is what I am getting at.

The CHAIRMAN. The time of the gentleman from Texas (Mr. GONZALEZ) has expired.

Mr. McFALL. Mr. Chairman, I yield 2 additional minutes to the gentleman from Texas (Mr. GONZALEZ).

Mr. Chairman, will the gentleman yield?

Mr. GONZALEZ. I yield to the gentleman from California (Mr. McFALL).

Mr. McFALL. Mr. Chairman, we do not intend to interfere with that study. We did not intend to say, by cutting this \$250,000, that we do not think the study is important. It is just that they have not decided how they intend to proceed with this study.

We have included an additional \$200,000 in this bill for this investigation. However, we thought we could save \$250,000 because they are not ready to go ahead with it.

Mr. GONZALEZ. I have no quarrel with that. I am sure the committee is right except for the fact that this Commission, like so many of our regulatory commissions, seems to have become almost powerless with regard to the general interest of the greatest number of citizens who have a need for regulatory protection.

For instance, we have the shippers—the small shippers. I have had a stream of complaints over the course of months and, in fact, for more than a year where they have been caught between the Interstate Commerce Commission and its practices and the Price Commission and its practices. When a shipper comes to them for relief the way the Commission operates, in case the committee has missed it, is very important. It operates for the benefit of the vested interests; that is, the companies that do the shipping—the great and powerful transportation interests; but when you have a little company that gets caught and seeks relief, the Commission will not even advise him about any freight rate changes. He can suddenly face destruction of his small business. It stares him right in the face. This massive Interstate Commerce Commission is oblivious to his needs and, in fact, is oblivious to some of us who are Members of Congress.

What I want to know is this: Is the committee or the subcommittee responsive and sensitive to the practices of the Interstate Commerce Commission that ignores the needs of the small shipper, where they will announce freight rate changes without even giving prior notification to the shipper affected? What can we do about that?

Mr. McFALL. Let me preface my answer to the gentleman's specific question by saying that for the last 3 years, including fiscal year 1973, we have added money to the Interstate Commerce Commission's request sent here by the OMB. I understand that not until fiscal year 1973 did the OMB finally yield and permit the Interstate Commerce Commission to spend the funds which we appropriated for additional personnel.

The CHAIRMAN. The time of the gentleman has expired.

Mr. McFALL. Mr. Chairman, I yield the gentleman 2 additional minutes.

If the gentleman will yield further, let me say we believe that the Interstate Commerce Commission performs the function of the Congress in regulating the commerce of the country. It is our constitutional function, and they do it for us. We believe that they should have the funds necessary to do it and the OMB should not interfere. It was not until this current fiscal year that they were able to have the funds necessary, we think, to do the job.

With reference to the specific question that the gentleman asked about the interests of the small shipper, I do not have the information at my fingertips to be able to answer the gentleman as to whether or not the Interstate Commerce Commission discriminates against the small shipper. However, I will say to him we will be glad to look into it and to discuss this matter with the ICC to make sure that they are not discriminating against them.

Mr. GONZALEZ. I thank the gentleman, and I will be delighted to turn my files over to him or to the staff or to any other interested party, but more disturbingly what the gentleman is telling me now is actually the OMB is exercising the prerogatives and the power of not only administrative agencies but actually the power of the Committee on Appropriations.

Mr. McFALL. They did prior to fiscal year 1973 when they did release the funds.

Mr. GONZALEZ. I would like to tell the gentleman this: I will turn over my files, but in the meantime I am surprised he and some of his other colleagues have not heard from the people of this country, because there is no question about it: the regulatory agencies are not responsive to the needs and they give me the impression, including the Interstate Commerce Commission, that they are completely beholden and at the mercy and whim of the powerful vested financial interests involved in transportation, and I think that is bad.

Mr. McFALL. Mr. Chairman, I am glad to have the gentleman's statement.

Mr. GONZALEZ. I thank the gentleman.

Mr. McFALL. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, I would like to answer the question that the gentleman from Iowa (Mr. Gross) asked me during my statement on the bill.

Yes, the Department of Transportation or the FAA does have a minority hiring program. They are not, however, requesting any additional positions for this program. The program is not to be expanded, but it will probably be continued. That is the information that I have.

Mr. GROSS. Mr. Chairman, if the gentleman will yield, I appreciate the response of the gentleman from California. I would say to him that it is inconceivable that they would operate a

"numbers" game with respect to the recruitment and training of men for such highly sensitive and responsible jobs as those of air traffic controllers. It is beyond comprehension that they would even attempt to apply forced employment to these jobs.

I can think of but few jobs in the aviation industry more responsible than that of an air traffic controller.

I thank the gentleman.

Mr. McFALL. I would say to the gentleman from Iowa that I do not believe there is a quota system per se, involved in this program. It is merely a positive attempt to recruit minority groups so that they can be trained to fill jobs in this very important industry.

The CHAIRMAN. The time of the gentleman has expired.

Mr. McFALL. Mr. Chairman, I yield myself 1 additional minute.

Mr. Chairman, I would further say to the gentleman from Iowa that this, I think, is like many other programs that we have in other agencies of the Government. It is an attempt to qualify minority groups to get into the air traffic control system activities.

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

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

Mr. GROSS. Mr. Chairman, I agree with the gentleman, but I say to the gentleman from California and also to the Members of the House that we ought not to be using a program of that kind in the area under discussion. I do not care what their color, I do not care what their status in life, or whether they come from the north or south side of the tracks; if they are qualified to occupy those responsible places in control towers, I care not who they are. But I insist they must be qualified, and not be there by virtue of the "numbers" game.

Mr. McFALL. I believe I can assure the gentleman from Iowa that in no way would the safety requirements of the FAA in these very important areas be compromised by this program.

Mr. CONTE. Mr. Chairman, I yield such time as he may consume to the gentleman from California (Mr. Don H. Clausen.)

Mr. DON H. CLAUSEN. Mr. Chairman, I share the committee's expression of deep concern over the Coast Guard's termination of 15 search and rescue units and want to go on record here today as strongly objecting to the closure of these stations.

In my judgment, it is one thing to close certain defense installations and activities as well as related functions of the U.S. Coast Guard for purely economic reasons—but another when those activities have, as their primary mission and purpose, the saving of lives and property.

My own congressional district has never been adequately safeguarded with Coast Guard search and rescue coverage, yet, as a major coastal region in California, it has an historic and tragic record of natural disasters, water related accidents, and boat mishaps. During the past 10 years, for instance, a city in my

district was virtually wiped out by a tidal wave and the potential threat of a recurring tidal wave is ever present. In addition, the 1964 floods which devastated the northern part of my district and can only be classified as a major natural disaster, proved conclusively that on-site search and rescue assistance was desperately needed.

For nearly 2 years now, I have been working with the Coast Guard in an attempt to have a Coast Guard search and rescue helicopter unit assigned to the Arcata Airport in Humboldt County which could serve the entire north coast of California from facilities already on lease to the Coast Guard. More recently, I have been working with this committee in order to present my case and I am deeply grateful to its distinguished chairman, Mr. McFALL, the gentleman from Massachusetts (Mr. CONTE) and all the Members for their understanding and cooperation in this matter. I also want to express my sincere appreciation to the committee for including on page 12 of the committee report an expression of concern and interest in the assignment of such a unit on the north coast.

The people I am privileged to represent here in the Congress have endured many hardships over the years, primarily those imposed by nature. They are also very patient and understanding. But, the fact remains that we have not yet provided adequate flood protection or any guaranteed safeguards against tidal waves or periodic freak storms along the coast. This situation, in my judgment, cannot continue to be compounded by a failure to provide on-site helicopter search and rescue assistance.

Many coastal regions of the country with a less critical history of or potential for disaster can justifiably rely on what is termed "on-call search and rescue service" from distant Coast Guard sites. Mine, regrettably, cannot and the legend of water-related death and destruction on the north coast of California is a constant reminder of that simple fact of life.

Mr. REUSS, Mr. Chairman, as we consider H.R. 8760, the fiscal 1974 Department of Transportation appropriations bill, our urban air pollution is so severe that the Environmental Protection Agency has proposed drastic restrictions on automobile use. At the same time, Americans are confronted with a gasoline shortage that may require rationing within the next few years.

Whether we like it or not, the mass use of private automobiles in our cities is on its way out. New forms of transportation must be developed rapidly to carry people swiftly, safely, efficiently, and without causing pollution—particularly new systems of mass transit such as personal rapid transit, dial-a-bus, tracked air-cushion vehicles, and dual-mode.

Unfortunately, H.R. 8760 reduces the Urban Mass Transportation Administration's budget for these new systems from \$33 million in 1973 to \$21 million in 1974.

A review of the Federal involvement in development of new systems of urban transit will indicate the inadequacy of the new systems budget.

In 1966, Congress passed an amendment to the Urban Mass Transportation Act directing the Secretary of Housing and Urban Development to "prepare a program of research, development, and demonstration of new systems of urban transportation that will carry people and goods within metropolitan areas speedily, safely, without polluting the air, and in a manner that will contribute to sound city planning."

HUD responded in 1968 with a report titled "Tomorrow's Transportation: New Systems for the Urban Future." The report stated:

Even with engineering improvements and optimal management and utilization, present modes of urban transportation are inadequate to meet total future urban needs.

It recommended Federal spending of \$530 million over 5 to 15 years to research, develop, and demonstrate seven major types of new systems, which "were found to possess not only a high expectation of technical and economic feasibility but also to contribute significantly to the solution of major urban problems." The seven types of systems were:

Dial-a-bus: A transit system in which buses are activated on demand of potential passengers, perhaps by telephone. A computer logs the calls, and selects and dispatches the buses.

Personal rapid transit: A system of small vehicles automatically driven and routed on exclusive right-of-ways.

Dual-mode: A system of small vehicles which can be individually driven, and converted from street travel to travel on automatic guideway networks.

Dual-mode bus: A large vehicle system combining the high-speed capacity of a rail system operating on its private right-of-way with the flexibility and adaptability of a city bus.

Pallet or ferry systems: Systems of pallets to carry—or ferry—conventional vehicles automatically on high-speed guideways.

Fast intraurban transit links: Transit systems using technologies such as tracked air-cushion vehicles to serve travel needs between major activity centers such as airports and business districts.

New systems for use in major activity centers: Transit systems such as moving belts and capsule transit vehicles.

What has happened since publication of Tomorrow's Transportation?

According to a May 3, 1973, Library of Congress report, "New Systems of Urban Mass Transportation: Synopsis and Appraisal of Federal Assistance," prepared at my request by Dr. Leon M. Cole, senior specialist in Transportation, UMTA's efforts since fiscal 1970 to develop new systems have been insufficient. Cole wrote:

If the accomplishments of these nearly five years of RD&D effort are measured in terms of numbers of actual new systems . . . implemented and operating in cities . . . they are few indeed.

One dial-a-bus system, with 12 small vehicles to serve a population of 27,000, is operating in Haddonfield, N.J. The

first segment of a personal rapid transit system was opened for service testing in Morgantown, W. Va., last year with five vehicles. These two feeble efforts are the only new systems demonstrated to date with UMTA assistance.

Why is the record so poor?

In large measure, because the new systems budget is too small. Though Tomorrow's Transportation recommended a \$530 million budget over 5 to 15 years, UMTA's new systems budget over the 5-year period of 1970-74 will be only \$111 million, if H.R. 8760 is passed as reported.

The administration has proposed low funding levels. But H.R. 8760 reduces the proposed budget even further. H.R. 8760 funds new systems at a level \$17 million lower than proposed by the administration:

NEW SYSTEMS BUDGET, FISCAL 1974

[In thousands of dollars]

	Administration budget	H.R. 8760
Advanced transit planning methods.....	2,000	2,000
Personal rapid transit.....	23,650	13,950
Dial-a-bus.....	2,950	2,000
Dual-mode.....	3,000	3,000
Urban tracked air-cushion vehicles.....	6,300	0
Total.....	37,900	20,950

Sources: Library of Congress, and H. Rept. 93-285, Department of Transportation appropriations, 1974.

Unless we increase the new systems budget, UMTA will not be able to demonstrate these new forms of transportation adequately.

The case history of dual-mode development serves as evidence: In 1971, the UMTA-funded "Milwaukee County Dual-Mode Systems Study" recommended a 10-year, \$174 million program to demonstrate a dual-mode system. In 1972, Milwaukee County presented UMTA with a preliminary proposal to initiate implementation of the dual-mode demonstration plan with a \$3 to \$4 million, 2-year development program. UMTA rejected the proposal.

The reason was not that dual-mode is not ready to be developed and demonstrated in an urban setting. The Department of Transportation's April 1973, "Analysis of Dual Mode Systems in an Urban Area," concluded: "An assessment of the technology requirements for dual mode" found there "were no areas which were considered to be technically unfeasible."

UMTA, with an average annual budget of only \$22.6 million for its entire new systems program, simply was unable to commit itself to a \$174 million project for dual-mode alone. The Milwaukee County dual-mode consortium, accordingly, is being disbanded.

The following table compiled by the Library of Congress shows that only 2 percent of the Federal transportation R. & D. budget has gone for new systems of urban transportation. Eight times as much has been spent for the SST. Nine times as much has been spent for high-way research.

FEDERAL OBLIGATIONS FOR TRANSPORTATION RESEARCH AND DEVELOPMENT

[Millions of dollars; fiscal years]

Modes	1965	1966	1967	1968	1969	1970	1971	1972	1973 (est.)	1974 (est.)	Total
Air:											
FAA:											
Aviation R. & D.....	47.7	45.8	45.1	46.3	47.2	53.8	102.8	116.2	77.7	99.5	682.1
SST (canceled 1971).....	21.8	112.4	189.8	62.7	93.8	160.5	264.0	62.1	4.2	3.6	974.9
NASA—Aircraft technology.....	65.6	77.9	90.9	128.4	171.2	187.3	220.8	227.6	252.7	297.9	1,720.3
Mode, total.....	135.1	236.1	325.8	237.4	312.2	401.6	587.6	405.9	334.6	401.0	3,377.3
Highways:											
FHA:											
Highway research planning.....	7.1	8.7	10.6	13.4	14.0	16.0	18.7	19.3	24.7	30.3	162.8
Safety.....			4	5.0	10.2	14.0	26.9	40.5	69.3	93.2	259.5
Research/planning grants.....	61.3	68.6	64.7	68.0	70.8	78.3	86.6	80.1	67.0	81.0	726.4
Mode, total.....	68.4	77.3	75.7	86.4	95.0	108.3	132.2	139.9	161.0	204.5	1,148.7
Rail:											
FRA:											
General research.....					.2	.4	1.2	13.0	10.7	13.4	38.9
High-speed ground transportation.....		11.7	14.6	12.8	12.7	16.0	24.1	27.1	43.0	47.6	209.6
Mode, total.....		11.7	14.6	12.8	12.9	16.4	25.3	40.1	53.7	61.0	248.5
Water:											
Maritime Administration.....	9.3	5.0	7.9	6.9	9.0	12.7	24.3	27.5	29.8	29.4	161.8
Coast Guard.....			1.5	1.5	3.9	10.1	9.4	17.6	15.5	20.0	79.5
Mode, total.....	9.3	5.0	9.4	8.4	12.9	22.8	33.7	45.1	45.3	49.4	241.3
Urban mass transportation:											
New systems of urban mass transportation.....						2.8	19.9	34.8	32.9	37.9	128.4
Urban mass transportation total.....	1.0	8.0	3.5	10.5	10.0	8.4	32.2	56.2	65.3	80.3	275.4
Total, transportation R. & D.....	213.8	338.1	429.0	355.5	443.0	557.5	811.0	687.2	659.9	796.2	5,291.2

Source: Library of Congress.

Mr. LEHMAN. Mr. Chairman, I wish to commend the committee for its recognition of the ties between the transportation system of our Nation, and the so-called energy crisis. In particular, I am glad to see that the committee has increased funding for capital facilities and technical studies grants under the Urban Mass Transportation Assistance Act of 1970.

The rapid population growth in south Florida has strained the existing transportation services to the limit. This particular area has already recognized that simply building more highways only compounds the problem of congestion. During the tourist season, as you can well imagine, the problem only worsens. In addition, jobs which are available in the outlying areas become impractical, when either driving a car, or taking a bus, consume more than an hour.

Clearly, a balanced transportation system which would fill the needs of south Florida cannot exclude some form of grade-separated rapid transit.

In light of the mobility problems south Florida is suffering, I am pleased to note that the committee has appropriated \$380 million to fund capital facilities and technical studies grants, an increase of \$148 million over fiscal year 1973.

Mr. BROZMAN. Mr. Chairman, the purpose of this amendment is the restoration of \$9.7 million to permit an ongoing program of personal rapid transit—PRT—research and demonstration grants. This would restore UMTA research and development funds to \$36.8 million, the amount requested in the budget.

The amount contained in the committee bill for all UMTA research and development and demonstration projects is only \$27.1 million.

The \$9.7 million cut I seek to restore has come from personal rapid transit

demonstration projects. This represents a cut of over 40 percent from UMTA's planned \$23.65 million expenditure on PRT demonstrations, and I fear the result will be the crippling of an innovative idea in mass transit at a time when the energy crisis and our national air pollution problems dictate greater future reliance on public transportation.

Recognizing that it would have to act on the development of a viable system of mass transportation, the Denver area developed a regional transportation plan which included heavy reliance on the utilization of personal rapid transit vehicles. Last October former Secretary of Transportation Volpe appeared in Denver to announce that the Department of Transportation would build a PRT demonstration in the city. This represented a significant step in the development of the PRT.

Denver, in reliance on former Secretary Volpe's October announcement, has proceeded with the expenditure of local funds and is currently preparing for an election to issue bonds to raise funds to move ahead with its regional transportation plan, including PRT's. All of this work and all of this money could be threatened by a reneging of the commitment to Denver.

Important progress has been made in the development of PRT systems in the last 2 years because of UMTA projects, community interest, and the attraction of private capital. Nevertheless, much vital information needed by the cities of the Nation does not yet exist.

Cities will be reluctant to request funding for PRT systems under the capital grant program unless full-scale operational models exist which demonstrate what PRT systems can accomplish toward solving difficult transportation problems, what they do to the appearance of a community, how people react

to them on a day-to-day basis, how much they cost to install, and how much they cost to run.

The Denver demonstration would provide the answers to these questions. It would provide the Nation's community leaders with the assurances they need before committing themselves to irreversible transformations in the architecture of the urban landscape, unknown large-scale public reaction, unknown problems of vandalism and passenger security and only partially predictable installation and operational costs.

Denver was selected as the site for the demonstration because of the interest the city had already expressed in making PRT's a part of a regional transportation plan. The 1-mile demonstration announced by former Secretary Volpe would not only measure the viability of the regional plan for Denver, it would also provide the answers needed by governmental units and private industry before decisions on sinking large amounts of capital into PRT's can be properly made.

It seems ironic that at a time when city after city is having its air quality plans rejected by the Environmental Protection Agency, a budget request to take a giant step forward in public mass transit technology would be rejected by the Congress. Accordingly, I urge a favorable vote on this amendment to restore \$9.7 million to personal rapid transit research and development, and demonstration projects.

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

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

COAST GUARD
OPERATING EXPENSES

For necessary expenses for the operation and maintenance of the Coast Guard, not otherwise provided for; purchase of not to

exceed sixteen passenger motor vehicles, fifteen of which are for replacement only; and recreation and welfare; \$543,800,000, of which \$171,994 shall be applied to Capehart Housing debt reduction: *Provided*, That the number of aircraft on hand at any one time shall not exceed one hundred and seventy-two exclusive of planes and parts stored to meet future attrition: *Provided further*, That, without regard to any provisions of law or Executive order prescribing minimum flight requirements, Coast Guard regulations which establish proficiency standards and maximum and minimum flying hours for this purpose may provide for the payment of flight pay at the rates prescribed in section 301 of title 37, United States Code, to certain members of the Coast Guard otherwise entitled to receive flight pay during the current fiscal year (1) who have held aeronautical ratings or designations for not less than fifteen years, or (2) whose particular assignment outside the United States or in Alaska, makes it impractical to participate in regular aerial flights, or who have been assigned to a course of instruction of 90 days or more: *Provided further*, That amounts equal to the obligated balances against the appropriations for "Operating expenses" for the two preceding years, shall be transferred to and merged with this appropriation, and such merged appropriation shall be available as one fund, except for accounting purposes of the Coast Guard, for the payment of obligations properly incurred against such prior year appropriations and against this appropriation: *Provided further*, That not to exceed \$15,000 shall be available for investigative expenses of a confidential character, to be expended on the approval and authority of the Commandant and his determination shall be final and conclusive upon the accounting officer of the Government.

AMENDMENT OFFERED BY MR. VANDER JAGT

Mr. VANDER JAGT. Mr. Chairman, I have 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 Michigan?

Mr. RUPPE. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard. The Clerk will report the first amendment.

Mr. McFALL. Mr. Chairman, I reserve a point of order on the amendment.

The CHAIRMAN. The gentleman from California reserves a point of order on the amendment.

The Clerk read as follows:

Amendment offered by Mr. VANDER JAGT: Page 3, line 11, strike out "\$543,800,000" and insert in lieu thereof "\$544,400,000".

And on page 3, line 12, insert immediately after "reduction" the following: ", and of which \$600,000 shall be applied to the preparation of a report by the Coast Guard with respect to the closing of certain search and rescue units during 1973, and to the reopening and operation of any search and rescue unit determined by such report to be desirable for the maintenance of an effective search and rescue capability."

Mr. McFALL. Mr. Chairman, I continue to reserve my point of order until the gentleman is finished with the explanation of his amendment.

The CHAIRMAN. The gentleman from Michigan is recognized.

Mr. VANDER JAGT. I thank the Chairman.

Mr. Chairman, I regret very much that we could not consider these amendments en bloc because as a package they will result in pouring life-saving

money into the vital search and rescue station operations in as many as eight sections of this country, and at the same time save the taxpayers \$1 million. Unfortunately, we cannot talk about the total package since only one amendment is before us, but I assure the Members the second amendment will be an opportunity to save \$1.6 million without any reduction in effectiveness of the operation of the Coast Guard.

I first became interested in the search and rescue operation of the Coast Guard and the problems associated therewith 3 years ago when the general manager of my television station invited me to go sailing with him. I am a landlubber, but my appreciation of TV exceeds my fear of the water. So my wife and I went on a weekend of sailing. We just nicely got started when this new sailor discovered that he had forgotten his navigational charts, but no matter, there was a placemat that had a map of Michigan on it, and we would use that for navigation.

We had just turned the bend into the Straits of Mackinaw when a heavy fog settled in upon us so thick that we could not see the bow of the sailboat. We became lost. Then we were amid rocks, and in that panic situation, rapidly reversing direction, we did not know any more whether we were going in to shore or out to sea.

At that point I said to that experienced sailor manning the ship, "Call the Coast Guard, and I will ask for help."

He said, "On Lake Michigan the experienced sailor well knows that the Coast Guard is not of any use in an emergency situation like this. We had better use our energy trying to save ourselves."

I did not believe him so I radioed the Coast Guard. I said, "We are in grave danger. Please come and save us."

This was the answer: "You are right, you are in grave danger. In fact, it is so dangerous we cannot venture out into the water, and you are on your own, and we hope things go well."

A freighter took mercy on us and guided us in to shore.

I, as the Members can imagine, went over to the Coast Guard Station, and my anger gave way to sort of an understanding frustration, because they explained that the only vessel that they had that was seaworthy for that kind of weather had a part that was being repaired in Boston, and it had been there for 2 weeks, and they had no backup boat. This was the height of the boating season, with fog coming in with great regularity. The Members can imagine that I naturally thought to myself that what the SAR station needs on the Great Lakes is greater facilities, not less. The Members can imagine my shock when I learned of the closing of the Manistee Search and Rescue Station.

For 90 years this body appropriated each year money to keep that SAR station open, and Manistee in those years was a sleepy summer town. After Labor Day three or four boats a week put out of Manistee harbor. The years passed, and then came Coho salmon. The Chicago Tribune has called the Coho salmon the most exciting and explosive recrea-

tional development in the Midwest in this country. That may be a little puffery, but it is a boom, and it is headquartered there and centered in Manistee, Mich.

Now not just two or three or four boats a week are there, but 2,000 are permanently moored there and 4,000 arrive every weekend, and more at peak periods. The Coast Guard decides that is the station they are going to close. Either we have totally wasted the taxpayers' money for 90 years or we have made a grievous error, now that the need has multiplied 5,000-fold, in deciding to close down the station.

I thank the committee and I applaud the committee for their responsiveness to that problem. There is language in the committee report which orders the Coast Guard to make a 30-day study and report back with the view to reopening some of the stations, with a view to the minimum action that can be taken.

There is one problem that is typical of the Coast Guard disdain for congressional intent. The Commandant informed me that the language is useless and is cosmetic only, because even if the study shows it is urgent to reopen the station, under the OMB edict they would not reopen any of the stations unless this Congress adds money in this bill for that specific purpose.

There are others who will speak of the difficulties in their area, but I urge the Members to consider this as a package, to show that we will maintain totally the operating effectiveness of the Coast Guard and save the taxpayers \$1 million and at the same time maintain this vitally necessary function to the American public. I urge support of the Members for this amendment.

The CHAIRMAN. The time of the gentleman has expired.

(On request of Mr. McFALL, and by unanimous consent, Mr. VANDER JAGT was allowed to proceed for 4 additional minutes.)

Mr. McFALL. Mr. Chairman, if the gentleman will yield further, I am glad the gentleman has brought this up in this way because I believe he has really presented an important matter for consideration with respect to the Coast Guard. We have been assured by the Department since my conversation with the gentleman that they will make this report and they will make this study and report back as we have directed in the report. I think that the gentleman's statement certainly merits the utmost consideration by the Coast Guard. There are other Members of Congress from the Great Lakes area who have come before our committee and who have pointed out to us the situation in the Great Lakes area and the need for these search and rescue stations. The gentleman has made an important contribution.

I would want to point out to the gentleman that the \$600,000 which he would attempt to put in, and against which I intend to make a point of order on the ground that it is legislation on an appropriation bill, will not be necessary and that we will get his study and the report, and it will not be necessary to put the \$600,000 in.

Mr. VANDER JAGT. I thank the gen-

tleman for pointing out the importance of this situation and I thank the gentleman and other members of the subcommittee for putting this language in the report. It is the position, however, of the Commandant, as he has stated to me the night before last, that even if that study which they have now promised and which they will report back on in 30 days, showed an urgent need for the opening of the station, that under the OMB edict there is no way they could or would open the station unless we specifically put in money for that purpose.

Mr. McFALL. If this study does show the need for the station, and if what the gentleman has said here so well is correct, that would indicate there would be a need for this, we will consider it further.

The gentleman from New York (Mr. McEWEN) came before the committee concerning other research efforts and the gentleman from California, Don H. CLAUSEN, came to us with respect to the need in his district. All of these areas need special consideration, and if it is shown the Office of Management and Budget is not able to agree with us or agree with the Coast Guard, we will then make sure that the money is put in in the other body so there will be funds for these rescue efforts.

Mr. VANDER JAGT. Mr. Chairman, the problem as it seems to me, is that we are not talking about an anticipated act, but I think in almost every instance each of the 15 bases all around the country have already closed. I receive reports daily from Manistee that even the fog-horn is no longer operating and boats get lost, so if we have to depend on the action of the other body, we are delaying during a heavy boating season across America, a delay that really could so simply be taken care of by providing this money, and we will still be reducing this total bill by \$1 million.

Mr. McFALL. Hopefully, we will be able to do this without the \$600,000.

POINT OF ORDER

Mr. Chairman, I renew my point of order on the basis that the language of the second paragraph of the gentleman from Michigan's amendment is legislation on an appropriation bill.

The CHAIRMAN. Does the gentleman from Michigan wish to respond?

Mr. VANDER JAGT. Thank you, Mr. Chairman.

I believe that since we are confronting a situation where only if we felt a purpose will the Coast Guard be able to carry out the intent of the committee and respond, that it is helpful to have that additional language in.

However, since we are making legislative history as to what exactly we are talking about in terms of this \$600,000 item, if the gentleman from California's point of order is sustained, I have a substitute amendment at the desk.

The CHAIRMAN (Mr. MURPHY of New York). The Chair will rule on the point of order.

The gentleman's amendment clearly imposes new duties on the Coast Guard which would, in effect, constitute legislation in an appropriation bill in violation of clause 2, rule XXI.

The Chair sustains the point of order of the gentleman from California.

AMENDMENT OFFERED BY MR. VANDER JAGT

Mr. VANDER JAGT. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. VANDER JAGT: on page 3, line 11, strike out "\$543,800,000" and insert in lieu thereof "\$544,400,000".

Mr. VANDER JAGT. Mr. Chairman, everything I said about the first amendment applies with respect to this amendment. I will not take the time of the Members any further.

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

Mr. VANDER JAGT. I yield to the gentleman from New York (Mr. McEWEN).

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

I would address my remarks, if I may, to the chairman of the subcommittee, Mr. McFALL, to say that I strongly concur in what the gentleman from Michigan has said about the position of the Coast Guard concerning the opening of SAR stations even after the report is made to the subcommittee.

Let me say that I share the appreciation of the gentleman from Michigan for the time and consideration that the gentleman from California and the members of his subcommittee gave for the very excellent language that is contained in the report of the committee, and for his assurance that we are going to get this report from the Coast Guard.

However, No. 1, as the gentleman from Michigan has pointed out, the boating season is upon us and these stations are either closing or to be closed shortly. No. 2, I was told by headquarters of the U.S. Coast Guard in Washington just this morning that even if this money were restored, without a specific direction or in the absence of what we are endeavoring to do now, a clear legislative history and intent, this money would not be used for these SAR stations. They indicated that the operating budget had been reduced by the bill and they indicated they could not do this. Therefore, I join with my colleague from Michigan in urging that this amendment be adopted, because otherwise I am afraid we are going to have an exercise in futility as far as this boating season is concerned and these SAR stations, I might say, are urgently needed.

Mr. BURLISON of Missouri. Mr. Chairman, will the gentleman yield?

Mr. VANDER JAGT. I yield to the gentleman from Missouri (Mr. BURLISON).

Mr. BURLISON of Missouri. Mr. Chairman, the gentleman has made the point that the language in the report would not mandate the spending of \$600,000. Is it not true that if the \$600,000 were put in the bill, that neither would this mandate that the Chief Executive could spend the \$600,000?

Mr. VANDER JAGT. Mr. Chairman, that is true except for the fact that we have clear legislative intent established now with the help of the gentleman from New York, that the purpose of offering this additional \$600,000 is for the purpose of carrying out the committee's

recommended study and reopening those stations that the study on the Coast Guard determines are vital and necessary.

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

Mr. VANDER JAGT. I yield to the gentleman from California.

Mr. DON H. CLAUSEN. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, I want to take this opportunity to associate myself with the remarks of the gentleman from Michigan (Mr. VANDER JAGT) and I wish to commend him for bringing the attention of the House to this vital subject.

The gentleman has outlined from his personal experience the dangers of fog and the need to provide the Coast Guard with the capability of responding to these emergencies.

The north coast of California is one of the foggiest coastal areas in the Nation so I recognize the need for the gentleman's amendment.

The fog condition in our area is similar to that which the gentleman describes but it does vary somewhat. Many times the fog is on the water but often, due to winds, the fog is above the level of the ocean to the extent that a helicopter could come out to sea under the fog for rescue purposes.

This condition requires me to express again my appreciation for the subcommittee's attention to our request for a Coast Guard helicopter search and rescue capability at Arcata Airport and to urge this body to endorse the proposal of the gentleman from Michigan.

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

Mr. VANDER JAGT. I yield to the gentleman from Wisconsin.

Mr. FROELICH. I thank the gentleman for his efforts in this area. I wonder if this amendment should not be increased to \$1.5 million, which is really the total need for reopening all 13 search and rescue stations?

Mr. VANDER JAGT. I would vote for \$1.5 million. However, I think of this as a package. The package I am presenting and the offer I am making to the Members is that we can do this and at a later time will have an opportunity to make a savings of \$1.6 million, so that the net effect of this package will be to reopen these stations and save the taxpayers \$1 million, with no curtailment of the effective operation of the Coast Guard mission.

Mr. DAVIS of South Carolina. Mr. Chairman, will the gentleman yield?

Mr. VANDER JAGT. I yield to the gentleman from South Carolina.

Mr. DAVIS of South Carolina. I should like to thank the gentleman from Michigan for offering his amendment, and I wish to associate myself with his remarks concerning the need for these search and rescue stations. The boating season is increasing. The number of people enjoying the recreational facilities on our waters, both inland and on the coast, has almost doubled in the past 10 years. Through the years it is ever increasing.

I hope the amendment will be agreed to, and I join the gentleman in its support.

Mr. VANDER JAGT. I thank the gentleman.

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

Mr. VANDER JAGT. I yield to the gentleman from New York.

Mr. HORTON. Mr. Chairman, I rise in support of the two amendments offered by the gentleman from Washington (Mr. VANDER JAGT). One amendment would add \$600,000 to the budget to reopen those search and rescue units determined by the Coast Guard to be desirable for an effective SAR capability. A second amendment would delete the \$1.6 million appropriation for constructing permanent moorings for the icebreaker *Mackinaw* at Cheboygan, Mich. Mr. VANDER JAGT has convincingly demonstrated that this \$1.6 million project is unnecessary. By eliminating this needless expense, we would make \$600,000 available for search and rescue requirements and achieve a net savings of \$1 million.

Mr. Chairman, the search and rescue station at Sodus Point, N.Y., was among the 11 Great Lakes units closed by the Coast Guard. The SAR operations of this station are extremely important during the spring, summer, and fall months when the Sodus Bay area of Lake Ontario is heavily used by thousands of recreational boaters. In protesting the closing of this station, I have made numerous inquiries to Transportation Department and Coast Guard officials. Judging by the weak factual justification given to me, I can only conclude that the decision to close the station was a reluctant one based on budgetary constraints. But there are other factors which also should be weighed.

Lake Ontario has undergone two disasters of severe proportions in the last 12 months. Hurricane Agnes caused considerable property damage and erosion and brought a tremendous amount of debris into the lake from its tributaries. Subsequent heavy rainfall has caused dangerously high water levels since mid-winter. Together, these disasters have resulted in a dramatic increase in the amount of floating debris and subsurface navigation hazards. At my request, the Corps of Engineers has estimated that a high level of debris and navigation hazards could persist for a period of 5 years or more. From that standpoint alone, this is the worst conceivable time for the Coast Guard station to be closed.

Mr. Chairman, on June 2, the day after the Sodus Point station finally closed, an overloaded boat capsized within 900 feet of the search and rescue station. Two of the boat's occupants were able to swim to safety and two drowned. No one can determine whether this tragedy could have been prevented had the station been operating. But I do know that the Coast Guard had been very diligent about calling in overloaded boats. Without the Sodus Point station, the nearest operating Coast Guard facilities are an hour's distance away.

I urge my colleagues to vote favorably on the amendments proposed by Mr. VANDER JAGT. Recreational boaters on all the Great Lakes are faced with dangers similar to the ones I have described for

the Sodus Bay area. By making funds available for the reopening of vital search and rescue units, we will add measurably to the safety of the boating public.

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

Mr. VANDER JAGT. I yield to the gentleman from New York.

Mr. WALSH. I want to commend the gentleman for bringing this to our attention. One of the stations that has been closed is used by many of my constituents throughout the central New York area. They are very concerned about the great distance between the search and rescue stations that now are open in this area. The station, on Galloo Island served a very large area of Lake Ontario and was one of the most active.

I earnestly plead for the passage of this amendment. I believe it will save a lot of lives this coming summer. It is extremely important that the gentleman has brought this to our attention. Again I commend him.

I should like also to extend my appreciation to the chairman of the subcommittee for giving me the opportunity to appear before the subcommittee to plead this case. He was very courteous and very generous with his time, and I thank him.

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

Mr. Chairman, I understand fully the concern of those Members whose districts are affected by the reductions being made at these search and rescue units. Our committee was also very concerned over these reductions, and we have asked the Coast Guard to provide us with a detailed report on this matter, including the establishment of a helicopter search and rescue station at Arcata Airport, Humboldt County, Calif.

I would oppose providing any additional funds for these units, which are not included in the 1974 budget, until we have given the Coast Guard the opportunity to report to us in more detail on the actions they plan to take.

I would also like to point out that the stations proposed for closing are not high activity units. The fiscal year 1972 workload at these stations ranged from a low of 4 cases at one station to a high of 85 cases at the most active of the 15 units. This compares with an average of 196 search and rescue responses for all Coast Guard units of this type in fiscal year 1972. In fact, some of the more active units responded to 600 or more cases.

I do not want to leave the impression that I feel that merely because these are lower activity units that they should be closed and no provision made for assuming the essential search and rescue functions. It is possible that in some areas these functions can be accomplished by a strengthening of the Coast Guard Auxiliary. This is what we want the Coast Guard to determine and this is why we have requested a detailed report on this matter.

As the debate on this matter has shown, Mr. Chairman, the committee agrees with the gentleman from the

Great Lakes area that this is a very important matter and that the search and rescue stations really should not be closed merely for budgetary reasons. Even the lower activity ones should be kept open if there are rescues that need to be made and lives that are at stake.

We hope that the Coast Guard will take this into consideration when it makes its report to the committee in response to the language of our report.

Mr. Chairman, I ask that the amendment be defeated.

Mr. HORTON. Mr. Chairman, will the gentleman from California (Mr. McFALL) yield?

Mr. McFALL. I yield to the gentleman from New York (Mr. HORTON).

Mr. HORTON. Mr. Chairman, one of the points, as I understand from the Commandant of the Coast Guard, is that even if there is a recommendation for a reopening, they cannot do it without the money that is proposed to be put back into this appropriation bill by the amendment offered by the gentleman from Michigan (Mr. VANDER JAGT).

In other words, even if the study finds that there is a need for reopening, they cannot do it unless there is some money put back in. It seems to me it is important that we restore this money so these stations can be reopened, especially in the Great Lakes area, the area with which I am particularly concerned.

Mr. Chairman, one thing that I am particularly concerned about is Sodus Point. They had 85 cases last year. As a matter of fact, this year the station was closed on Saturday, and the following day there were two drownings within 900 feet of the closed station because of an overloaded boat. There is a real need for the Sodus station during the boating season.

Mr. Chairman, these are small stations, and the amount involved, some \$600,000, it seems to me, is not that much when we are talking about saving lives in the Great Lakes area.

Mr. McFALL. Mr. Chairman, I would indicate to the gentleman that this report should be submitted before this bill returns from the other body. If the report does show the need for keeping these stations open, I am sure that this money could be included.

However, the Coast Guard generally has money over and above what we have appropriated for them, and I am sure that they will be able to find the funding to keep the rescue stations open. In fiscal year 1973, for example, they were able to absorb the entire cost of the January 1973 pay increase. This was more than \$10 million.

Mr. McEWEN. Mr. Chairman, I move to strike the requisite number of words, and I rise in support of the amendment.

Mr. Chairman, I shall be brief. First, I want to reiterate again my appreciation for the efforts of the gentleman from California (Mr. McFALL) and the gentleman from Massachusetts (Mr. CONTE) as well as the members of that subcommittee for listening to those of us who are concerned over the closing of the search and rescue—SAR—stations.

Again I would say that notwithstanding the assurances of the gentleman

from California (Mr. McFALL), the Coast Guard has made it clear that they are not going to reopen any of these SAR stations in the absence of receiving the money which would be made available for this purpose, the funds which would be clearly intended to be appropriated for this purpose. They have pointed out to me, Mr. Chairman, that of their total budget request of \$546,370,000 over a half a billion dollars for operation, and that it had been reduced \$2.5 million out of that over a half a billion, and for that reason they could not use any money in reopening SAR stations.

So I submit again my appreciation to the chairman and to the members of the Subcommittee on Transportation for this language in the report, for the assurance that this study will be made, but I re-submit, Mr. Chairman, that the amendment offered by the gentleman from Michigan (Mr. VANDER JAGT) must prevail or we will not be able to keep these stations open this year.

Mr. HUNT. Mr. Chairman, I move to strike the requisite number of words, and I rise in support of the amendment.

Mr. Chairman, the situation in regard to the SAR stations as proposed in this bill does not affect the State of New Jersey. However, we do have in that State and all along the Atlantic Ocean and the Atlantic seaboard numerous stations which have performed the greatest service to the boating public and to our maritime problems over a period of years.

Mr. Chairman, I think this is being penny wise and dollar foolish to close the SAR stations which are so vitally needed, considering the fact that the last review taken or the last consensus taken on the American boating public indicates that last year more than 20 million Americans went to sea in small craft, not to consider those who went to sea on cruises of larger ships.

The SAR stations are invaluable. No one is trained for the purpose of sea rescue, whether it be on inland waters, bays, or the ocean itself, other than the Coast Guard. They are the only ones so trained. If you close the nearest stations now existing along the Great Lakes, then you are boarding up something that you will just have to reopen in the very near future, because the American public is going to sea in boats and they will demand it. So you are doing something today which will have a crippling effect on all of the SAR operations. If this is permitted and you close them down, the net move of the so-called economizers will be to close additional SAR stations along the seacoasts. The time to stand fast on this problem is now.

When they talk about studies, unless the money is there and is specifically earmarked for these SAR stations, it will be diverted for some general use. The commandment of the Coast Guard has stated as much.

The time for this amendment to be passed is today without any equivocation, because the American boating public is entitled to the protection of their lives. I do not understand how one life would not be worth \$600,000, if you just saved one life. That is why I support this amendment and urge my colleagues to vote in support of it today.

Mr. RUPPE. Will the gentleman yield?

Mr. HUNT. I yield to the gentleman.

Mr. RUPPE. I would like to commend the gentleman for his remarks and point out while he does not have an installation of this type in his district, I certainly do in mine. Three of them were closed in my district which represented a loss of protection for several hundred miles.

I think the amendment is a very fine one, and I support the excellent remarks of the gentleman in the well.

SUBSTITUTE AMENDMENT OFFERED BY
MR. FROEHLICH

Mr. FROEHLICH. Mr. Chairman, I offer a substitute amendment for the amendment offered by the gentleman from Michigan.

The Clerk read as follows:

Substitute amendment offered by Mr. FROEHLICH for the amendment offered by Mr. VANDER JAGT. On page 3, line 11, strike the figure "\$543,800,000" and insert in lieu thereof the figure "\$545,312,000".

Mr. CONTE. Mr. Chairman, I reserve a point of order on the amendment.

Mr. FROEHLICH. Mr. Chairman, the original amendment offered by the gentleman from Michigan increases the appropriation by \$600,000, and it is anticipated it will relate to another amendment. The other amendment I understand will be vigorously opposed by some Members of the House. I think we should deal with this problem specifically and without connection to any other amendments. Thus my amendment puts in \$1.5 million, which will take care of the 13 SAR stations being closed.

For those Members who are interested in what stations they are, they are as follows:

Cape Hatteras, N.C.; Sullivan's Island, S.C.; South Haven, Mich.; Harbor Beach, Mich.; Manistee, Mich.; Beaver Island, Mich.; Munising, Mich.; Portage, Mich.; North Superior, Minn.; Galloo Island, N.Y.; Sodus, N.Y.; Racine, Wis.; and Plum Island, Wis.

Regarding Plum Island, this is in my district. It is a little island which is in between a larger island and a peninsula jutting into Lake Michigan. The nearest rescue station to this Plum Island station is 2 hours and 10 minutes away at Sturgeon Bay, Wis. Washington Island is the bigger island which Plum Island is next to, lying between that and the peninsula; 460 residents live year round there on Washington Island. Thousands more come and live there in the summertime; 100,000 people go over on a public ferry during the tourist season. Boats are increasing in number with the salmon fishing on Lake Michigan. This stretch of water is called Port De Mort, death's door, because it is a dangerous stretch of water. And yet it is one of the 13 stations that is set for closing. It just does not make any sense.

When one looks at the committee report one gets the feeling that the committee recognized the need for these rescue stations for on page 12 of the committee report, they express their concern over these 13-station closings.

They feel they should be retained and reopened, and then call for a further study of the matter by the Coast Guard.

Members of the House, the time has

come that the Congress exercises its responsibility, and when it sees a need it addresses itself to that need, and the need is here today on these Coast Guard rescue stations.

The amendment I would hope would be accepted, because it would provide the funds to open all 13 of the stations whereas the amendment in its original form, as offered by the gentleman from Michigan (Mr. VANDER JAGT) would only go part way.

Mr. HUTCHINSON. Mr. Chairman, would the gentleman yield?

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

Mr. HUTCHINSON. Mr. Chairman, I would like to indicate my support for the amendment offered as a substitute by the gentleman from Wisconsin (Mr. FROEHLICH). One of the Coast Guard stations that the gentleman listed in Michigan, the station at South Haven, is in my district. The gentleman's amendment at least would give assurances, I feel, that that Coast Guard station could be continued.

The CHAIRMAN. Does the gentleman from Massachusetts insist upon his point of order?

Mr. CONTE. Mr. Chairman, I withdraw my point of order.

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

Mr. Chairman, we have gone long enough on this subject. I think that all of the Members understand the issue. I proposed one way of doing it. Other Members on the floor proposed another, which was an amendment for \$600,000. Certainly, if \$600,000 is enough to do what they want to do with respect to these rescue stations, then the \$1.5 million which the gentleman from Wisconsin (Mr. FROEHLICH) is proposing in the same situation is not necessary. Personally, I do not believe we need the \$600,000. We ought to be able to do it after we get back the report from the Coast Guard on these rescue stations.

Therefore, I would leave the matter up to the judgment on the House.

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

Mr. Chairman, I did not speak on the so-called Vander Jagt amendment. In fact, I was going to accept the amendment. I thought that the figure was a reasonable one. If the report that the committee demanded comes to the committee and recommends that some of these search and rescue stations be reopened, we would be able to provide for these stations. But I think that now we are becoming unreasonable. Before anyone knows what is happening, someone else could offer an amendment to open up the rescue station at Cuttyhunk, Mass., where we used to have a very valuable station, or, for another one in the New Bedford area. We could put a hundred in here but, sincerely, Mr. Chairman, I think that without this report from the Coast Guard that we are legislating in the dark.

Mr. Chairman, during our hearings we asked Admiral Bender some questions regarding the closing of these rescue stations. On page 194 of part I of our hearings on the 1974 appropriations, he said:

Admiral BENDER. First of all, it is true that the requirement for rescue continues to increase around the country. Nevertheless, there are locations where we have established stations over the years and where the requirement no longer exists simply because their statistics are such that the workload is not adequate to warrant their retention.

The number, actually, of stations that we have eliminated is 13. We took out in addition two 95-foot patrol boats which are, of course, rescue units. This was done on the basis of established criteria and we feel that because of the capability of adjacent stations to pick up the workload, plus the availability of aircraft and helicopters at our air stations, that there will be no excessive reduction in capability for rescue.

Mr. McFALL. Are these mostly in the Great Lakes?

Admiral BENDER. It happens that the greater burden was assumed by the Great Lakes in this elimination; 11 of the 13 did come from the Great Lakes.

Mr. McFALL. What has been the response to these changes? I am familiar with the problem of lack of local acceptance of this with respect to the Racine closing.

What has been the local acceptance of these changes?

Admiral BENDER. Well, Mr. Chairman, we have had some adverse response both from the public and from Members of Congress representing the public. Unfortunately, it isn't possible for us to have a rescue station and the capability to effect a rescue at all times and in all places, and there must be a distribution of these resources based on our best evaluation of where the resources can be best employed.

It is almost invariably true, however, that when we take out a Coast Guard station the reaction is adverse.

Mr. McFALL. Do you find that your abilities to effect search and rescue have not been hampered?

Admiral BENDER. We have taken out, Mr. Chairman, Coast Guard stations over the years. Periodically we review all the stations in existence and analyze them as to their usefulness and eliminate some. We have not found that this has been adverse to the overall safety of the people.

Mr. Chairman, I submit that the Coast Guard has given adequate testimony before our committee in conjunction with the closing of these stations. I reiterate that I will support the amendment offered by the gentleman from Michigan (Mr. VANDER JAGT) for \$600,000. I would like to go along with the gentleman from Wisconsin. He is a fine young man, and he has done a good job on this. I pledge to him that I will do all I can in committee to try to help him resolve some of these problems, but I think that what we are doing here is going just a little bit too far. I hope his substitute is defeated and the Vander Jagt amendment is adopted.

Mr. McEWEN. Mr. Chairman, will the gentleman from Massachusetts yield?

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

Mr. McEWEN. May I say to the gentleman that I know Admiral Bender testified, and I am sure in all sincerity, that they were closing the stations with the least caseloads, but I say to the gentleman from Massachusetts I have three SAR stations in my district, and the one they closed has the highest caseload of all three. They appear to have gone through and just thinned them out by taking one of every three.

I do not think the facts in all the cases

bear out what the Admiral believes to be the case.

Mr. CONTE. This may be so, and I will be glad to work with the gentleman. I have been to his district, and I have worked with him on the Saint Lawrence Seaway. Under the Vander Jagt amendment, if it is adopted, we will be able to go ahead, if the Coast Guard report recommends the reopening of the SAR station in the gentleman's district.

The CHAIRMAN. The time of the gentleman has expired.

(By unanimous consent (at the request of Mr. FROELICH) Mr. CONTE was allowed to proceed for 2 additional minutes.)

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

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

Mr. FROELICH. I appreciate very much the comments made by the gentleman from Massachusetts. I am very pleased to hear that he will support the \$600,000. There is no question in my mind that justification for the reopening of Plum Island exists. It will be one of the high priority stations that the \$600,000 to be put in the bill will reopen.

I am also sure, based upon what the gentleman said, that if this study comes back and shows a need for all 13 stations, that dollars will not be put ahead of American lives, and that he will have the gentleman's cooperation in getting additional funds, if needed for that purpose.

Mr. Chairman, I ask unanimous consent to withdraw my substitute amendment.

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

There was no objection.

Mr. CONTE. Let me say in the remaining time the gentleman will have not only my cooperation but my full support.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan (Mr. VANDER JAGT).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. ECKHARDT

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

The Clerk read as follows:

Amendment offered by Mr. ECKHARDT: On page 4, line 13, strike the colon and all that follows through line 17 on that page.

Mr. ECKHARDT. Mr. Chairman, I am simply puzzled by the language on page 4. I should like to have the attention of the committee on this point, because, perhaps, there is a reason for the language.

I think the language on page 4, line 13:

Provided further, That not to exceed \$15,000 shall be available for investigative expenses of a confidential character, to be expended on the approval and authority of the Commandant and his determination shall be final and conclusive upon the accounting officer of the Government.

actually constitutes positive legislation on an appropriations bill.

But I have not made a point of order on this, thinking that it might have some justification, but certainly any appropriation ought to be subject to the ac-

counting officer of the Government to determine whether the money is being spent in accordance with the legislation; and, if there is no explanation of why there should be some kind of confidential investigation and expenses to cover it, it seems to me this should be stricken from the bill.

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

Mr. ECKHARDT. I yield to the distinguished majority whip, the gentleman from California.

Mr. McFALL. Mr. Chairman, this is a relatively small amount of money. The gentleman calls it to our attention. We did not spend a great deal of time on it in the committee. I assume that the Commandant of the Coast Guard does conduct such confidential investigations which are necessary in order for him to understand what is going on in the Coast Guard and that he should have this opportunity to use this \$15,000. It is not a very large amount of money.

We have great confidence in the Coast Guard. We do not think they are going to be breaking the law or bugging any offices or telephones or anything of this nature. We think they ought to have this flexibility in the use of this money so that the Commandant can conduct these investigations. Surely, the \$15,000 is not going to provide any very great investigative ability for the Coast Guard. I would ask the gentleman to have the same faith in the Coast Guard I do that they are going to use these funds in the proper way.

Mr. ECKHARDT. I am sort of losing faith in the officers of the Government who are permitted to expend money without the General Accounting Office having any authority over the matter, and I am particularly losing faith in such investigations by officers of the Government unless we know what it is all about. It would seem to me the Commandant of the Coast Guard could conduct such a confidential investigation of his own agency without making it confidential from our General Accounting Office. I just do not see the reason for it. I just heard no explanation why this should be contained in the bill, and I would ask for an "aye" vote on the amendment.

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

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

For necessary expenses of acquisition, construction, rebuilding, and improvement of aids to navigation, shore facilities, vessels, and aircraft, including equipment related thereto; \$74,500,000, to remain available until June 30, 1975.

AMENDMENT OFFERED BY MR. VANDER JAGT

Mr. VANDER JAGT. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. VANDER JAGT: Page 4, line 22, strike out "\$74,500,000 and insert in lieu thereof "\$72,900,000".

Mr. VANDER JAGT. Mr. Chairman, I thank the members of the committee

for their support on the first half of this package of amendments. We now move to the second half, the part that will enable this package not only to expand the vital and necessary services which the first amendment will make possible for the air and sea rescue, but now will enable the taxpayers of America to save \$1 million. The second amendment actually saves \$1.6 million, but we just added \$600,000, so there is a net saving of \$1 million.

The Members may wonder how it is possible to expand services and reopen stations around the country and still reduce the total appropriation bill by \$1 million. It is possible by my amendment which is to delete \$1.6 million for the construction of the moorings for the *Mackinaw* at Cheboygan on the grounds that we already have moorings that are unused and that the Coast Guard in its in-depth study said would in fact enhance the effectiveness of the *Mackinaw* on the Great Lakes.

I think that the bill comes to us in this condition because, as an illustration of what is wrong with the legislative process and also with what is right with our legislative process, I think this bill as it stands comes to us as an illustration of how the executive is able to manipulate the legislative branch because of its inherent weaknesses. There is no question in my mind but what the Coast Guard decided to use some of the weakness; namely, that there is no man, no matter how conscientious he is, who can be aware of each minute detail in a mammoth appropriation bill.

I think they also relied on the fact that it is awfully hard to get our colleagues to listen or to even read a "Dear Colleague" letter, especially when only \$1.6 million is involved and it does not affect their area and can be dealt with with a wave of the hand. After all, it is a family squabble.

I think they are also relying on the fact that the executive, if the legislative does not speak, is not about to give us the facts.

I think they were relying upon the committee members, the tendency of all of us, but especially I think the Committee on Appropriations, and probably rightly so, to kind of hang together in order to support in toto a reported bill and to be resistant of any change.

It is unfortunate that this amendment will remove from the district of a colleague of ours who happens to be one of the outstanding Members of this body, who serves his constituents with tremendous distinction, and even more important than that, with the utmost integrity, honesty and candor. But I think the Members will agree when they hear these facts, that these facts go far beyond whether a ship ought to be at port A or port B, and strike at the heart of the integrity of the appropriating process.

When I was first trying to save the SARS, I was looking around, and then I started listening to a constituent in Grand Haven, Mich., who said that there was a Coast Guard officer in Cleveland who in jeopardy of his career, but feeling that right was right, was writing him and saying that there was no way the

Congress of the United States would appropriate \$1.6 million on the basis of the facts that the Coast Guard itself has made in a study.

He would say to my constituent, "Where in the world is your Congressman? Why is he not presenting those facts to the Congress and to the appropriating committee?"

As it turns out, the constituent's Congressman was telephoning the Coast Guard, hand delivering letters, sending telegrams starting 2 months ago. It was not, and I think this is extremely interesting in terms of the time, it was not until the appropriating committee had published its report and its bill late Friday afternoon that this report was hand delivered to my office.

When I read this report, I could well understand why the Coast Guard would not want the Appropriations Committee to have the benefit of this information until after they had made their decision and printed up the bill. This is the report from the Commander of the Ninth District, charged with the responsibility of administering the Great Lakes and of the *Mackinaw*. It begins by going back to 1944, and reports on recommendations over 30 years.

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

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

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

Mr. McEWEN. Mr. Chairman, I yield to the gentleman from Michigan.

Mr. VANDER JAGT. Mr. Chairman, I thank the gentleman from New York very much.

The report begins by analyzing the suitability, feasibility, and acceptability of the station and of the *Mackinaw*. It analyzes 17 cities around the Great Lakes, and then it concludes that the only port meeting the preliminary test is Grand Haven, Mich. Then it proceeds to compare Cheboygan and Grand Haven.

The conclusion documented is that it would be more cost effective in Grand Haven on an annual operating basis, a conclusion validated with an extensive report. It would, therefore, enhance the operating overall effectiveness of the *Mackinaw* were it to be transferred and this \$1.6 million saved.

It refers to the superiority of the Grand Haven over Cheboygan until we get to political factors.

Let me read to the Members the conclusion:

The historical political pressure that has been regularly exerted upon each previous attempt, or even consideration thereof, to assign *Mackinaw* a homeport other than Cheboygan is the only substantial objection to this proposal. Nevertheless, it is incumbent upon this office to reiterate that the only solution which will immediately provide the *Mackinaw* with a homeport providing adequate moorings, environment, and support operationally acceptable locale and at maximum cost-effectiveness to the nation is to designate Grand Haven, Michigan as the permanent homeport of the vessel. The politically expedient, but otherwise undesirable, alternative of remaining at Cheboygan and investing 1.3 million dollars represents unnecessary and hence wasteful expenditure.

It goes on to cite two other reports, in 1968 and 1963, where a blue ribbon panel in each case including the Commander of the Ninth District and the commanders of the *Mackinaw* unanimously supported the general thrust of this report.

Is it any wonder that they did not want the Appropriations Committee to have this report until after it made its decision?

May I repeat this:

The historical political pressure that has been regularly exerted upon each previous attempt, or even consideration thereof, to assign *Mackinaw* a homeport other than Cheboygan is the only substantial objection to this proposal.

What proposal? That we save \$1.6 million of the taxpayers' money by transferring the *Mackinaw* to moorings already existing, where it can in fact do a more effective job.

One of the things the Coast Guard overlooked, in my opinion, in assuming the inherent weaknesses of this system, is the inherent decency of each Member to want to do what is right, to want to do the right thing. I believe it is to the everlasting credit of the vast majority of the members of the Appropriations Committee with whom I talked yesterday that they indicated to me, yes, they would approve of this type of corrective legislation.

The only justification in the record, really, for this move was that the gentleman from Massachusetts (Mr. CONTE) and the gentleman from Illinois (Mr. YATES) asked the Commandant, "Why do you have a high priority on this, when it did not have it last year?" And the answer was, "We have asked for it 11 years, and people are getting a little impatient."

I sincerely believe that this House is capable of rectifying a mistake that was made, and saving the taxpayers over \$1½ million.

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

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

Mr. YATES. Let me say to the gentleman from Michigan that I read the report after the hearings took place before our committee. The gentleman correctly said that at our hearings I asked the Coast Guard why the money was needed at Cheboygan, and they proceeded to tell me it was needed in order to make that port more habitable for their vessels. They said nothing at all about Grand Haven, Mich. They said nothing at all about the existence of that report.

On the basis of that report, had we had it before us, I certainly would not have voted for funds for Cheboygan. I would have cast my vote for Grand Haven.

Mr. VANDER JAGT. I thank the gentleman.

Mr. McEWEN. Mr. Chairman, I associate myself with the remarks of the gentleman from Michigan, and I support his amendment.

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

I suppose that we have had a little air piracy in the past few years, and a certain amount of ocean piracy as well. I

believe, however, this is the first time we have had a Great Lakes piracy.

It has been suggested, frankly, by this amendment, that we delete the money for the moorings for the Coast Guard Cutter *Mackinaw* at Cheboygan, Mich., so that once the moorings collapse completely—and that will take several years—the *Mackinaw* can be moved. Until that time the Coast Guard will not move the vessel, but at some future time the Coast Guard would have to move the vessel, presumably, after the moorings collapsed, to Grand Haven, which is understandably a fine development for my colleague.

The fact of the matter is that we have to analyze the situation, as did the Coast Guard Commandant when he overruled the report of the 9th District. The final report for keeping the *Mackinaw* at Cheboygan was a decision of the Commandant of the Coast Guard.

He overruled a District report which suggested the change of this vessel. But let us consider for the moment what is the mission of the vessel. The mission of the Coast Guard cutter *Mackinaw* is, number one, icebreaking, and there are three principal focus points of that activity. Its three principal focus points of activity are Whitefish Bay, Lake Superior, and the St. Mary's River, all north of Cheboygan where it is presently stationed and more than 250 miles north of Grand Haven, where it is suggested that it be moved.

Mr. Chairman, if we take a look at the distance, it takes 29 steaming hours to move that vessel from Grand Haven up to Cheboygan through the St. Mary's River and up through Whitefish Bay to Lake Superior—29 hours lost in its mission of accomplishment if that boat were to be changed.

Or for those who would like to be stimulated in these times of the energy crisis, it would take 10,000 gallons additional of fuel oil to run the *Mackinaw* down and back for each additional mission.

This vessel was designed and built to operate on the Great Lakes, and that is where the icebreaking mission of the *Mackinaw* is located. It has a second mission and that mission is providing icebreaking protection for the ore carriers and other vessels on the Great Lakes which are utilizing the extended navigation season. The extended season last year ran from February 15 to February 8.

The *Mackinaw* was repeatedly sent into Whitefish Bay, Lake Superior, and the Sault St. Marie area for the purpose of providing icebreaking facilities for these vessels.

If the *Mackinaw* was not there and this service was not available, these facilities would not have been provided. In fact, the *Mackinaw* simply did not have enough time to do the whole job.

Mr. Chairman, I have had dozens of complaints, and just last winter I attended a meeting of 250 people adjacent to Drummond Island, when these people said they did not have transportation services from the island to the mainland. They said, "We cannot send our children to school, we cannot send our

working people to their jobs, or our people to mainland hospitals, because the Coast Guard cutter *Mackinaw* cannot provide sufficient icebreaking services."

They were simply too busy to provide the service from the island to the mainland.

But that service is needed. It is needed for Lake Superior and for the Whitefish Bay area. It has been suggested in this report written by the 9th Naval District that moving the vessel southward would help it in its civic responsibilities, meaning that it would be closer to the cherry festival, to the blueberry festival, and closer to Fish Day. Certainly if we are trained to save money, we should not have to run the boat down to Fish Day.

Mr. Chairman, I suppose I am being insulting, but we are supposed to provide services for icebreaking and not services for the blueberry festival. But we should not worry about a thing if we feel badly about fish day, because the Coast Guard keeps a vessel now, an icebreaker, in Milwaukee, and I am sure they can do a fine outstanding job along that line.

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

Mr. RUPPE. I will yield at this point to the distinguished gentleman from California (Mr. McFALL).

Mr. McFALL. Mr. Chairman, I wish to agree with the gentleman from Michigan (Mr. RUPPE) in his proposal to keep the moorings for this vessel, the *Mackinaw*, in the budget for the Coast Guard.

The Coast Guard District on the local level made a recommendation to the Commandant. The Commandant overruled the proposal made by the District on the basis that the icebreaker was needed in the areas which the gentleman has pointed out to the committee.

I think that an icebreaker ought to be stationed where it does its work and not where it is going to go to blueberry festivals. I think the Commandant is right.

They have been trying for 11 years to get this mooring for this icebreaker, and I believe we ought to allow the Coast Guard Commandant to put his icebreaker where it will be of most value to the Great Lakes.

Mr. RUPPE. Mr. Chairman, I thank the gentleman for his comments.

I would like to read from the Coast Guard Commandant's remarks to the 9th Coast Guard District in which he stated that this response is based "largely on the grounds of proximity to operating areas, but also on the geographic distribution of our icebreaking resources on the Great Lakes."

The CHAIRMAN. The time of the gentleman from Michigan (Mr. RUPPE) has expired.

(On request of Mr. SEIBERLING and by unanimous consent, Mr. RUPPE was allowed to proceed for 3 additional minutes.)

Mr. RUPPE. Mr. Chairman, I will continue to read the remarks of the Coast Guard Commandant:

In view of the above series of events, but also with the conviction that Cheboygan offers operational advantages over Grand Haven, your proposal to remove *Mackinaw*

from Cheboygan to Grand Haven is disapproved.

I think the chairman of the subcommittee makes a telling point. The Coast Guard asked for these moorings at Cheboygan for a number of years and has secured approval in two or three instances as far as the Office of Management and Budget where the money was then deleted. The Coast Guard has been in Cheboygan since 1944. Its home port is designated as Cheboygan. The report here states that the Coast Guard is not loved in Cheboygan, but let me point out to you that the mayor is the former No. 2 officer, the former executive officer, of that ship. He is the mayor of the town. So I do not think they hate the Coast Guard there. With all due deference to my colleague and close personal friend—and I know we are both in a very difficult spot on this—I am not sure that we should be carrying to the floor of the Congress a legislative debate as to the home port of the various vessels either in the Coast Guard or the Navy.

The services have to have that ultimate decisionmaking power with a report necessarily due the Congress.

Mr. SEIBERLING. Will the gentleman yield?

Mr. RUPPE. I yield to the gentleman.

Mr. SEIBERLING. I wish to commend the gentleman from the upper peninsula of Michigan. I spent a great deal of my boyhood and some of my adult life cruising in that area. Anyone familiar with the area knows that if you want to have Coast Guard service there, you have tremendous distances to cover, so you should have a home port as close to the area served as possible.

I believe we should defer to the knowledge of the gentleman who represents Northern Michigan as to the need and the demand for having the vessel berthed in Cheboygan.

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

I want to point out with relation that the sailing time will be over 1 day from Grand Haven to Sault Ste. Marie, which is just the beginning of Lake Superior.

Mr. O'HARA. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise reluctantly to disagree with both of my colleagues from Michigan.

If they are going to move that ice breaker anywhere, they ought to move it to Port Huron. Now, it is true, of course, as my friend Mr. VANDER JACHT, indicated, that this has been a subject of some controversy before. Back in 1963 or 1964 the 9th Coast Guard District made a complete survey of this question, and they decided at that time that the best place for that ice breaker was not Cheboygan but Port Huron, which I then had the privilege of representing in the Congress. So I went to work on a transfer. Then I

Mr. Chairman, I do not plan to take project suffered somewhat, because I lost Port Huron in the redistricting. But in last year's redistricting I got Port Huron back.

Mr. CEDERBERG. Will the gentleman yield?

Mr. O'HARA. I yield to the gentleman.

Mr. CEDERBERG. I lost Bay City in the last redistricting. I want it in Bay

City even though I lost Bay City. I think that is where it ought to be, because it is right in the middle of the Saginaw River and the largest port on the Great Lakes and also is between Port Huron and Cheboygan and is between Port Huron and Grand Haven. So I think we should reach some kind of compromise.

Mr. O'HARA. I am glad I found someone from Michigan I can partly agree with. He is at least moving in my direction.

I just wanted to be certain, if the amendment of my friend from Michigan (Mr. VANDER JAGT) is adopted, that the legislative history does not show that the Committee of the Whole House was favoring Grand Haven. There are other contestants for home port status, and I want the record to be clear that all of us in Michigan love the *Mackinac* and would like to have it as our very own.

Mr. SEIBERLING. Will the gentleman yield?

Mr. O'HARA. I yield to the gentleman. Mr. SEIBERLING. I am sorry that the gentlemen representing Toledo and Cleveland, Ohio, are not here at the moment. Perhaps they could make a case that the ship should be stationed at Toledo or Cleveland.

Mr. O'HARA. I thank the gentleman, but I cannot believe that their case is as strong as mine.

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

Mr. VANDER JAGT. Mr. Chairman, will the gentleman yield?

Mr. BROWN of Michigan. I yield to the gentleman from Michigan.

Mr. VANDER JAGT. Mr. Chairman, I thank the gentleman very much for yielding to me.

Just one very brief point on operational effectiveness, which was addressed thoroughly and very extensively in this report. And I am really addressing my remarks to the chairman of the subcommittee, who spoke on operational effectiveness. Study has indicated that the main time that an ice breaker is needed is during the ice breaking season, which is a very short season. With respect to such operational effectiveness, I would point out that an analysis of the ship's logs for a period of 13 years shows that its officers are able to predict where the ships will be needed during the ice breaking season. They can be just as operationally effective based in Grand Haven. The point was also made that the ice breaker does not have to be needed during the blueberry season, or in Toledo, or in Bay City, or Port Huron. But what is at stake is that it is not important whether the boat is at Port Huron, Bay City, Cheboygan, Grand Haven, or anywhere else; what is at stake is that unannounced the Ninth District Headquarters believes it is a tremendous waste of money to spend \$1.6 million to build permanent moorings in a locality where every commandant in the field and every skipper says that it is the least desirable port of all possibilities.

But that still is not the point. The point is that none of this material was before the subcommittee when it made its decision. There was no justification for failing to provide it, and I think that

indicates a sick process. All this amendment does is delete the \$1.6 million until this committee can take a look and find out what the facts are, facts that they did not know about when they made this decision.

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

Mr. Chairman, I do not plan to take the full 5 minutes, but this is a very, very difficult amendment. It involves two personalities on our side of the aisle, both of whom are very distinguished Congressmen, and both of whom have spoken to me at great length about this problem.

I agree with the gentleman from Michigan (Mr. VANDER JAGT) that I must fault the Coast Guard for not bringing the report from the 9th Coast Guard District before our committee. The gentleman from Illinois (Mr. YATES) and I asked questions as to why, all of a sudden, they were putting money into this budget for the *Mackinaw*. I think we should have been provided with the report at that time. But now we are caught here on the floor of the House at this late moment.

I was handed a document by Admiral Bender to the Commandant of the 9th Coast Guard District, and in it he says:

1. As you are undoubtedly aware, a large number of proposals to change *Mackinaw's* home port have been made over the past twenty years. Recognizing that these successive recommendations created an adverse feeling of uncertainty and instability which affected both the *Mackinaw* crew and the townspeople of Cheboygan, the Commandant, in 1970, made a pointed effort to finally resolve the issue. At that time, a firm decision was reached and publicly announced that Cheboygan would remain the home port of *Mackinaw*. Following through on that decision, planning for and funding of the construction of permanent moorings for *Mackinaw* at Cheboygan was undertaken and culminated in the \$1.55 million AGGI project in the 1974 budget.

2. As you are also aware, in a March Appropriations Committee hearing in the House, the Commandant, in response to a direct question, reiterated the 1970 decision that *Mackinaw's* home port would remain at Cheboygan. We based his response largely on the grounds of proximity to operating areas, but also on the geographic distribution of our icebreaking resources on the Great Lakes.

3. In view of the above series of events, but also with the conviction that Cheboygan offers operational advantages over Grand Haven, your proposal to move *Mackinaw* from Cheboygan to Grand Haven is disapproved.

Mr. VANDER JAGT. Mr. Chairman, will the gentleman yield?

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

Mr. VANDER JAGT. Mr. Chairman, I would ask the gentleman from Massachusetts what the date of that letter is?

Mr. CONTE. There is no date on the letter. It says it is "Planning Proposal 09-03-73; Establishment of Home Port of USCG cutter *Mackinaw*."

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

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

Mr. RUPPE. The letter I read from Admiral Bender indicated his support and continued interest in Cheboygan as the operating base, the ice-breaking

base, and as the port to operate from for the extended winter season. I think my colleague pointed out some excellent points; one was that the vessel has been there since 1944. No Commandant of the Coast Guard has ever suggested moving it. The home port of *Mackinaw* was declared to be Cheboygan in 1970, and since that time each consecutive year the Coast Guard has made the effort to get the funds for mooring construction.

Mr. CONTE. I think it is unfortunate. I wish we had more time. I think what might resolve this question would be to ask the enlisted men on the *Mackinaw* which is a better liberty port.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan (Mr. VANDER JAGT).

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

RECORDED VOTE

Mr. VANDER JAGT. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 107, noes 309, not voting 17, as follows:

[Roll No. 246]

AYES—107

Abdnor	Goodling	Rees
Anderson,	Gross	Regula
Calif.	Grover	Reuss
Archer	Gude	Rhodes
Ashley	Guyer	Robison, N.Y.
Beard	Hammer-	Rosenthal
Bennett	schmidt	Rousselot
Blackburn	Hanley	Runnels
Blatnik	Hanrahan	Ruth
Bray	Harsha	Satterfield
Brown, Mich.	Hastings	Saylor
Brown, Ohio	Heckler, Mass.	Scherle
Broyhill, N.C.	Hicks	Shuster
Broyhill, Va.	Hillis	Smith, N.Y.
Buchanan	Holt	Snyder
Burgener	Horton	Spence
Byron	Huber	Steelman
Camp	Hudnut	Symms
Carter	Hunt	Taylor, Mo.
Clancy	Johnson, Colo.	Teague, Calif.
Collier	Ketchum	Thone
Conable	King	Treen
Conyers	Kuykendall	Vander Jagt
Crane	Latta	Walsh
Daniel, Dan	Lujan	Wampler
Davis, S.C.	McDade	Ware
Derwinski	McEwen	Widnall
Devine	Mathis, Ga.	Wiggins
Dickinson	Michel	Wilson, Bob
Eshleman	Mitchell, N.Y.	Wolff
Fascell	Nichols	Wyatt
Ford, Gerald R.	O'Brien	Yates
Fountain	O'Hara	Young, Alaska
Frey	Parris	Young, Fla.
Fuqua	Peyster	Zion
Ginn	Powell, Ohio	
Goldwater	Quillen	

NOES—309

Abzug	Bolling	Clark
Adams	Bowen	Clausen,
Addabbo	Brademas	Don H.
Alexander	Brasco	Clawson, Del
Anderson, Ill.	Breckinridge	Clay
Andrews, N.C.	Brinkley	Cleveland
Andrews,	Broomfield	Cochran
N. Dak.	Brotzman	Cohen
Annunzio	Brown, Calif.	Collins, Ill.
Arends	Burke, Calif.	Collins, Tex.
Armstrong	Burke, Fla.	Conlan
Aspin	Burke, Mass.	Conte
Badillo	Burleson, Tex.	Corman
Bafalis	Burlison, Mo.	Cotter
Barrett	Burton	Coughlin
Bell	Butler	Cronin
Bergland	Carey, N.Y.	Culver
Bevill	Carney, Ohio	Daniel, Robert
Blaggi	Casey, Tex.	W., Jr.
Blester	Cederberg	Daniels,
Bingham	Chamberlain	Domink v.
Boggs	Chappell	Davis, Ga.
Boland	Chisholm	Davis, Wis.

de la Garza	Cluczynski	Rodino
Delaney	Koch	Roe
Dellenback	Kyros	Rogers
Dellums	Landrum	Roncalio, Wyo.
Denholm	Leggett	Roncalio, N.Y.
Dennis	Lehman	Rooney, Pa.
Dent	Lent	Rose
Diggs	Litton	Restenkowski
Donohue	Long, La.	Roush
Dorn	Long, Md.	Roy
Downing	Lott	Roybal
Drinan	McClory	Ruppe
Dulski	McCloskey	Ryan
Duncan	McCollister	St Germain
du Pont	McCormack	Sandman
Eckhardt	McFall	Sarasin
Edwards, Ala.	McKay	Sarbanes
Edwards, Calif.	McSpadden	Schneebell
Eilberg	Macdonald	Schroeder
Erlenborn	Madden	Sebelius
Esch	Madigan	Seiberling
Evans, Colo.	Mahon	Shipley
Evins, Tenn.	Malliard	Shriver
Flindley	Mallary	Sikes
Fish	Mann	Sisk
Flood	Maraziti	Skubitz
Flowers	Martin, Nebr.	Slack
Flynt	Martin, N.C.	Smith, Iowa
Foley	Mathias, Calif.	Staggers
Ford,	Matsumaga	Stanton,
William D.	Mayne	J. William
Forsythe	Mazzoli	Stanton,
Fraser	Meeds	James V.
Frelinghuysen	Melcher	Stark
Frenzel	Metcalfe	Steed
Froehlich	Mezvisky	Steele
Fulton	Milford	Steiger, Ariz.
Gaydos	Miller	Steiger, Wis.
Gettys	Mills, Ark.	Stephens
Gialmo	Minish	Stokes
Gibbons	Mink	Stratton
Gilman	Minshall, Ohio	Stubblefield
Gonzalez	Mitchell, Md.	Stuckey
Grasso	Mizell	Studds
Gray	Moakley	Sullivan
Green, Oreg.	Mollohan	Symington
Green, Pa.	Montgomery	Talcott
Griffiths	Moorhead,	Taylor, N.C.
Gubser	Calif.	Teague, Tex.
Gunter	Moorhead, Pa.	Thomson, Wis.
Haley	Morgan	Thornston
Hamilton	Mosher	Tierman
Hanna	Moss	Towell, Nev.
Hansen, Idaho	Murphy, Ill.	Udall
Hansen, Wash.	Murphy, N.Y.	Ullman
Harrington	Myers	Van Deerin
Harvey	Natcher	Vanik
Hawkins	Nedzi	Veysey
Hays	Nelsen	Vigorito
Hechler, W. Va.	Nix	Waggonner
Heinz	Obey	Waldie
Helstoski	O'Neill	Whalen
Henderson	Owens	White
Hinshaw	Patman	Whitehurst
Hogan	Patten	Whitten
Hollifield	Pepper	Williams
Holtzman	Perkins	Wilson,
Hosmer	Pettis	Charles H.,
Howard	Pickie	Calif.
Hungate	Pike	Wilson,
Hutchinson	Poage	Charles, Tex.
Ichord	Podell	Winn
Jarman	Preyer	Wright
Johnson, Calif.	Price, Ill.	Wylder
Johnson, Pa.	Price, Tex.	Wylie
Jones, Ala.	Pritchard	Wyman
Jones, N.C.	Quie	Yatron
Jones, Okla.	Railsback	Young, Ga.
Jones, Tenn.	Randall	Young, Ill.
Jordan	Rangel	Young, S.C.
Karth	Riegle	Young, Tex.
Kastenmeier	Rinaldo	Zablocki
Keating	Roberts	Zwach
Kemp	Robinson, Va.	

NOT VOTING—17

Ashbrook	Fisher	Rarick
Baker	Hébert	Reid
Breaux	Kazen	Rooney, N.Y.
Brooks	Landgrebe	Shoup
Danielson	McKinney	Thompson, N.J.
Dingell	Passman	

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. CONTE

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

The Clerk read as follows:

Amendment offered by Mr. CONTE: Page 4, after line 23, insert:

Reserve training

For all necessary expenses for the Coast Guard Reserve, as authorized by law; maintenance and operation of facilities; and supplies, equipment, and services; \$25,000,000: *Provided*, That amounts equal to the obligated balances against appropriations for "Reserve training" for the two preceding years shall be transferred to and merged with this appropriation, and such merged appropriation shall be available as one fund, except for accounting purposes of the Coast Guard, for payment of obligations properly incurred against such prior year appropriations and against this appropriation.

Mr. MAHON. Mr. Chairman, I reserve a point of order against the amendment.

The CHAIRMAN. The gentleman from Texas reserves a point of order.

The gentleman from Massachusetts is recognized in support of his amendment.

Mr. CONTE. Mr. Chairman, the amendment I am offering will provide \$25 million for Coast Guard Reserve training. These funds are needed to allow the Reserve to maintain a fiscal year 1974 end-strength of 10,500. This is 1,300 less than the level provided in 1973. The appropriation contained in the amendment is the same as the budget request and is \$6.7 million less than was provided in 1973.

The Coast Guard projected that it will have reduced the reserve strength to nearly that called for in this amendment by the end of fiscal year 1973. However, in order to maintain this strength, the enlisted trainee input must be maintained. To assure that the Reserve achieved this objective, it is essential that the Reserve be provided with prompt and adequate funding for fiscal year 1974.

The need for this appropriation is made even greater this year because the Coast Guard Reserve now has a peacetime mission to fulfill along with its wartime mission. In addition to its responsibilities to provide trained units and qualified personnel for active duty in time of war or national emergency, the Reserve must also be prepared to provide humanitarian services in emergencies created by natural or manmade disasters.

Last month, this authority was invoked for the first time. Secretary of Transportation Brinegar called up Coast Guard reservists to assist in the emergency operations in the flooded areas along the Mississippi River and its tributaries. These men did an admirable job, and I believe they have earned the gratitude of the many victims of the flood they helped. This is but the first example of the service the Coast Guard Reserve will be providing to the citizens of our country in the coming years.

As I mentioned earlier today, the Coast Guard Reserve has an outstanding record of service to the Nation. I am positive that most of us here can provide testimony to that fact.

Despite all its achievements and its great potential for the future, the Reserve has had to fight for its life. The Office of Management and Budget had proposed to phase out the Selected Reserve by June 30, 1972. However, through its hearings, the committee discovered that the Navy was not preparing to take

over the responsibilities of the Reserve, as OMB had said would be done. Further, there was no evidence of the savings that OMB had projected would result from the phaseout of the Selected Reserve. Consequently, and rightly so, the committee recommended the continuation of the Selected Reserve.

This year, the budget called for the end-strength of the Reserve to be reduced to 10,500 by the end of fiscal 1974. I am very disturbed by the level that has been proposed. I am afraid that this level is getting dangerously low when the wartime mission of the Selected Reserve is considered. During the hearings, the Coast Guard indicated that this is a "calculated risk" level and described the 10,500 level as "about the lower limit." However, in view of the circumstances, I am willing to support the proposed budget level.

I, for one, am sick and tired of seeing the Reserve put through the budgetary meat grinder. I do not want to give the Office of Management and Budget any more excuses for dismantling the Reserve or cutting its strength even more. I urge the House to live up to its appropriate responsibilities by including the funds for Reserve training in the regular transportation appropriations bill.

I urge you, my colleagues, to stand on your feet on this issue. I do not think that we should rely on the Senate to bail us out. I do not think that the Reserve can wait until a supplemental is enacted sometime late in the fall.

The Coast Guard Reserve deserves our unqualified support. Let us unmistakably proclaim that support by approving this amendment.

Thank you, Mr. Chairman.

Mr. WOLFF. Mr. Chairman, will the gentleman from Massachusetts (Mr. CONTE) yield?

Mr. CONTE. I will be glad to yield to the gentleman from New York (Mr. WOLFF).

Mr. WOLFF. Mr. Chairman, I thank the gentleman for yielding. I rise in support of the gentleman's amendment.

Mr. Chairman, I rise in support of the amendment offered by my distinguished colleague from Massachusetts (Mr. CONTE) to the transportation appropriations bill to provide \$25 million for Coast Guard Reserve Training.

Mr. Chairman, every year the Coast Guard Reserve has to go through a budget hassle, fighting for its life and the funds it needs to maintain its strength. I remember working last year for passage of a similar amendment to provide the Reserve with adequate and necessary funding. I frankly do not know why we are so slow to recognize the importance of the Reserve in contributing to the safety and security of our Nation. Throughout the years, the Coast Guard Reserve has served us well both in peacetime and in wartime. Today, it is under the double burden of having to fulfill both a peacetime and a wartime mission. It will continue to provide trained units and qualified personnel for active duty in the event of a national emergency. In addition, it must also be prepared to respond effectively when natural or man-made disasters strike our country. We

have already seen the strength and effectiveness of the Coast Guard Reserve in this capacity of providing humanitarian aid, when last month, it was called up by Secretary Brinegar to assist in emergency operations during the flood which devastated areas along the Mississippi River. I know that the victims of this terrible tragedy deeply appreciate the service rendered by the Reserve.

If the Reserve is to continue its valuable work and stand ready to assist this Nation in both peacetime and war, it is essential for us to provide it with adequate funding. The funds proposed by the gentleman from Massachusetts are significantly less than was provided in 1973 and represent a reasonable and a responsible appropriation. I urge my colleagues to voice their trust and confidence in the Coast Guard Reserve by lending their support to this amendment.

Mr. HUNT. Mr. Chairman, will the gentleman from Massachusetts (Mr. CONTE) yield?

Mr. CONTE. I yield to the gentleman from New Jersey (Mr. HUNT).

Mr. HUNT. Mr. Chairman, I rise in support of the amendment offered by the gentleman from Massachusetts (Mr. CONTE).

I know how important it is to provide support for the Reserves of the Coast Guard. One thing that is evident to all of us is that this is a great body of men who do such a fine job. The reservists are the only people—and I repeat—the only people who are trained to take over port security in time of any disaster and in time of war. They are the only people who devote their time and their entire structure of life to this service.

Mr. Chairman, I cannot stress too strongly the imperative need for this additional allocation so that this great body of men, the reservists of the U.S. Coast Guard, be perpetuated.

Mr. Chairman, I intend to support the amendment offered by the gentleman from Massachusetts (Mr. CONTE) all the way down the line.

Let me state I have cleared this with everyone—Mr. HEBERT, of the authorization committee, Mr. BRAY, the ranking Republican—and just about everyone on this floor is 100 percent for this.

We did it this way last year, thanks to the chairman and others who did not want to go along with it and did not raise a point of order against it. The Coast Guard got their money in an orderly fashion.

If we do not do it in this way, we will have to wait until the Armed Services Committee comes to this floor with an authorization bill, and the whole thing will be delayed.

Last year it was knocked out in the Senate, and we had to get it put back in the conference.

Mr. BRAY. Will the gentleman yield?

Mr. CONTE. I yield to the gentleman.

Mr. BRAY. I want to commend the gentleman in the well for offering a worthwhile amendment and I certainly intend to support it.

Mr. CHAMBERLAIN. Will the gentleman yield?

Mr. CONTE. I yield to the gentleman.

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Mr. CHAMBERLAIN. Is it not true that the major role of the Coast Guard Reserve in wartime is port security to protect every port that we have?

Mr. CONTE. By all means. I thank the gentleman.

POINT OF ORDER

Mr. MAHON. Mr. Chairman, I insist on my point of order against the amendment. The amendment, in my opinion, is legislation on an appropriation bill and the funds are not authorized by law, so I make the point of order against the amendment.

It is not that I am opposed to the Coast Guard Reserve. I endorse the Coast Guard Reserve and have always supported it and will continue to and expect to continue supporting the Coast Guard and the Coast Guard Reserve, but as a matter of orderly procedure I think it is imperative that we follow the rules in order that we have orderly procedure in the House of Representatives.

Mr. CONTE. Mr. Chairman, I am sorry that the gentleman from Texas, the chairman of the full committee, saw fit to do this. He can say whatever he wants to, but this is a delaying tactic.

I have no argument on the point of order. I pled with him not to make it, but he made it.

The CHAIRMAN (Mr. MURPHY of New York). The Chair is prepared to rule.

Clause 2, rule XXI, prohibits unauthorized items from being included in amendments to a general appropriation bill, and also clause 5, rule XXI, has a prohibition against the reappropriation of unexpended balances of sums appropriated in prior years. The amendment is subject to a point of order for these reasons and the Chair sustains the point of order.

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

Mr. Chairman, it is important in a large legislative body such as the House of Representatives that we have certain rules which are flexible enough to provide for unforeseen but unavoidable situations and which also provide for the orderly handling of the affairs of the Nation. It is important that we follow these rules. One of the reasons why Congress has been delayed so long in handling appropriation bills in recent years has been the problem associated with the lack of timely enactment of authorization bills.

It seems to me most regrettable that we do not have advance authorizations. At the very least we should have authorizations available 1 year in advance of the time we are called upon to make appropriations. That would certainly include the Coast Guard.

I would hope that this matter being discussed here today would serve as an encouragement to adopt an adequate advance authorization procedure so that our appropriation bills can move expeditiously and we will not have to depend in far too many instances on a rule from the Committee on Rules.

It is apparent from the discussion here that there are some controversial aspects to the matter of the Coast Guard Reserve. If that be true, and I assume that it is, then it is all the more necessary

that the appropriate legislative committee take timely action.

In making my point of order against this \$25 million appropriation, because it is not authorized, I had in mind the fact that I do not believe it is fair for the Committee on Appropriations to recommend funding for major programs for which there is no legislation and not advise the House of the fact.

Members of the Committee on Appropriations and the Members of the House generally are entitled to know what is authorized and what is not authorized.

So in raising the point of order and in demonstrating my conviction that it is imperative that we get authorizations at the earliest possible moment, I think that I performed a service. We just must do a better job in handling authorizations.

I regret very much not to have been able to yield to the plea of the gentleman from Massachusetts (Mr. CONTE). Last year I raised serious complaint against this procedure, but did not offer the point of order. To permit this to happen again would tend to establish a precedent. It was imperative that I offer the point of order, which I did.

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

Mr. Chairman, I do not want to prolong the debate on this issue, but I happen to feel very, very strongly about the Coast Guard. I do feel that there are many people, especially downtown, who are trying to hurt the Reserve as much as they can. I think it is unfortunate that the chairman of the full committee must put another roadblock in their way today. The gentleman can say what he wants to say, but the gentleman is inconsistent in this, just as he has been on many other issues. If the issue were cotton subsidies, or something else, you can rest assured that the gentleman would not be here raising a point of order. He would be here waving the flag.

Let me tell the Members why the gentleman is inconsistent, and then the Members can judge for themselves.

This whole bill is an inconsistency. The gentleman went into the Committee on Rules and asked them to waive points of order on many items that points of order would lie against. Now, take the statement the gentleman made, and what the gentleman said. He raised an objection to my amendment because it was not an authorized program. I ask the Members to read this bill and see how many items in this bill have been authorized as of this date. The gentleman appeared before the Committee on Rules and asked for a rule waiving points of order. The gentleman has done this repeatedly on bill after bill after bill. I say that the gentleman is very, very inconsistent.

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

Mr. CONTE. I will be glad to yield to my good friend, the gentleman from Texas (Mr. MAHON).

Mr. MAHON. The gentleman from Massachusetts is aware that the Committee on Appropriations does make a practice of asking the Committee on Rules to grant a rule waiving points of

order on programs which have been authorized by one of the two Houses. But in the situation before us today neither the House nor the Senate has authorized the \$25 million for this program.

I question if it is wise for us to just be in a position of offering amendments to legislation involving millions of dollars on any number of subjects when there is no authorization. I believe the legislative committees are entitled to some notice, and that we ought to perform our duties in an orderly way.

I hope this will be a lesson toward the objective that we should move forward more rapidly with authorization bills.

Mr. CONTE. I agree with the gentleman from Texas, but I believe it is unfortunate that he raised this point of order and created this major roadblock. But what the gentleman is doing is still inconsistent. The gentleman says authorized by one House or the other. The rule says authorized by law, not authorized by one House or the other.

I would like to have the Members of the House look at page 7 of our report, and there they would see a list of items that have not been authorized. Yet the gentleman from Texas asked for a rule waiving points of order on them.

Mr. MAHON. If the gentleman will yield further, we asked for a rule for certain items and the Committee on Rules granted a rule, but the gentleman did not ask for a rule waiving points of order for the \$25 million that is being discussed at the moment and which has not been authorized by either House.

Mr. CONTE. I must refresh the memory of the gentleman from Texas. Last year, I appeared before the Committee on Rules requesting a waiver and the gentleman from Texas opposed me.

The CHAIRMAN. The Clerk will read. The Clerk proceeded to read the bill.

Mr. McFALL (during the reading). Mr. Chairman, I ask unanimous consent that the remainder of the bill be considered as read and open to amendment at any point.

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

There was no objection.

AMENDMENT OFFERED BY MR. GROSS

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

The portion of the bill to which the amendment relates is as follows:

CONSTRUCTION, NATIONAL CAPITAL AIRPORTS
For necessary expenses for construction at the federally owned civil airports in the vicinity of the District of Columbia, \$3,000,000, to remain available until June 30, 1975.

The Clerk read as follows:

Amendment offered by Mr. GROSS: On page 8, strike out lines 18 through 22.

Mr. GROSS. Mr. Chairman, now that they have dropped anchor on the *Mackinaw*—I do not know where, but somewhere off the shores of Michigan—and argument over waiving points of order in the consideration of this appropriation bill has been settled for today, but probably not for tomorrow or the next day—I should like to ask the House to help me save \$3 million.

On page 20 of the report I note that

the Washington National Airport garnered revenue of approximately \$6½ million over and above costs last year, and Dulles made nearly \$1 million. My amendment would strike out the \$3 million proposed appropriation in this bill, when there is already \$7½ million unused apparently lying around idle for construction at National and Dulles airports. has represented to the committee that it has a total of \$7½ million of unobligated funds in this account, and I insist it should spend that money before it dips its hand deeper in the till for an additional \$3 million.

Mr. Chairman, I yield back the balance of my time.

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

Mr. Chairman, there is some money left over in the construction account at the National Capital airports. We recommended \$3 million to finance certain improvement in facilities at the National Capital Airports. This was a decrease of \$400,000 below the budget and an increase of \$400,000 over fiscal year 1973. They have used some of the money that they had left over for pay increases, but they will still have approximately \$3,400,000 in carryover funds.

We should like to give them the flexibility to go ahead with their construction. They have a list of construction projects in the hearings transcript on page 415. These projects include: repairing the terminal apron, overlaying the taxiways, overlaying the runways, relocating water mains, expanding industrial waste systems, security improvement, and so forth. These are for both Dulles and National. I think that we should provide them with this money in order to allow them to go ahead.

This is the first year that Dulles International Airport is projected to make enough money to cover direct operating costs. I should like to point this out to the committee. The reason that it shows up that Dulles loses money is because of the depreciation factor. I point out to the committee that they bought the land for Dulles for \$250 and \$350 an acre. It is now worth anywhere from \$2,500 to \$40,000 an acre. So, there has been a substantial increase in value of Dulles International Airport.

We feel that these improvements are needed, and I would ask the indulgence of the committee to allow these programs to continue.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa (Mr. GROSS).

The amendment was rejected.

AMENDMENT OFFERED BY MR. YATES

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

The portion of the bill to which the amendment relates is as follows:

RESEARCH, DEVELOPMENT, AND DEMONSTRATIONS AND UNIVERSITY RESEARCH AND TRAINING

For an additional amount for the urban mass transportation program, as authorized by the Urban Mass Transportation Act of 1964, as amended (49 U.S.C. 1601 et seq.), to remain available until expended; \$29,600,000: *Provided*, That \$27,100,000 shall be available for research, development, and demonstrations, \$2,000,000 shall be available for university research and training, and not to ex-

ceed \$500,000 shall be available for managerial training as authorized under the authority of the said act.

The Clerk read as follows:

Amendment offered by Mr. YATES: On page 15, line 18 strike out \$29,000,000 and insert \$32,650,000 and on page 15 line 19 strike out \$27,100,000 and insert \$30,150,000.

Mr. YATES. Mr. Chairman, the distinguished gentleman from Iowa asked the House to delete \$3 million from this bill. I ask the House to add \$3 million to this bill for the purpose of providing transportation for the aged, the handicapped, the lame, all those who need help in their desperate plight for transportation. They are looking to this Congress for leadership in research to provide breakthroughs in new forms of transportation so they can work. They want to go to work. Most of them have jobs. They are under enormous daily pressure in getting to and from their homes. Little has been achieved so far. Much more remains to be done.

Let me read a letter I received from one of my constituents dated October 17, 1972:

We are handicapped people who are trying to stay off of public aid. We are employed and able to pay our own way.

This letter will indicate what our problem is and how financially penalized the handicapped worker who must use this specialized type of bus service is. My rate is six times that of the able bodied person who uses public transportation.

Promises and hopes for a government subsidy—but as yet nothing has come through. There is now talk of another raise in our transportation rates—also talk that the Li-La-U Handibus Service will discontinue its services at the end of this month due to the high cost of operating it. We must work and all of us sit in wheelchairs. Can you help us—we are desperate.

Mr. Chairman, that was signed by Ruth Simons.

I have another letter dated November 13, 1972, which read in part as follows:

We are desperate, fighting handicapped citizens trying to live and work in dignity. We want to pay our share, but \$8 a day is too much for anyone. Mr. Robert Reneker, president of Swift & Company, for which I work, pays \$1 a day on public transportation to and from his home. I have to pay \$8. Signed, Lois Henneman.

My amendment is offered pursuant to the direction contained in an amendment to the Urban Mass Transportation Act, which said this:

It is hereby declared to be the national policy that elderly and handicapped persons have the same right as other persons to utilize mass transportation facilities and services; that special efforts shall be made in the planning and design of mass transportation facilities and services so that the availability to elderly and handicapped persons of mass transportation which they can effectively utilize will be assured; and that all Federal programs offering assistance in the field of mass transportation (including the programs under this Act) should contain provisions implementing this policy.

The Appropriations Committee continued the program on the same level as it was last year. It was inadequate last year. It will be inadequate this year. Again there will be insufficient funds to take care of the needs of the handicapped and lame throughout the country.

The Office of Management and Budget, which is not known for its generosity, provided an additional \$3.5 million for this program, which was stricken out by the Appropriations Committee. My amendment would place back in the bill \$3 million of the amount that was stricken out. This amendment is for people. It provides the opportunity to the many disadvantaged and crippled people of this country, who need our help in order to live in independence and dignity.

Mr. Chairman, I urge support of my amendment.

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

Mr. Chairman, the Urban Mass Transportation Administration has spent about \$10 million on 43 service development projects since the effort started in fiscal year 1969. Our recommendation of \$1.2 million in this program essentially maintains the 1973 program level.

We are not taking away from these people in whom the gentleman from Illinois (Mr. YATES) is interested what they now have.

These demonstration projects are said to stress innovative transit services for the young, old, handicapped, and economically distressed. To date UMTA has failed to produce any projects which might be called a generalized approach to providing transit services to the transportation deprived, which is their object.

At the present time, these projects seem to be a subsidization of a unique service, in a particular area, for varying periods of time. This approach is not consistent with the so-called national applicability criterion which is supposed to be applied to the UMTA research development, and demonstration activity.

Furthermore, when the UMTA administrator testified before our subcommittee, he was unable to identify any specific new service demonstrations proposed for fiscal 1974.

The achievement of a generalized approach is the purpose of a demonstration project. In view of the failure of this program to achieve that purpose, it was the judgment of the committee that this program should not be expanded beyond the 1973 program level.

Mr. Chairman, I urge defeat of the amendment.

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

Mr. Chairman, what is interesting about the response of the distinguished chairman handling the bill is that he said that to date they have not been able to develop a system which would deal with the problems of the handicapped. That is not a valid reason to end the efforts to find a system that works.

One simply cannot talk about the problems of the handicapped in the abstract. About 2 months ago I visited a college called Pratt Institute in Brooklyn, and talked with students about some civic problems and what it means to be a Congressman. At the end of the half-hour seminar, as I was leaving the audience, a young man in a wheelchair, seriously handicapped, stopped me—the fact is, he was a spastic whose head rolled, unable totally to use his limbs—but he was in an automated wheelchair,

and in some way or other which I cannot even describe, he was able to control it and able to move himself about.

He said to me, "You know, they are going to take away my right to have my wheelchair put on the subways in the city. I get here by train, and friends of mine carry me down the steps and put my wheelchair on the train, and the MTA is going to stop that and not going to let me do that any more."

He said, "This means I won't be able to come to college any more and this means my life is over."

This was to say the least a very upsetting situation. I said that I would look into it. I happened to have seen the chairman of the Metropolitan Transit Authority a few days later, and I brought the matter to his attention.

He said he would see to it that wheelchairs would be permitted to continue to go on the train system and any order barring that would be rescinded.

He said substantially, "You know, we have to find a better way. We cannot go on this way. It is bad for the people who need this assistance, it is bad for the others who don't, to have no decent way of bringing the wheelchairs down steps without people carting them down and all of the other problems that are attendant to the use of the subways by the handicapped."

Well, what is it that this amendment will do? I do not know that the research and development, if authorized, will be successful this year, but I do know its goal is to find the way. It is not adequate for the distinguished chairman from California to say that they have not found it to date. If they are trying to find the way, we have got to support them with the money needed, because they cannot find the way without the expenditure of funds, and \$3 million is such a small sum considering what it will be used for.

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

Mr. KOCH. I yield to the gentleman from Illinois (Mr. YATES).

Mr. YATES. Mr. Chairman, the gentleman is exactly right. The fact that they have not found the way to deal with this very important problem does not mean that they will not find a way. It is interesting that this bill contains \$60 million in subsidies for air carriers, with language saying the funds will provide service to cities and towns that would not otherwise be served. Are those who live in those cities entitled to subsidization more than the handicapped and lame of this country?

The chairman says that this is a unique form of subsidization for these people. Does he mean thereby it is improper? What is wrong with providing a means through research of helping these people use public transportation? I read to you the letters of my constituents who want to be able to work.

Certainly the amendment ought to be agreed to.

Mr. KOCH. The gentleman is absolutely correct.

It is not simply a question of keeping these people off welfare, although obviously this should be one of our goals. It is a question of keeping them alive, strong

in spirit and heart, with the feeling that they have something to give to society and are not merely a burden to their families and the economy.

When somebody wants to work and finds he cannot get to work because he is handicapped that is not his fault, that is our fault.

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

I certainly share the concern of the gentleman from Illinois and of the gentleman from New York as to the necessity of our doing something to provide better transportation for the handicapped and the older citizens. I also have a more general concern as to the priorities indicated by the cuts this bill proposes to make in the requests of the administration for funding.

We are in the middle of an energy crisis, and it has a very serious impact on our transportation system. If we ought to be moving in any particular direction as to changing our priorities I should think we ought to be moving in the direction of high-speed ground transportation and more urban mass transit. I notice that for high-speed ground transportation research and development the bill would cut the recommendations by \$10 million. I notice for research and development in urban mass transit it would cut the administration recommendation by \$33 million.

I should like to ask the chairman of the subcommittee if he has an explanation as to the thrust of this bill, whose priorities seem to be going in the opposite direction from the priorities we ought to be seeking.

Mr. McFALL. I would respond to the gentleman in this way: We have provided an appropriation of \$29.6 million in new budget authority for the programs funded under research, development and demonstrations, for the Urban Mass Transportation Administration. They will have \$20 million of carryover funds that were impounded. They have, in addition, \$13.9 million in other unrestricted authority. These additional funds will provide a program level of \$63.5 million.

With respect to the personal rapid transit systems, we cut a total of \$9.7 million. We cut \$3 million money from this particular project because they had not one single project which they could tell us they were going to fund—not one.

A number of other projects, like "Dial-a-Ride" and so forth, for the handicapped, which the gentleman from New York and the gentleman from Illinois are discussing as necessary, are already funded by HEW.

We have not cut those rail systems which we feel are necessary to go ahead. As to the PRT's, we do not believe that the Department knows what it is going to do with these systems.

We provide a substantial amount of money for PRT's. We have included about \$14 million for the three PRT projects. These three projects involve three essentially different types of PRT systems.

We merely ask, in our Recommended Reductions, that they determine how they are going to use PRT's in an urban mass transportation system.

The Department has \$63.5 million in research and development in urban mass transit, and I believe that is a sufficient amount.

Mr. SEIBERLING. Mr. Chairman, may I ask another question of the gentleman from California (Mr. McFALL) the chairman of the subcommittee?

This relates to the commitment for UMTA for the fiscal year 1974. I understand that this is an increase over the previous fiscal year.

My question is this: During the debate on the Federal Aid Highway Act, when the amendment to allow the urban areas to divert part of the urban highway trust fund moneys for urban mass transit was being debated, it was stated by those who opposed that amendment that we did not need to have it, because adequate money was going to be available under the Urban Mass Transit Assistance Act.

Mr. Chairman, does the gentleman feel that in view of the serious energy crisis and transportation crisis in this country, this is an adequate provision for the coming fiscal year, or could the cities use more urban mass transit aid than is being appropriated here?

Mr. McFALL. Mr. Chairman, let me respond to the gentleman's question in this way: It does not relate to this amendment.

The CHAIRMAN. The time of the gentleman has expired.

(On request of Mr. McFALL and by unanimous consent, Mr. SEIBERLING was allowed to proceed for 2 additional minutes.)

Mr. McFALL. Mr. Chairman, will the gentleman from Ohio (Mr. SEIBERLING) yield?

Mr. SEIBERLING. I yield to the gentleman from California (Mr. McFALL).

Mr. McFALL. Mr. Chairman, to repeat, it does not relate to this amendment, nor does it relate to research and development in area of urban mass transit. But it does relate to the amount of capital grants for urban mass transit. The bill includes a provision limiting commitments for UMTA programs in fiscal year 1974 to \$980 million.

This is comprised of \$872 million for capital facilities grants, \$37,600,000 for technical studies, \$63,500,000, which we are talking about here, for research, and \$6,900,000 for administrative expenses.

Mr. Chairman, there is a tremendous amount of money in this bill for urban mass transit.

Mr. SEIBERLING. Mr. Chairman, I understand what this amendment does, but my question is this:

A lot of communities around this country, including my own, have not been able to get sufficient funds to have adequate urban mass transit systems, when we consider the human need and the need to conserve fuel and energy. So I am wondering whether this is a sufficient program to meet these needs on a nationwide basis.

Mr. McFALL. Mr. Chairman, in answer to the gentleman's question, I feel that we have provided sufficient funds in the bill for urban mass transportation.

Mr. YATES. Mr. Chairman, will the gentleman from Ohio yield?

Mr. SEIBERLING. Yes, I yield to the gentleman from Illinois (Mr. YATES).

Mr. YATES. Mr. Chairman, the gentleman, the chairman of the subcommittee, stated that these programs were being taken care of by the Department of HEW. That is entirely wrong. If that were true, the Office of Management and Budget would never have approved the additional amount of \$3.5 million for this purpose to the Department of Transportation. HEW's program provides a subsidy for the elderly. This is a transportation research program.

Mr. ROSENTHAL. I move to strike the last word.

Mr. Chairman, I merely want to ask a question of the distinguished gentleman from California (Mr. McFALL).

Is it correct that the Office of Management and Budget did include this \$3 million, and that the subcommittee struck it out, or the committee struck it out?

Mr. McFALL. The gentleman is correct. But, Mr. Chairman, I would further point out in response to the statement made by the gentleman from Illinois, that we have testimony in the record of the committee hearings, on page 896, concerning a program which includes a grant of \$250,000 to provide taxicab service for people over 60 and handicapped persons over 21 years of age.

That grant came from HEW. So, these programs do come from HEW, and would be in addition to those demonstration projects which we have in this bill.

Mr. YATES. Mr. Chairman, will the gentleman from New York (Mr. ROSENTHAL) yield?

Mr. ROSENTHAL. I would be happy to yield to the gentleman from Illinois (Mr. YATES).

Mr. YATES. Mr. Chairman, the gentleman fails to point out that this is a research program, a research program to try to find ways for transportation for these people. It is not a subsidy program as the chairman would have you believe.

My amendment will help people who want to be able to get to work, and for whom public transportation offers no facilities at the present time. The only way they are going to be able to get to work through public transportation in the future is if some new method is found for them to do it. The fact that they have not found it yet does not mean they will not discover it next year. This money is needed, desperately needed, to carry on the program.

Mr. Chairman, why would OMB approve this program if it is as useless as you indicate? OMB has approved this program. Obviously it must have some merit. There was no discussion of this item before our subcommittee. Nobody knew this program was being cut so deeply. It was a profound mistake that we should correct. In committee this program was referred to as "Service Development." There was no specific identification of this program as one that provided research for transportation for the elderly, the paraplegic, the crippled, the lame, and other disadvantaged people.

If this amendment is denied it will be most unfair. This bill contains \$60 million for air carriers, the total amount

they requested. There is a prohibition in this bill against an increase in fees for general aviation. Yet the people who need help the most are being deprived of funds they should have.

Mr. ROSENTHAL. I yield to the chairman of the subcommittee.

Mr. McFALL. All of the projects in this bill and all of the projects in the entire U.S. Government budget were approved by the Office of Management and Budget. This is the first time I have heard the gentleman from Illinois compliment the Office of Management and Budget.

Mr. YATES. I do in this case, may I say to the chairman.

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

Mr. Chairman, as the distinguished chairman of the subcommittee points out, what we are talking about here is a research and development budget. We are not talking about services, such as the gentleman from Ohio (Mr. SEIBERLING) has already discussed.

I will agree with the gentleman from Ohio that we are not giving the total number of dollars to this very high national priority of research and development in the mass transit field which we should be giving to it. I think we discussed this earlier in the scheduled debate that there was a combination of perhaps not enough attention on our part and a matter of confusion on the part of the urban mass transit agency as to whether UMTA is developing an old-fashioned technology or an honest-to-goodness PRT technology to lure people out of their second and third cars by offering them an honest transit alternative.

However, with respect to this amendment, it seems to me it really does not further the cause of transit technology very much.

I have been to Haddonfield and ridden in the buses there, and I am here to state that they have a system whereby people in wheelchairs and other physically handicapped people can ride those buses. But to date they have not. At the time I visited them the system was in operation for some time, and those facilities had not been used even once. It seems to me in their demonstration projects and research projects UMTA does try to provide for the fullest possible use of their systems by the handicapped.

While I do not object to putting more money into this budget, I do not think it should be earmarked for the purposes stated by the gentleman from Illinois. I would much rather see the budget expanded for the purposes of improved and sophisticated research for PRT, from which all, including the lame and the disadvantaged, could profit.

Mr. YATES. Will the gentleman yield? Mr. FRENZEL. I yield to the gentleman from Illinois.

Mr. YATES. I will say to the gentleman that there is money in this bill to take care of the kind of transportation the gentleman talks about.

Mr. FRENZEL. Let me interrupt for a moment there.

Mr. YATES. I happen to sit on the subcommittee and I know there is money in this bill for this purpose.

Mr. FRENZEL. I do not sit on the subcommittee, but I suggest that the amount is inadequate for this.

Mr. YATES. You are now amending your statement, then, by saying it is inadequate. The point I am making is that my amendment proposed a specialized kind of research to take care of people in this country who cannot now use public transportation.

Let me return to the point made by the gentleman from New York. The fact that we have not found the answer as yet does not mean we will not be able to find it in the next year.

Mr. FRENZEL. I thank the gentleman for his contribution.

From the standpoint of priorities, however, he is not applying the money where it is most needed. If we do try to make this research available, everybody will benefit, including the disadvantaged.

But if we concentrate on research on the disadvantaged we will not have enough money to do the job.

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

Mr. Chairman, I rise in opposition to the amendment offered by my distinguished colleague from Illinois (Mr. YATES).

The proposed amendment would restore \$3 million which the committee recommended be cut from the service development program portion of the urban mass transportation research, development and demonstration appropriation.

It is important to note that the committee recommendation will maintain the 1973 obligational level.

The Urban Mass Transportation Administration has completed 7 of the 16 programs started in the past 2 years. The results of these demonstrations are not clear at the present time. During the hearings, the Urban Mass Transportation Administration provided the committee with very little in the way of justification for the budget request. The testimony indicated that UMTA had several conceptual ideas in mind, but it had nothing specific.

I believe that the committee made a wise decision to maintain the program at the 1973 obligational level. When Federal funds are being spent, the Congress should look to what the money is going to be used for and what the benefits will be.

These answers are not present here. I urge my colleagues to vote against the proposed amendment.

Thank you, Mr. Chairman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois (Mr. YATES).

The question was taken; and the Chairman announced that the Chair was in doubt.

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 204, noes 213, not voting 16, as follows:

[Roll No. 247]

AYES—204

Abzug	Anderson,	Archer
Adams	Calif.	Ashley
Addabbo	Anderson, Ill.	Aspin
Alexander	Annunzio	Badillo

Bafalis	Grasso	Owens	McEwen	Quillen	Sullivan
Barrett	Gray	Pepper	McFall	Rallsback	Symms
Bell	Green, Pa.	Perkins	McKay	Regula	Talcott
Bennett	Griffiths	Peyster	McSpadden	Rhodes	Taylor, Mo.
Bergland	Gubser	Pickle	Madigan	Roberts	Taylor, N.C.
Biaggi	Gude	Pike	Mahon	Robinson, Va.	Teague, Calif.
Biester	Gunter	Podell	Malliard	Robison, N.Y.	Teague, Tex.
Bingham	Hamilton	Price, Ill.	Mallory	Runnels	Thomson, Wis.
Boggs	Hanley	Pritchard	Mann	Ruppe	Thone
Boland	Hanna	Quie	Maraziti	Ruth	Thornton
Bolling	Hansen, Idaho	Randall	Martin, Nebr.	Satterfield	Towell, Nev.
Brademas	Harrington	Rangel	Martin, N.C.	Saylor	Treen
Brasco	Harvey	Rees	Mathias, Calif.	Scherle	Udall
Breckinridge	Hawkins	Reuss	Mayne	Schneebell	Ullman
Brinkley	Hechler, W. Va.	Riegle	Michel	Sebelius	Veysey
Broomfield	Heckler, Mass.	Rinaldo	Miller	Shibley	Vigorito
Brotzman	Helstoski	Rodino	Mills, Ark.	Shoup	Waggonner
Brown, Calif.	Hicks	Roe	Minshall, Ohio	Shriver	Ware
Buchanan	Hillis	Rogers	Mizell	Shuster	White
Burgener	Hollifield	Roncallo, Wyo.	Montgomery	Sikes	Whitehurst
Burke, Calif.	Holtzman	Roncallo, N.Y.	Moorhead,	Sisk	Whitten
Burke, Mass.	Howard	Rooney, Pa.	Calif.	Skubitz	Widnall
Burton	Hungate	Rose	Morgan	Slack	Wiggins
Carey, N.Y.	Hunt	Rosenthal	Myers	Smith, N.Y.	Williams
Carney, Ohio	Johnson, Colo.	Rostenkowski	Natcher	Snyder	Winn
Chisholm	Jordan	Roush	Neisen	Spence	Wyatt
Clark	Karsh	Rousselot	Nichols	Stanton,	Wylder
Clay	Kastenmeier	Roy	Nix	J. William	Wyman
Cleveland	Kemp	Roybal	O'Neill	Stanton,	Young, Ill.
Cohen	King	Ryan	Farris	James V.	Young, S.C.
Collins, Ill.	Kiuczynski	St German	Patten	Steed	Young, Tex.
Conyers	Koch	Sandman	Pettis	Steiger, Ariz.	Zablocki
Corman	Kyros	Sarasin	Poage	Steiger, Wis.	Zion
Cotter	Latta	Sarbanes	Powell, Ohio	Stephens	Zwach
Coughlin	Leggett	Schroeder	Preyer	Stubblefield	
Culver	Lehman	Seiberling	Price, Tex.	Stuckey	
Daniels,	Lent	Smith, Iowa			
Dominick V.	Litton	Stagers			
de la Garza	Long, La.	Stark	Ashbrook	Kazen	Reid
Delaney	McCloskey	Steele	Blatnik	Landgrebe	Rooney, N.Y.
Dellums	McCollister	Steelman	Breaux	McKinney	Thompson, N.J.
Denholm	Maconald	Stokes	Danielson	Passman	Wilson,
Derwinski	Madden	Stratton	Fisher	Fatman	Charles, Tex.
Diggs	Mathis, Ga.	Studds	Hébert	Rarick	
Dingell	Matsunaga	Symington			
Donohue	Mazzoli	Tiernan			
Drinan	Meeds	Van Deerlin			
Dulski	Melcher	Vander Jagt			
du Pont	Metcalfe	Vanik			
Eckhardt	Mezvinsky	Waldie			
Edwards, Calif.	Milford	Walsh			
Ellberg	Minish	Wampler			
Esch	Mink	Whalen			
Fascell	Mitchell, Md.	Wilson, Bob			
Fish	Mitchell, N.Y.	Wilson,			
Foley	Moakley	Charles H.,			
Ford,	Mollohan	Calif.			
William D.	Moorhead, Pa.	Wolf			
Fraser	Mosher	Wright			
Frey	Moss	Wylie			
Fulton	Murphy, Ill.	Yates			
Gaydos	Murphy, N.Y.	Yatron			
Gialmo	Nedzi	Young, Alaska			
Gibbons	Obey	Young, Fla.			
Gilman	O'Brien	Young, Ga.			
Ginn	O'Hara				

NOES—213

Abdnor	Crane	Grover
Andrews, N.C.	Cronin	Guyer
Andrews,	Daniel, Dan	Haley
N. Dak.	Daniel, Robert	Hammer-
Arends	W., Jr.	schmidt
Armstrong	Davis, Ga.	Hanrahan
Baker	Davis, S.C.	Hansen, Wash.
Beard	Davis, Wis.	Harsha
Bevill	Dellenback	Hastings
Blackburn	Dennis	Hays
Bowen	Dent	Heinz
Bray	Devine	Henderson
Brooks	Dickinson	Hinshaw
Dorn	Dorn	Hogan
Brown, Mich.	Downing	Holt
Brown, Ohio	Duncan	Horton
Broyhill, N.C.	Edwards, Ala.	Hosmer
Broyhill, Va.	Erlenborn	Huber
Burke, Fla.	Eshleman	Hudnut
Burleson, Tex.	Evans, Colo.	Hutchinson
Burlison, Mo.	Evins, Tenn.	Ichord
Butler	Findley	Jarman
Byron	Flood	Johnson, Calif.
Camp	Flowers	Johnson, Pa.
Carter	Flynt	Jones, Ala.
Casey, Tex.	Ford, Gerald R.	Jones, N.C.
Cederberg	Forsythe	Jones, Okla.
Chamberlain	Fountain	Jones, Tenn.
Chappell	Frelinghuysen	Keating
Clancy	Frenzel	Ketchum
Clausen,	Froehlich	Kuykendall
Don H.	Fuqua	Landrum
Clawson, Del	Gettys	Long, Md.
Cochran	Goldwater	Lott
Collier	Collins, Tex.	Lujan
Conable	Conable	McClory
Conlan	Gooding	McCormack
Conte	Green, Oreg.	McDade
	Gross	

McEwen	Quillen	Sullivan
McFall	Rallsback	Symms
McKay	Regula	Talcott
McSpadden	Rhodes	Taylor, Mo.
Madigan	Roberts	Taylor, N.C.
Mahon	Robinson, Va.	Teague, Calif.
Malliard	Robison, N.Y.	Teague, Tex.
Mallory	Runnels	Thomson, Wis.
Mann	Ruppe	Thone
Maraziti	Ruth	Thornton
Martin, Nebr.	Satterfield	Towell, Nev.
Martin, N.C.	Saylor	Treen
Mathias, Calif.	Scherle	Udall
Mayne	Schneebell	Ullman
Michel	Sebelius	Veysey
Miller	Shibley	Vigorito
Mills, Ark.	Shoup	Waggonner
Minshall, Ohio	Shriver	Ware
Mizell	Shuster	White
Montgomery	Sikes	Whitehurst
Moorhead,	Sisk	Whitten
Calif.	Skubitz	Widnall
Morgan	Slack	Wiggins
Myers	Smith, N.Y.	Williams
Natcher	Snyder	Winn
Neisen	Spence	Wyatt
Nichols	Stanton,	Wylder
Nix	J. William	Wyman
O'Neill	Stanton,	Young, Ill.
Farris	James V.	Young, S.C.
Patten	Steed	Young, Tex.
Pettis	Steiger, Ariz.	Zablocki
Poage	Steiger, Wis.	Zion
Powell, Ohio	Stephens	Zwach
Preyer	Stubblefield	
Price, Tex.	Stuckey	

NOT VOTING—16

Ashbrook	Kazen	Reid
Blatnik	Landgrebe	Rooney, N.Y.
Breaux	McKinney	Thompson, N.J.
Danielson	Passman	Wilson,
Fisher	Fatman	Charles, Tex.
Hébert	Rarick	

So the amendment was rejected.

The result of the vote was announced as above recorded:

AMENDMENT OFFERED BY MR. BROTZMAN

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

The Clerk read as follows:

Amendment offered by Mr. BROTZMAN: Page 15, line 18, strike out "\$29,600,000" and insert in lieu thereof "\$39,300,000" and on line 19, strike out "\$27,100,000" and insert in lieu thereof "\$36,800,000".

Mrs. SCHROEDER. Mr. Chairman, will the gentleman yield?

Mr. BROTZMAN. I yield to the gentleman from Colorado.

Mrs. SCHROEDER. Mr. Chairman, I should like to commend the gentleman for his statement. I believe the Denver Regional Transportation District project is a very important project in which, the whole eastern slope of the Colorado has worked together to try to create a regional plan. Denver will just get a 1-mile track and try to apply personal rapid transit to an urban district. I believe it is very important for the future of urban transportation, and I commend the gentleman for presenting the amendment.

Mr. BROTZMAN. I thank the gentleman.

Mr. EVANS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. BROTZMAN. I yield to the gentleman from Colorado.

Mr. EVANS of Colorado. I appreciate the gentleman yielding. I should like for the Members to know that we of Colorado stand united on the making of this request, and I hope the committee will act favorably upon the gentleman's amendment.

Mr. BROTZMAN. I thank the gentleman.

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

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

Mr. ANDERSON of California. Mr. Chairman, I rise in support of the gentleman's amendment which would fund a project in Denver, Colo., designed to demonstrate the feasibility of a personal rapid transit system.

The personal rapid transit system is one of many new innovations just coming about which are designed to present an attractive alternative to the automobile. This particular system, as I understand it, offers elevated, computer-driven cars which accommodate up to four passengers, and will transport the passengers across the city in less time than that taken by emergency vehicles—such as police cars and fire trucks.

Rather than being crammed into a crowded bus, the passengers have the privacy and comfort of their private automobiles, but at less cost, in terms of energy consumed, pollution emitted and time wasted.

The PRT can be constructed in a relative short period of time, at a moderate cost.

Mr. Chairman, we need to encourage cities to examine the various rapid transit systems that are offered with an eye toward meeting the transportation needs of their own residents. In addition, we must continue to seek new and better alternatives to the automobile.

I am convinced that if given a choice, most commuters would choose an efficient, convenient, attractive, and economical rapid transit method over the automobile.

In fact, in a very short time, with more and more demands on our limited energy supplies, coupled with the strict Federal clean air standards, we may have no choice.

I am pleased to support this experiment, and I urge my colleagues to join with me in voting for the gentleman's amendment.

Mr. BROTZMAN. I thank the gentleman.

Mr. GRAY. Mr. Chairman, will the gentleman from Colorado (Mr. BROTZMAN) yield?

Mr. BROTZMAN. I yield to the gentleman from Illinois (Mr. GRAY).

Mr. GRAY. Mr. Chairman, I thank my friend, the gentleman from Colorado (Mr. BROTZMAN) for yielding, and I rise in support of the gentleman's amendment.

We have a large university in my district at Carbondale, in southern Illinois, with an enrollment of 23,000 and we will soon be filing an application for UMTA funds for PRT although the committee bill provides funds for this purpose, I hope the additional \$9 million can be allowed so the programs can be expedited. I thank my friend.

Mr. ARMSTRONG. Mr. Chairman, I move to strike the last word, and I rise in support of the amendment.

Mr. Chairman, I would like to join with my colleague, the gentleman from Colorado (Mr. BROTZMAN) and urge interest and support in this amendment, which is a vitally significant one in my judgment.

In fact, in studying the bill prior to coming to today's session, I was stunned

to learn that the Committee on Appropriations had recommended a reduction of this amount.

So I commend my colleague, the gentleman from Colorado, for bringing this amendment to the attention of the committee and to the members, and I urge support for the amendment.

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

Mr. Chairman, if the members will take a look at the committee report, we state the following: Under the new systems, the budget includes funds totaling \$23,650,000 for three personal rapid transit projects. These three projects involve three essentially different types of PRT systems. The committee is concerned that UMTA has not yet determined the proper role for a personal rapid transit system, and, therefore, does not know which of these systems, if any, will have a practical application in urban mass transportation operation.

In view of this, the committee has made a reduction of \$9,700,000 in the program for PRT systems. Mr. Chairman, the gentleman from Colorado has inherited a system in Denver from last year. In the conference on our 1973 bill the former Senator from Colorado, Gordon Allott, was able to get some funds for a new personal transit system experiment in Colorado. As I recall his statement, he indicated that they were going to have the Winter Olympic Games in Colorado, and needed this system for the Olympic Games.

But the people of Denver, Colo., turned down the Olympic games, and in my opinion they do not need this personal rapid transit system. However, we have provided the money for these three working systems, and we have asked the Department to provide a policy statement on how they are going to use PRT in an urban mass transportation system.

We reduced the appropriation by \$9.7 million in the people mover area. We have provided \$13,900,000 for this research. This will enable them to move forward with the PRT system which they feel is the most important. They will also be able to continue research on other ones at reduced levels.

Mr. Chairman, we have a PRT system in Morgantown, on which we have spent some \$40 million. I hope it continues. We will be able to learn something from this program, however, they are spending a lot of money on this technology and really the Department has expressed no real understanding of how they are going to use it in an urban mass transit operation. We are asking them to make these determinations and have reduced their program in this field.

Mr. Chairman, I ask that the amendment be defeated.

Mr. BROTZMAN. Mr. Chairman, will the gentleman from California (Mr. McFALL) yield?

Mr. McFALL. I yield to the gentleman from Colorado (Mr. BROTZMAN).

Mr. BROTZMAN. Mr. Chairman, I would point out to my friend, the gentleman from California (Mr. McFALL) that really the Olympics have nothing to do with this specific problem, that we were planning on trying to go ahead with

work on the problem of getting a better transit system for a long time. We believe PRT is a proper approach of an innovation to move people out there and help us avoid the pollution problem which we are all so concerned about.

I would point out that this is the purpose of the PRT and the demonstration program, to learn and develop techniques that will respond to the benefit of the people of this great country. The problem which we are having in metropolitan Denver is no different than that which we are finding across the entire land.

So I would say we should not at this time in history be cutting back below the budget amount which we should be spending in this very worthy cause.

Mr. McFALL. Let me reply to the gentleman. I have no objection to the great city of Denver, which is one of the finest in the country. However, when this project was presented to us the emphasis was on the winter Olympic games and the situation that would be created at that time which would provide an ideal situation to experiment with this 1-mile system in Denver. That was really the main basis for his proposal.

Now, as to the policy again of PRT. I believe PRT's could be very useful, but somebody in the Department of Transportation and the Urban Mass Transit Administration ought to figure out how they will use it in conjunction with the other systems we need.

SUBSTITUTE AMENDMENT OFFERED BY MR. GROSS FOR THE AMENDMENT OFFERED BY MR. BROTZMAN

Mr. GROSS. Mr. Chairman, I offer a substitute amendment.

The Clerk read as follows:

Substitute amendment offered by Mr. GROSS for the amendment offered by Mr. BROTZMAN: On page 15, strike out all of lines 13 through 23.

Mr. GROSS. Mr. Chairman, I think it is time in this \$7 billion bill to try to save some money, especially this kind of money, about \$29.5 million.

I have read the hearings with respect to these projects, and the committee could get no reasonable information as to what is being accomplished by these so-called experiments.

Mr. Chairman, the amendment that I have offered would cut out \$29.6 million for the so-called people mover projects, including that infamous project in Morgantown, W. Va., where they are still experimenting with a system that is just over 2 miles long and which will cost at least \$64 million.

On page 30 of the report accompanying this bill the committee admits that the urban mass transit bureaucrats do not even know which of these systems, if any, will have any kind of a practical application after the spending of the money they have

The reason for this amendment is that there is a total of \$34 million in unspent funds in this account. I ask you why the taxpayers should put up another \$29.6 million? That is what I am attempting to eliminate.

Let me repeat. This Morgantown project and other projects have grown from an initial estimate of \$13.5 million to the present estimate of \$64.3 million.

Mr. Chairman, I urge the adoption of my amendment in the interest of the taxpayers of the United States of America.

Mr. STAGGERS. Mr. Chairman, I rise in opposition to the substitute amendment of the gentleman from Iowa.

Mr. Chairman, first I want to pay my respect to the chairman of the subcommittee, JACK MCFALL, one of the finest men I have known in this House, a complete gentleman at all times, who does his work and his job.

I rise in opposition to the amendment offered by the gentleman from Iowa and in support of the amendment offered by the gentleman from Colorado.

In answer very briefly to the gentleman from Iowa, let me say that this is a complete project and one of the first of its kind in the world.

I say that this year is bidding for the title of the "Year of Crisis." There are crises everywhere, most of them having to do with scarcities. There is a shortage of gold, of meat, of electric power, of gasoline, of important chemicals that are needed; you name it and we have it this year. At a time when we cannot get gasoline to run our automobiles, we ought not to cut down on our experiments for mass transportation.

In Morgantown we have a university of over 17,000 students, plus the faculty, plus the need for transporting the other people of the town.

Of course, we can go back to the horse and buggy days, but I do not believe we want to do that. I think we need to do our experimenting now, and solve it, not next year. And I do not believe the gentleman from Iowa (Mr. GROSS) would want to say that he did not want to be part of progress in America today.

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

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

Mr. GROSS. Mr. Chairman, I just do not want to finance these projects on the basis of that super-duper train that operated for so long from Washington into West Virginia and was a big loser every hour it operated.

Mr. Chairman, if this was not in the budget already I would not say that we should add it to the budget, no. But I say that the President put this into the budget, and I believe we should go ahead, not only with the project in Morgantown, but with all of the other projects across America, and finish them up so that we will not have all of these tieups in our cities, in trying to get into the city such as we do here in Washington.

I urge every Member of this Congress who wants to solve the transportation problem in America to vote for the amendment offered by the gentleman from Colorado, because I believe that this is the only way we can solve this problem. I do not believe that we should put it off until another year. I say that the Congress should at least go forward with the projects, keep them in the budget. I ask that we vote down the amendment offered by the gentleman from Iowa (Mr. GROSS).

I hesitated to take the floor today, and oppose the gentleman from California (Mr. MCFALL) because of my ad-

miration and great respect for the gentleman, and I know of no finer gentleman than he, and I would like to follow the gentleman in all cases, but in this case I cannot do so. I think this is one time that the Congress should meet its responsibilities and vote to put the \$9 million back in the bill. By doing this it will save gasoline, it will save running our cars, and help to solve the great transportation crises we have now in our cities. If we are allowed to proceed with these projects, I think it will do much toward solving these problems.

So I urge a vote from every Member of the House in the affirmative to put back the \$9 million, to carry on with these projects.

Mr. CONTE. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Iowa (Mr. GROSS) as a substitute to the amendment to the amendment offered by the gentleman from Colorado (Mr. BROTZMAN), and in opposition to the amendment offered by the gentleman from Colorado.

Mr. Chairman, at the outset I feel that we should put this in its proper perspective.

There is \$29.6 million in new obligational authority. There is also \$20 million that the administration impounded last year, and there is \$13.9 million in other available funds, known as unrestricted authorities. The total obligational authority in this account is \$63.5 million. There is plenty of money for all of these projects.

Mr. Chairman, I want the Members of the House to know what they are getting into should they vote for the amendment offered by the gentleman from Colorado (Mr. BROTZMAN).

On page 857, part 1, of this year's hearings—I recommend that the Members read this—Mr. YATES was questioning Mr. Hemmes. Regarding this particular project, Mr. Hemmes said:

A benchmark on the expense, Mr. Yates, would be the proposed Denver 100 mile PRT estimated at \$1.6 billion.

I just want to let the Members know what they are getting into should they support this amendment.

There is something else I wish to bring to the Members' attention. I did not intend to discuss the Morgantown kiddy-cart project, but, in view of the fact that it has been brought up, I direct the Members' attention to part 1, page 654 of the hearings where I questioned Mr. Herringer regarding this project.

Mr. CONTE. I would like to see some this afternoon. * * *

I was talking about pictures of this particular project.

I will name that a purple people-eater instead of people-mover. Could you give us a per mile cost of that Morgantown kiddy-cart?

Mr. HERRINGER. The guideway is about 2.2 miles long. The total cost for construction of the guideway and 45 vehicles will be about \$30 million a mile. That is all inclusive.

Mr. VIERLING. The actual cost of the guideway itself at Morgantown for the 2.2 miles is roughly \$20 million—

In other words, \$10 million per mile for the guideway alone.

Mr. CONTE. How about this \$43 million? Mr. VIERLING. That is the total cost of the project through fiscal year 1973.

Mr. CONTE. So it's \$21.5 million a mile?

Mr. HERRINGER. That is including the vehicles and control system through fiscal year 1973.

Mr. CONTE. How much more is it going to cost before you are through with it?

Mr. HERRINGER. We are proposing funding in fiscal 1974 of \$10.5 million.

Mr. CONTE. This project has an insatiable thirst. This has got to be the biggest boondoggle that was ever perpetrated on the American taxpayers.

Mr. YATES. That is saying a lot.

Mr. CONTE. He may get another one out there. It's fantastic. It's unbelievable. They could have gotten it all for nothing at Disney World.

Is that the final figure now, \$10.5 million? You are never going to come in and ask for any more?

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

Mr. CONTE. How much more?

Mr. HERRINGER. At the present time we estimate the cost for completion in fiscal year 1975 is an additional \$9.8 million. It will be a total of \$20.4 million on top of the \$43 million.

Mr. EDWARDS. That is over \$30 million.

Mr. CONTE. That will be about \$31½ million a mile.

Mr. HERRINGER. That is right.

Mr. CONTE. And rails and all are just plain steel, not gold or anything?

Mr. HERRINGER. As a matter of fact, it's concrete.

I ask the Members to vote down these amendments.

Mrs. SCHROEDER. Mr. Chairman, will the gentleman yield?

Mr. CONTE. I yield to the gentlewoman from Colorado.

Mrs. SCHROEDER. I just have several comments. First of all, regarding the comment that it will cost \$1 million for Denver, the plan for Denver is for 1 mile and 5 miles of engineering, period. The rest of it will be raised locally through a bond issue that will either pass or fail this fall. The key is to tie this into our bond issue to know whether or not we would want to go ahead with it. It is not necessarily an entirely PRT program. We will have to tie other methods of transportation feeding into the inner city with it.

Another reason I understand Denver was chosen was not because of the Olympics, but because we have a medium-density problem, one of the few cities that has no high density.

The CHAIRMAN. The time of the gentleman has expired.

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

Mr. CONTE. I yield to the gentlewoman from Colorado.

Mrs. SCHROEDER. So the idea was to take this supposed technology and apply it, which we never do. We tend to want to use it in a void. It should be applied to see if it does work to determine whether we want to continue on down the path with it. That is what it was all about. It was not just tied into the Olympics, because the Olympics were not to be in the city of Denver.

Mr. CONTE. I am not opposed to it, but I will give it a good, hard look. Unfortunately, the Morgantown experience was one of a project that got worse and worse.

I do not know what might happen in Denver. Let me say this. Maybe the gentleman did know this. I agree the commitment on the Denver system may not have been tied to the Olympics, but it certainly was tied to an election.

Mrs. SCHROEDER. On that I will agree.

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

Mr. Chairman, in the case of the amendment offered by the gentleman from Illinois we were being asked to dedicate \$3 million additional to a type of research which in my judgment is already being handled in the normal program. In the amendment offered by the gentleman from Colorado we are being asked to consider additional funds for general personal rapid transit research. To be sure, the maker of the amendment has indicated that there is a regional flavor to his amendment, and there probably is, because Denver was selected by UMTA to be the demonstration site for its development demonstration.

I am a little concerned that the technology there is not advanced enough. I would be happier to hold back on a demonstration, until we have done enough research to demonstrate, or test, a really advanced PRT system.

On the other hand I am totally convinced that we have not begun to make anywhere near the kind of commitment for urban mass transit research that is required. In my judgment this money is necessary even if the degree of the technology is not as far advanced as some of us might like. We have so far to go that it is difficult to waste money in general transit system research.

The fact that a Dulles-type demonstration will probably go to Denver should not be of great concern to the Members of this body. All of us who are possible users of transit services and systems in the future will probably benefit from a development of the research project wherever it may be. I would prefer one in the Minneapolis-St. Paul area, myself, but I believe UMTA can pick the most likely location.

In my judgment, this is an important amendment. It is about as important an amendment on the subject of transit as may come before this House. Diversions of trust funds or appropriations for transit capital grants may be of great significance, but until our R. & D. programs develop a really attractive transit systems, money spent on transit is only keeping a line systems which have not passed the test of attractiveness to users. It is necessary to keep those systems afloat, but it is also necessary to develop a personal transportation alternative for the future. Passage of the Brotzman amendment will help develop such an alternative.

Mr. Chairman, I urge adoption of the amendment.

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

Mr. Chairman, I think my distinguished, handsome, erudite, and intelligent friend, the gentleman from Massachusetts, has made a great argument as to why we need to put back the \$9 mil-

lion. He talks about \$30 million a mile for the mass transit system on the university campus at Morgantown, W. Va. But why is it costing so much? It is because we have not learned enough through research. I am sure Mr. Ford did not build the first Model T Ford automobile for \$2,000, or for any amount for which Ford sells mass-produced automobiles today. It took a lot of experimentation and research.

We have an Illinois firm which says they can put in a people rapid transit—PRT—system with the use of the Franklin Institute in Philadelphia for \$4 million a mile, not \$30 million, however it takes research and development money.

I think we ought to recognize that this is the first one in the Nation. I recall that at Mount Vernon, Ill., 50 years ago the city council voted against paving the town square because it would hurt the horses hooves. This is the same thing. We are saying it costs so much a mile and we cannot afford it.

The fact is that when we walk outside today we cannot see the high buildings because of the haze and smog. We have to move people fast and economically. This money we are talking about, the \$9 million in the amendment offered by the gentleman from Colorado, is infinitesimal compared to what we are losing in the cost of smog devices and the cost of people going to the hospital for sinus conditions. In Chicago, Los Angeles, New York, and other big cities the smog is terrible. I think we ought to put that \$9 million in and cut that \$30 million a mile cost down to size by building more systems. It is true that we are providing funds in this bill for—PRT—systems but we can do more with the budgeted amount. Thank you.

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

Mr. GRAY. I yield to the gentleman from West Virginia (Mr. STAGGERS).

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

Mr. Chairman, I just could not take seriously the gentleman from Massachusetts when he said he is not for experimentation in America and for going ahead with progress.

This was the first project of its kind in the land. There is no experimentation of any kind which does not cost more than the projects which come after. When we do this, we want to stop right now experimentation so that we can have mass transportation and move people in our cities and move them around at a time of crisis.

There had to be a place of experimentation. The \$9 million ought to be put back so that we can carry on the experimentation and build the rest of the system.

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

Mr. Chairman, I think everyone here is agreed that we have to experiment. This committee obviously thought so or it would not have put \$50 million into Morgantown. We have got a lot to learn there yet before we know where we are going and what we are going to do with it.

It is just not the time to start going

into other cities and spending additional millions of dollars until we know what the results are in Morgantown.

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

Mr. EDWARDS of Alabama. I yield to the gentleman from Massachusetts (Mr. CONTE).

Mr. CONTE. Mr. Chairman, the gentleman is absolutely right. I think the gentleman from West Virginia is being very unfair when he accuses me of opposing research. I am supporting it. As I said, there is \$63.5 million for this program. I feel there is a sufficient amount of money here.

Let me say this about Morgantown: I had no intention of involving Morgantown in the debate, but it has got to go down in history as one of the worst boondoggles in history.

On page 657 of the hearings, part 1, I asked:

Could you tell me what the original estimate for the Morgantown Kiddy-cart was?

The first estimate of the total project cost was \$13½ million. The project has bounced up to \$31½ million per mile for that kiddy-cart.

The gentleman from Illinois says that we have got to have this because of pollution. That is a lot of baloney. We could have learned all about this kiddy-cart by spending a small amount of money at Disneyland. If a person goes there, he will find that Disneyland is a lot better than Morgantown and it did not cost the taxpayers about \$64.3 million.

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

Mr. EDWARDS of Alabama. I yield to the gentleman from West Virginia (Mr. STAGGERS).

Mr. STAGGERS. Mr. Chairman, has the gentleman been to Morgantown, W. Va.?

Mr. CONTE. They have shown the committee movies; they have had drawings.

Mr. STAGGERS. The gentleman has not been there, he does not know what he is talking about. It is one of the most modern transportation systems in America. It is something the gentleman would be proud of as a man from Massachusetts. It is one of the most modern types of transportation in the Nation.

Mr. EDWARDS of Alabama. Mr. Chairman, surely all of us hope that some day we will be proud of what we have in Morgantown. We should be, because we put a lot of money into it.

My point is that until we see the value of that tremendous number of dollars we have spent, until we know where we have gone, we ought not to get into any similar situations.

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

Mr. Chairman, I would like to associate myself with the gentleman from Colorado and ask the Members to support the amendment.

Texas is a long way from Colorado, but I happen to be personally familiar with personal rapid transit systems and their complexities. I am also personally familiar with the urban crisis.

We vitally need more research money. We need it now because if the crisis is

increasing, as it apparently is going to do, we need to have these systems as nearly developed as possible.

Mr. Chairman, I strongly urge this body to support the amendment.

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

Mr. MILFORD. I am glad to yield to the gentleman from West Virginia.

Mr. STAGGERS. I want to commend the gentleman from Texas and to say to the Members of the House that the slogan which has carried America to the eminent position it is today is to "press on," not to stand fast or go back. Let us press on to complete these projects.

I thank the gentleman for yielding.

The CHAIRMAN. The Chair will put the question first on the perfecting amendment to the paragraph offered by the gentleman from Colorado (Mr. BROZMAN) and will then put the question on the amendment to strike the paragraph offered by the gentleman from Iowa (Mr. Gross).

The question is on the amendment offered by the gentleman from Colorado (Mr. BROZMAN).

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 137, noes 277, not voting 19, as follows:

[Roll No. 248]

AYES—137

Abzug	Eckhardt	Moss
Adams	Edwards, Calif.	Murphy, N.Y.
Addabbo	Esch	Myers
Anderson, Calif.	Evans, Colo.	Owens
Anderson, Ill.	Foley	Peyster
Armstrong	Ford,	Pickle
Aspin	William D.	Podell
Badillo	Forsythe	Pritchard
Barrett	Fraser	Quile
Bergland	Frenzel	Quillen
Blaggi	Gaydos	Randall
Bingham	Gibbons	Rangel
Boggs	Gray	Rees
Brademas	Gubser	Reuss
Brasco	Gude	Riegle
Breckinridge	Hanley	Roberts
Brinkley	Hanna	Roe
Broomfield	Hansen, Idaho	Roncaglio, Wyo.
Brotzman	Harrington	Rosenthal
Brown, Calif.	Harvey	Rostenkowski
Brown, Mich.	Hawkins	Roybal
Burke, Calif.	Hechler, W. Va.	Ruppe
Burke, Mass.	Heckler, Mass.	Sarbanes
Burton	Helstoski	Schroeder
Byron	Holtzman	Seiberling
Carey, N.Y.	Howard	Sisk
Chisholm	Johnson, Colo.	Staggers
Clancy	Karth	Stark
Clark	Kastenmeier	Steele
Clay	Kemp	Steelman
Cohen	Koch	Steiger, Wis.
Collins, Tex.	Kuykendall	Stokes
Conyers	Kyros	Studds
Corman	Lujan	Sullivan
Coughlin	McCloskey	Symington
Cronin	McCollister	Teague, Tex.
Culver	Macdonald	Thone
Delaney	Madden	Van Deerlin
Dellenback	Matsunaga	Waldie
Dellums	Meeds	Wampler
Denholm	Meicher	White
Derwinski	Metcalfe	Wilson, Bob
Diggs	Mezvinsky	Wolf
Dingell	Milford	Young, Alaska
Drinan	Mink	Young, Ga.
Duncan	Moakley	
	Mollohan	

NOES—277

Abdnor	Andrews, N. Dak.	Archer
Alexander	Annunzio	Arends
Andrews, N.C.		Ashley

Bafalis	Hamilton	Powell, Ohio
Baker	Hammer-schmidt	Preyer
Beard	Hanrahan	Price, Ill.
Bell	Hansen, Wash.	Price, Tex.
Bennett	Harsha	Railsback
Bevill	Hastings	Regula
Blester	Hays	Rhodes
Blackburn	Heinz	Rinaldo
Blatnik	Henderson	Robinson, Va.
Boland	Hicks	Robison, N.Y.
Bolling	Hillis	Rodino
Bowen	Hinshaw	Rogers
Bray	Hogan	Roncaglio, N.Y.
Brooks	Hollifield	Rooney, Pa.
Brown, Ohio	Holt	Rose
Broyhill, N.C.	Horton	Roush
Bryhill, Va.	Hosmer	Roussetot
Buchanan	Huber	Roy
Burgener	Hudnut	Runnels
Burke, Fla.	Hungate	Ruth
Burleson, Tex.	Hunt	Ryan
Burlison, Mo.	Hutchinson	St Germain
Butler	Ichord	Sandman
Camp	Jarman	Sarasin
Carmey, Ohio	Johnson, Calif.	Satterfield
Carter	Johnson, Pa.	Saylor
Casey, Tex.	Jones, Ala.	Scherle
Cederberg	Jones, N.C.	Schneebeli
Chamberlain	Jones, Okla.	Sebellus
Chappell	Jones, Tenn.	Shiplely
Chausen,	Jordan	Shoup
Don H.	Keating	Shriver
Clawson, Del.	Ketchum	Shuster
Cleveland	Kluczynski	Sikes
Cochran	Latta	Skubitiz
Collier	Leggett	Slack
Collins, Ill.	Lehman	Smith, Iowa
Conable	Lent	Smith, N.Y.
Conlan	Litton	Snyder
Conte	Long, La.	Spence
Cotter	Long, Md.	Stanton,
Crane	Lott	J. William
Daniel, Dan	McClary	Stanton,
Daniel, Robert	McCormack	James V.
W., Jr.	McDade	Steed
Daniels,	McEwen	Steiger, Ariz.
Dominick V.	McKay	Stephens
Davis, Ga.	McSpadden	Stratton
Davis, S.C.	Madigan	Stubblefield
Davis, Wis.	Mahon	Stuckey
de la Garza	Mailliard	Symms
Dennis	Mallory	Talcott
Dent	Mann	Taylor, Mo.
Devine	Maraziti	Taylor, N.C.
Dickinson	Martin, N.C.	Teague, Calif.
Donohue	Mathias, Calif.	Thomson, Wis.
Dorn	Mathis, Ga.	Thornton
Downing	Mayne	Tiernan
Dulski	Mazzoli	Towell, Nev.
du Pont	Miller	Treen
Edwards, Ala.	Mills, Ark.	Ullman
Eilberg	Minish	Vander Jagt
Erlenborn	Minshall, Ohio	Vanik
Eshleman	Mitchell, Md.	Veysey
Evins, Tenn.	Mitchell, N.Y.	Vigorito
Fasell	Mizell	Waggonner
Fendley	Montgomery	Walsh
Fish	Moorhead,	Ware
Flood	Calif.	Whalen
Flowers	Moorhead, Pa.	Whitehurst
Flynt	Morgan	Whitten
Ford, Gerald R.	Mosher	Wiggins
Fountain	Murphy, Ill.	Williams
Frelinghuysen	Natcher	Wilson,
Frey	Nedzi	Charles H.,
Froehlich	Nelsen	Calif.
Fulton	Nichols	Wilson,
Fuqua	Nix	Charles, Tex.
Gettys	Obey	
Gialmo	O'Brien	
Gilman	O'Hara	
Ginn	O'Neill	
Goldwater	Parris	
Goodling	Patten	
Grasso	Pepper	
Green, Oreg.	Perkins	
Green, Pa.	Pettis	
Griffiths	Pike	
Gross	Poage	
Grover		
Gunter		
Guyser		
Haley		

NOT VOTING—19

Ashbrook	King	Reid
Breaux	Landgrebe	Rooney, N.Y.
Danielson	Landrum	Thompson, N.J.
Fisher	McKinney	Udall
Gonzalez	Passman	Widnall
Hébert	Patman	
Kazen	Rarick	

So the amendment was rejected. The result of the vote was announced as above recorded.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa (Mr. Gross).

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 17, noes 392, not voting 24, as follows:

[Roll No. 249]

AYES—17

Blackburn	Gross	Roussetot
Camp	Huber	Satterfield
Clancy	Hutchinson	Saylor
Dennis	Martin, Nebr.	Scherle
Flynt	Mathis, Ga.	Taylor, Mo.
Goodling	Powell, Ohio	

NOES—392

Abdnor	Collins, Ill.	Green, Oreg.
Abzug	Collins, Tex.	Green, Pa.
Adams	Conable	Griffiths
Addabbo	Conlan	Grover
Anderson, Calif.	Conte	Gubser
Anderson, Ill.	Conyers	Gude
Armstrong	Corman	Gunter
Aspin	Cotter	Guyser
Badillo	Coughlin	Haley
Bafalis	Crane	Hamilton
Baker	Cronin	Hammer-
Barrett	Culver	schmidt
Beard	Daniel, Dan	Hanley
Bennett	Daniel, Robert	Hanna
Bergland	W., Jr.	Hanrahan
Bevill	Daniels,	Hansen, Idaho
Blaggi	Dominick V.	Hansen, Wash.
Biester	Davis, Ga.	Harrington
Bingham	Davis, S.C.	Harsha
Blatnik	Davis, Wis.	Harvey
Boggs	de la Garza	Hastings
Boland	Delaney	Hawkins
Bolling	Dellenback	Hays
Bowen	Denholm	Hébert
Brademas	Dent	Hechler, W. Va.
Brasco	Derwinski	Heckler, Mass.
Bray	Devine	Heinz
Breckinridge	Dickinson	Helstoski
Brinkley	Diggs	Henderson
Brooks	Donohue	Hicks
Broomfield	Dorn	Hillis
Brotzman	Downing	Hinshaw
Brown, Calif.	Drinan	Hogan
Brown, Mich.	Dulski	Hollifield
Burke, Calif.	Duncan	Holt
Burke, Mass.	du Pont	Holtzman
Burton	Eckhardt	Horton
Byron	Edwards, Ala.	Hosmer
Carey, N.Y.	Edwards, Calif.	Howard
Chisholm	Eilberg	Hudnut
Clancy	Erlenborn	Hungate
Clark	Brown, Calif.	Hunt
Clay	Brown, Mich.	Ichord
Cohen	Brown, Ohio	Jarman
Collins, Tex.	Broyhill, N.C.	Johnson, Calif.
Conyers	Buchanan	Johnson, Colo.
Corman	Burgener	Johnson, Pa.
Coughlin	Burke, Calif.	Jones, Ala.
Cronin	Burke, Fla.	Jones, N.C.
Culver	Burke, Mass.	Jones, Okla.
Delaney	Burleson, Tex.	Jones, Tenn.
Dellenback	Burlison, Mo.	Jordan
Dellums	Burton	Karth
Denholm	Butler	Kastenmeier
Derwinski	Byron	Keating
Diggs	Carey, N.Y.	Kemp
Dingell	Carney, Ohio	Ketchum
Drinan	Carter	Kluczynski
Duncan	Casey, Tex.	Koch
	Cederberg	Kyros
	Chamberlain	Latta
	Chappell	Leggett
	Chisholm	Lehman
	Clark	Lent
	Clausen,	Litton
	Don H.	Long, La.
	Clawson, Del	Long, Md.
	Clay	Lott
	Cleveland	Lujan
	Cochran	McClary
	Cohen	McCloskey
	Collier	McCollister
		Grasso
		Gray

McCormack	Preyer	Steiger, Ariz.
McDade	Price, Ill.	Steiger, Wis.
McEwen	Price, Tex.	Stephens
McFall	Pritchard	Stokes
McKay	Quile	Stratton
McSpadden	Quillen	Stubblefield
Macdonald	Rallsback	Stuckey
Madden	Randall	Studds
Madigan	Rangel	Sullivan
Mahon	Rees	Symington
Mailliard	Regula	Symms
Mallary	Reuss	Talcott
Mann	Rhodes	Taylor, N.C.
Maraziti	Riegle	Teague, Calif.
Martin, N.C.	Rinaldo	Teague, Tex.
Mathias, Calif.	Roberts	Thomson, Wis.
Matsunaga	Robinson, Va.	Thone
Mayne	Robison, N.Y.	Thornton
Mazzoli	Rodino	Tierman
Meeds	Roe	Towell, Nev.
Melcher	Rogers	Treen
Metcalfe	Roncallo, Wyo.	Udall
Mezvinsky	Roncallo, N.Y.	Ullman
Milford	Rooney, Pa.	Van Deerlin
Miller	Rose	Vander Jagt
Mills, Ark.	Rosenthal	Vanik
Minish	Rostenkowski	Veysey
Mink	Roush	Vigorito
Minshall, Ohio	Roy	Waggonner
Mitchell, Md.	Roybal	Waldie
Mitchell, N.Y.	Runnels	Walsh
Mizell	Ruppe	Wampler
Moakley	Ruth	Ware
Mollohan	Ryan	Whalen
Montgomery	St Germain	White
Moorhead, Calif.	Sandman	Whitehurst
Moorhead, Pa.	Sarasin	Whitten
Morgan	Sarbanes	Wiggins
Mosher	Schneebell	Williams
Moss	Schroeder	Wilson, Bob
Murphy, Ill.	Sebelius	Wilson,
Murphy, N.Y.	Seiberling	Charles H.,
Myers	Shipley	Calif.
Natcher	Shoup	Wilson,
Nedzi	Shriver	Charles, Tex.
Nelsen	Shuster	Winn
Nichols	Sikes	Wolf
Nix	Sisk	Wright
Obey	Skubitz	Wyatt
O'Brien	Slack	Wyder
O'Hara	Smith, Iowa	Wyllie
O'Neill	Smith, N.Y.	Wyman
Owens	Snyder	Yates
Parris	Spence	Yatron
Patten	Staggers	Young, Alaska
Perkins	Stanton,	Young, Fla.
Pettis	J. William	Young, Ga.
Peysner	Stanton,	Young, Ill.
Pickle	James V.	Young, S.C.
Pike	Stark	Young, Tex.
Poage	Steed	Zablocki
Podell	Steele	Zion
	Steelman	Zwach

NOT VOTING—24

Arends	Gonzalez	Passman
Ashbrook	Kazen	Patman
Bell	King	Pepper
Breaux	Kuykendall	Rarick
Danielson	Landgrebe	Reid
Dellums	Landrum	Rooney, N.Y.
Dingell	McKinney	Thompson, N.J.
Fisher	Michel	Widnall

So the substitute amendment was rejected.

The result of the vote was announced as above recorded.

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

Mr. DAVIS of South Carolina. Mr. Chairman, will the gentleman yield?

Mr. McFALL. I yield to the gentleman from South Carolina (Mr. DAVIS).

Mr. DAVIS of South Carolina. Mr. Chairman, I would have one question which I would put to the distinguished chairman of the subcommittee. Does the language in section 315 under title 3 also serve as a provision to prevent the Coast Guard from ever charging any fees for search and rescue operations?

Mr. McFALL. Mr. Chairman, in my opinion, if the gentleman will permit me to answer his question, it does. We feel that any of these fees which the Department of Transportation was going to add on for aviation and other activities

of the Department of Transportation would be affected by section 315. This, in my opinion, would include any increase in fees for the search and rescue operations of the Coast Guard.

Mr. DAVIS of South Carolina. Mr. Chairman, I thank the distinguished gentleman from California.

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

Mr. McFALL. I yield to the gentleman from New York (Mr. CAREY).

Mr. CAREY of New York. Mr. Chairman, I should like to comment on H.R. 8760, Department of Transportation and related agencies appropriations for fiscal year 1974. Specifically, I should like to address my remarks to that part of the bill providing funds for the Urban Mass Transit Administration and the programs that agency is and should be funding.

While I commend my colleagues on the Appropriations Committee for their providing practically the fully authorized amounts for mass transit, the funding provided in the past, and projected obligational authority, do not yet measure up to the real mass transit needs of the Nation.

The bill provides for total 1974 commitments not to exceed \$980 million. While these funds for urban mass transit fall only \$20 million short of the budget request, they remain clearly inadequate in light of several seemingly uncontrollable factors.

Our cities are being strangled by massive traffic jams, while being choked with polluted air emitted by vehicles and other sources of pollution. Traffic, during peak periods, moved faster in downtown New York City in the horse and buggy era of the Gay Nineties than it does today.

Automobiles snarled in traffic account for as much as 80 percent of downtown air pollution. Stricter clean air laws and regulations are rightfully calling for reductions in private vehicle traffic. Nationally, the Environmental Protection Agency has approved only five air-pollution plans, including the plan submitted by the city of New York. But the implementation of these plans, particularly in megalopolitan areas such as New York, cannot succeed unless and until the Federal Government is willing to commit itself more fully to the only viable alternative to private vehicle usage—namely, urban mass transit. We just cannot expect people to abandon their love affair with the automobile unless we provide an attractive, economical and efficient mass transit substitute.

While we are beginning to realize the absolute necessity of mass transit based on environmental and energy consumption grounds, the recent history of mass transit in this country is shocking. Last year, mass transit systems lost \$400 million. In the past two decades, 230 systems have collapsed and passenger numbers have dropped 60 percent. Equipment and service are continuing to deteriorate in the face of continuing and growing operating deficits. Even with proposed operating subsidies contained in pending legislation, it is estimated the aggregate deficit for mass transit systems will

reach \$1 billion by 1978. Clearly, the present sorry state of mass transit, nationally, does not begin to reflect what we know will be the growing transportation needs of the Nation—particularly in areas that are densely populated.

It is increasingly obvious that automobiles do not hold the solution to our future transportation crisis. The companion crisis of energy, compounded by environmental problems, makes a searching reexamination of our transportation priorities absolutely essential. The automobile, while presently comparatively convenient, is one of the most inefficient users of energy we possess.

Automobiles effectively use only 5 percent of the potential energy they burn; leaving the remaining 95 percent as polluting after-products and waste. Furthermore, per passenger, an automobile consumes five times as much fuel as a train and six times as much as a bus. The Nation, during a time in which it can least afford it, is confronted with an enormous energy bill being submitted by the automobile. It may be said, with some justice, that we may be seeing the appetite of the automobile dictating our foreign policy in the Middle East as well as provide us with a balance of payments headache for the rest of this century.

Over the 10-year period of the decade of the 1960's, gasoline consumption grew by 60 percent. A continued growth of 6 to 7 percentage points each year is expected for the rest of the 1970's. With this rate of growth persisting, we could burn up, in 7 years, the entire proven Alaskan oil reserves.

Clearly, the energy crisis and the environmental imperative, demand more efficient means of transporting the residents and workers of our great urban centers. We cannot permit residents of cities, such as New York, which already has the Nation's largest mass transit system, to suffer the increasingly adverse effects of over-reliance and over-use of the automobile. Failure to provide sufficient governmental leadership and assistance to improve and expand our Nation's mass transit systems will prove a classic example of false economy—we will pay, and pay, and pay again if immediate and adequate action is not taken very soon.

Federal assistance for mass transit is both urgently and increasingly demanded. It has been proposed, and the Senate version of the pending highway bill includes this proposal, that the highway trust fund could be used in an initially small way, to help finance mass transit. I applaud such an optional usage of trust funds and would hope that the amounts derived from this source will help prove that, unless something is done to thin somewhat the vehicular horde, the vehicles that are needed and that do serve adequately and efficiently will be unable to function as they should.

Highways, particularly in high-density urban areas, have just about reached their limits of function and political acceptability. Diversion of some trust funds, particularly for such areas, would seem to be both practically and politically preferable to continued massive investment in freeways, cloverleaves and the

other peripheral requirements necessary to a truly efficient expressway complex and system. Such a diversion might also provide a signal that it is time to cease adding a new 5 million vehicles to those already on our highways.

Mr. Chairman, there has been some discussion quite recently, even in the highway bill conference, of a proposal allowing the States to retain 20 percent of the highway user taxes collected in the State. This is an interesting idea and I would agree with its wisdom provided there were assurances that an appropriate percentage of the funds retained were earmarked specifically for mass transit. It is my understanding, transportation officials in New York City, also would approve of such a proposal, again provided it included the mass transit earmarking.

Legislation is also pending which would provide \$800 million in operating subsidies over the next 2 years. As I mentioned earlier in my remarks, such subsidies are urgently needed to stave off further deterioration of our mass transit systems nationwide. I think it very shortsighted of the President, were he to veto such legislation if it is presented to him for signature.

Subsidy legislation is needed right now, but it would be preferable for the formula of distribution to focus more on actual passenger-usage and less on area population. It may be true that a certain metropolitan area has several millions in population. However, if such an area does not utilize mass transit systems, it would seem inequitable to reward them for having millions that do not use mass transit. Increased subsidies to areas that have heavily used systems would seem to make more sense.

Mr. Chairman, subsidies are clearly needed. Revenues from the fare box just cannot support an adequate mass transit system and New York City is no exception. Two years ago, a fare hike from 35 to 50 cents was averted, when the city agreed to provide \$100 million per year from programs which could be deferred. This is in addition to the \$125 million already being provided in subsidies by the city.

Operating expenses, plus capital costs and debt service, are making an increase from 35 to 60 cents very likely. The city cannot afford much longer to continue subsidies of such a magnitude. If there is no assistance from other sources, then the fare spiral must begin with all the social and economic ill-effects such a spiral carries in its train: decreased ridership, lower-income immobility, deteriorating facilities and service, increased traffic congestion on highways and bridges and other related adverse effects.

Alternatives fund sources, other than Federal assistance, are grim, to say the very least. A regional transportation tax is far from being an equitable proposal. It, first of all, would be highly regressive since it would be a flat levy, and it would be doubly unfair, since it would tax those residents and workers who may not be users of any form of mass transit.

Mr. Chairman, we have discussed what urban mass transit needs right now and compared it with what it is

actually getting. The differential right now is shocking, but a look at projected needs and planned assistance is even more depressing. The Department of Transportation estimates that \$24 to \$34 billion would be necessary to bring mass transit up to the standards required by the end of this decade. The current funding level of approximately \$1 billion a year, is grossly inadequate and additional funding sources are needed now.

Earlier in my remarks, I mentioned some diversions from the highway trust fund. At present, the fund is collecting approximately \$6.2 billion a year. Yet, funding for Federal highway assistance is remaining at approximately \$4 billion a year. While local jurisdictions and States spend approximately \$500 million a year on mass transit, they are spending almost \$10 billion a year on highways. New York mass transit needs are estimated to be \$2.3 billion through fiscal 1977. Even if the proposed additional \$3 billion increase in UMTA funds is forthcoming, New York can expect to receive only \$360 million, at best. This disparity in national funding priorities for transportation cannot continue without causing severe social and economic dislocations. The \$1.5 billion mass transit deficit New York City foresees through 1977 is symptomatic of what will be and is happening throughout the Nation.

Mr. Chairman, mass transit capital improvements in New York City, financed through Federal assistance, include purchase of 752 new subway cars for \$142 million, and contribution of \$55 million toward construction of the new Second Avenue subway in Manhattan. This assistance will, indeed, be of direct benefit to many, many area residents, including those living in the 15th Congressional District in Brooklyn.

But Mr. Chairman, the time has come when the Congress must live up to its responsibilities in the area of urban mass transit. The present course of financial assistance is clearly inadequate. We must do more or suffer the consequences—consequences that border on the unthinkable as we watch the threefold crisis of energy-environment-transportation degrade the quality of life that is the right of every American.

FURTHER LEGISLATIVE PROGRAM

Mr. McFALL. Mr. Chairman, the Speaker has asked me to say that following final passage of this bill, the House will take up the rule on the Legal Services Corporation, and that is all; just the rule.

That will occur as soon as we get through with final passage of this bill.

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

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. MURPHY of New York, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 8760) making appropriations for the Department of

Transportation and related agencies for the fiscal year ending June 30, 1974, and for other purposes, had directed him to report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. McFALL. Mr. Speaker, I move the previous question on the bill and all amendments thereto to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

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

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

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

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

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 414, nays 2, not voting 17, as follows:

[Roll No. 250]

YEAS—414

Abdnor	Cederberg	Flood
Abzug	Chamberlain	Flowers
Adams	Chappell	Flynt
Addabbo	Chisholm	Foley
Alexander	Clancy	Ford, Gerald R.
Anderson,	Clark	Ford,
Calif.	Clausen,	William D.
Anderson, III,	Don H.	Forsythe
Andrews, N.C.	Clawson, Del	Fountain
Andrews,	Clay	Fraser
N. Dak.	Cleveland	Frelinghuysen
Annunzio	Cochran	Frenzel
Archer	Cohen	Frey
Arends	Collier	Froehlich
Armstrong	Collins, III,	Fulton
Ashley	Collins, Tex.	Fuqua
Aspin	Conable	Gaydos
Badillo	Conlan	Gettys
Bafalis	Conte	Gialmo
Baker	Corman	Gibbons
Barrett	Cotter	Gilman
Beard	Coughlin	Ginn
Bell	Crane	Goldwater
Bennett	Cronin	Goodling
Bergland	Culver	Grasso
Bevill	Daniel, Dan	Gray
Blaggi	Daniel, Robert	Green, Oreg.
Biester	W., Jr.	Green, Pa.
Bingham	Daniels,	Griffiths
Blackburn	Donnick V.	Grover
Elatnik	Davis, Ga.	Gubser
Boggs	Davis, S.C.	Gude
Boland	Davis, Wis.	Gunter
Bolling	de la Garza	Guyer
Bowen	Delaney	Haley
Brademas	Dellenback	Hamilton
Brasco	Dellums	Hammer-
Bray	Denholm	schmidt
Breckinridge	Dennis	Hanley
Brinkley	Dent	Hanna
Brooks	Derwinski	Hanrahan
Broomfield	Devine	Hansen, Idaho
Brotzman	Dickinson	Hansen, Wash.
Brown, Calif.	Diggs	Harrington
Brown, Mich.	Donohue	Harsha
Brown, Ohio	Dorn	Harvey
Broyhill, N.C.	Downing	Hastings
Broyhill, Va.	Drinan	Hawkins
Buchanan	Dulski	Hays
Burgener	Duncan	Hébert
Burke, Calif.	du Pont	Hechler, W. Va.
Burke, Fla.	Eckhardt	Heckler, Mass.
Burke, Mass.	Edwards, Ala.	Heinz
Burleson, Tex.	Edwards, Calif.	Helstoski
Burlison, Mo.	Ellberg	Henderson
Burton	Erlenborn	Hicks
Butler	Esch	Hillis
Byron	Eshleman	Hinshaw
Camp	Evans, Colo.	Hogan
Carey, N.Y.	Evins, Tenn.	Holifield
Carney, Ohio	Fascell	Holt
Carter	Findley	Holtzman
Casey, Tex.	Fish	Horton

Hosmer	Morgan	Slack
Howard	Mosher	Smith, Iowa
Huber	Moss	Smith, N.Y.
Hudnut	Murphy, Ill.	Snyder
Hungate	Murphy, N.Y.	Spence
Hunt	Myers	Staggers
Hutchinson	Natcher	Stanton,
Ichord	Nedzi	J. William
Jarman	Nelsen	Stanton,
Johnson, Calif.	Nichols	James V.
Johnson, Colo.	Nix	Stark
Johnson, Pa.	Obey	Steed
Jones, Ala.	O'Brien	Steele
Jones, N.C.	O'Hara	Steelman
Jones, Okla.	O'Neill	Steiger, Ariz.
Jones, Tenn.	Owens	Steiger, Wis.
Jordan	Parris	Stephens
Karth	Patten	Stokes
Kastenmeier	Pepper	Stratton
Keating	Perkins	Stubblefield
Kemp	Pettis	Stuckey
Ketchum	Peyster	Studds
Kluczynski	Pickle	Sullivan
Koch	Pike	Symington
Kuykendall	Poage	Symms
Kyros	Podell	Talcott
Landrum	Powell, Ohio	Taylor, Mo.
Latta	Preyer	Taylor, N.C.
Leggett	Price, Ill.	Teague, Calif.
Lehman	Price, Tex.	Teague, Tex.
Lent	Pritchard	Thomson, Wis.
Litton	Quile	Thone
Long, La.	Quillen	Thornton
Long, Md.	Rallsback	Therman
Lott	Randall	Towell, Nev.
Lujan	Rangel	Treen
McClory	Rees	Udall
McCloskey	Regula	Ullman
McCullister	Reuss	Van Deerin
McCormack	Rhodes	Vander Jagt
McDade	Riegle	Vanik
McEwen	Rinaldo	Veysey
McFall	Roberts	Vigorito
McKay	Robinson, Va.	Waggoner
McSpadden	Robison, N.Y.	Waldie
Macdonald	Rodino	Walsh
Madden	Roe	Wampler
Madigan	Rogers	Ware
Mahon	Roncallo, Wyo.	Whalen
Mailliard	Roncallo, N.Y.	White
Mallory	Rooney, Pa.	Whitehurst
Mann	Rose	Whitten
Maraziti	Rosenthal	Wiggins
Martin, Nebr.	Rostenkowski	Williams
Martin, N.C.	Roush	Wilson, Bob
Mathias, Calif.	Rousselot	Wilson,
Mathis, Ga.	Roy	Charles H.,
Matsunaga	Roybal	Calif.
Mayne	Runnels	Wilson,
Mazzoli	Ruppe	Charles, Tex.
Meeds	Ruth	Winn
Melcher	Ryan	Wolff
Metcalfe	St Germain	Wright
Mezvinisky	Sandman	Wyatt
Michel	Sarasin	Wydler
Milford	Sarbanes	Wylie
Miller	Satterfield	Wyman
Mills, Ark.	Saylor	Yates
Minish	Scherie	Yatron
Mink	Schneebell	Young, Alaska
Minshall, Ohio	Schroeder	Young, Fla.
Mitchell, Md.	Sebelius	Young, Ga.
Mitchell, N.Y.	Seiberling	Young, Ill.
Mizell	Shiplay	Young, S.C.
Moakley	Shoup	Young, Tex.
Mollohan	Shriver	Zablocki
Montgomery	Shuster	Zion
Moorhead,	Sikes	Zwach
Calif.	Sisk	
Moorhead, Pa.	Skubitz	

NAYS—2

Conyers	Gross
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NOT VOTING—17

Ashbrook	Kazen	Rarick
Breaux	King	Reid
Danielson	Landgrebe	Rooney, N.Y.
Dingell	McKinney	Thompson, N.J.
Fisher	Passman	Widnall
Gonzalez	Patman	

So the bill was passed.

The Clerk announced the following pairs:

Mr. Thompson of New Jersey with Mr. Passman.
 Mr. Rooney of New York with Mr. Fisher.
 Mr. Gonzalez with Mr. Landgrebe.
 Mr. Dingell with Mr. McKinney.
 Mr. Reid with Mr. King.

Mr. Rarick with Mr. Ashbrook.
 Mr. Danielson with Mr. Widnall.
 Mr. Breaux with Mr. Kazen.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. McFALL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed, H.R. 8760, making appropriations for the Department of Transportation agencies for the fiscal year ending June 30, 1974, and to include pertinent and extraneous material.

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

There was no objection.

PERSONAL EXPLANATION

Mr. REUSS. Mr. Speaker, in yesterday's RECORD, that for June 19, I am incorrectly recorded as having not been present on rollcall No. 244. In fact, I was present. I voted "aye."

IS FREE EMIGRATION TOO MUCH TO ASK?

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

Mr. BURTON. Mr. Speaker, on Sunday, June 17, 1973, thousands of people joined together on the west plaza of our Capitol to demonstrate their concerns for human freedom.

It was my privilege to be associated with this demonstration in support of the rights of man and to hear the eloquent plea for justice made by Senator HENRY JACKSON of Washington.

I should like to associate myself with his remarks and to share them with my colleagues who were unable to be there.

I am taking the liberty of placing in the RECORD at this time, the full text of Senator JACKSON's remarks:

REMARKS BY SENATOR HENRY JACKSON

I am honored to join with you today in this great and inspiring demonstration in support of the rights of man.

Like the great civil rights gatherings of the past, this assembly is eloquent proof that the spirit of America is still strong, and that the compassion of America is still deep.

I needn't remind you that our inspiration here today is the courage of those Soviet men and women who have been speaking out in their own behalf, who have galvanized men of conscience throughout the world by their refusal to be intimidated by repression.

Freedom imposes great obligations on those fortunate enough to have it.

If we care only for ourselves, what are we?

If we do not speak for freedom, who will?

And if not now, when?

We meet here today, 50 years after Lenin promised the Soviet people bread and freedom. If American farmers provide the bread, is it too much to ask that Soviet leaders provide their own people a measure of freedom?

Is it too much to ask that, if the White House provides guaranteed credits, the Kremlin provide guaranteed free emigration?

Is it too much to ask that, if American industry provides the technology and investments to develop Soviet natural resources, Moscow provide the visas for the saving of human resources?

Today, 30 years after Buchenwald, Auschwitz and the Warsaw Ghetto, is it too much to ask that this time we respond now instead of sending our regrets later?

Today, 25 years after the unanimous passage of the Universal Declaration of Human Rights, is it too much to ask that Moscow implement a fundamental right recognized in that document—the right to leave?

Today, 10 years after Richard Nixon said that we should underwrite deals for communist nations only if they "adopt policies which will allow people to leave if they desire to do so," is it too much to ask that we begin to implement that promise?

Today, in 1973, the Soviets are desperate to increase trade with us. Is it too much to ask that as part of the bargain Moscow civilize its emigration policies? Is it too much to demand an end to the trials, the denials, the arrests and imprisonment, the brutal mistreatment of innocent people?

It is a fact of history that, in their despair, thousands of people who wish only to leave have appealed to us for help. They have placed their hope and their trust in our response. And the American people and the American Congress have accepted that trust.

I am proud to be a son of immigrants.

We Americans are a nation of immigrants. For nearly 200 years, we have stood before the world as the symbol of free men, holding forth the promise of individual liberty.

We will keep that promise.

Now, Mr. Brezhnev has said that some of his best friends are Jewish. Well, I would hope that Mr. Brezhnev would permit his friends—Jewish and Gentile—who are also mine, and who are also yours, to come to the West: we are waiting for Lerner and Levich and Azbel and Slepak and Siroka. We are waiting for Zalmanson and Shkolnik and Grigorenko and Simas Kudirka, who are behind bars only because they sought freedom. We are waiting for our friends.

I'm not against trade with the Soviet Union. On the contrary, long before President Nixon went to Moscow, I cosponsored the East-West Trade Relations Act to promote trade with the Soviet Union and other communist nations. But I believe that such trade should serve larger interests—not just Soviet economic interests.

So when we talk of free trade, let us also talk of free people.

And let us not just talk, let us act.

And that is exactly what 77 Senators and more than 280 Representatives, sponsors of our East-West Trade and Freedom of Emigration amendment, are doing.

The Jackson-Mills-Vanik amendment, to condition trade concessions on free emigration, is not only the best hope for the survival and freedom of the Russian Jews and Gentiles who want to leave—it is an effective way to reconcile human rights with the detente we all desire.

Without an increasing measure of individual liberty in the communist world, there can be no genuine detente; there can be no real progress toward peace. And we will know detente is genuine only when people from the East can freely visit the West, only when ideas can move freely, only when reading the Western press and listening to Western broadcasts no longer lead to prosecution for treason, only when families can be reunited, only when emigration is free—will there be genuine detente.

We must have a genuine detente between peoples, not some cynical formula between governments for capitulation on the requirement for human rights. If a detente is not founded on human rights, it will not only

betray our most solemn promises, it will, in the long run, fail to produce peace.

That is why the Congress is going to pass our amendment.

We are going to add a new law to our statute books, and a new life in a new land for those brave men and women who have stood up for freedom.

At the same time, the Soviets can allow free emigration without changing any of their laws. There is no Soviet statute which prohibits freedom of emigration and, in fact, Moscow is a signatory to international agreements specifying the right to emigrate. The Soviet government can change its administrative policies overnight. And it does so, whenever a policy becomes more trouble than it's worth.

The Soviet government can easily live with the Jackson-Mills-Vanik amendment. Soviet Jewry will find it very difficult to live without it.

The greatest mistake of the Western world was the failure of Britain and France and America to heed the warnings of Winston Churchill and stand, firm and early, for the defense of individual liberty. We must never, never again be indifferent while innocent human beings are denied basic human rights.

In 1949, President Harry S. Truman, freedom's great captain, stood here at the Capitol and said these words: "Events have brought our American democracy to new influence and new responsibilities. They will test our courage, our devotion to duty, and our concept of liberty. Steadfast in our faith in the Almighty, we will advance toward a world where man's freedom is secure. To that end we will devote our strength, our resources, and our firmness of resolve."

Today, America's influence and responsibilities remain great; our courage and concept of liberty are again tested. As we join here today, let us rededicate our strength, our resources, and, above all, our firmness of resolve so that we may indeed advance "toward a world where man's freedom is secure."

PROVIDING FOR CONSIDERATION OF H.R. 7824, LEGAL SERVICES CORPORATION ACT

Mr. MURPHY of Illinois. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 435 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 435

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 7824) to establish a Legal Services Corporation, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Education and Labor, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider the amendment in the nature of a substitute recommended by the Committee on Education and Labor now printed in the bill as an original bill for the purpose of amendment under the five-minute rule, and all points of order against section 12 of said substitute for failure to comply with the provisions of clause 4, rule XXI are hereby waived. At the conclusion of such consideration, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House

on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

Mr. MURPHY of Illinois. Mr. Speaker, I yield 30 minutes to the distinguished gentleman from Ohio (Mr. Latta) pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 435 provides for an open rule with 2 hours of general debate on H.R. 7824, a bill to establish a Legal Services Corporation.

The rule provides that it shall be in order to consider the committee amendment in the nature of a substitute now printed in the bill as an original bill. The provisions of clause 4, rule XXI of the Rules of the House—prohibiting appropriation language in a legislative bill—are waived with respect to section 12 of the substitute.

The bill provides that the Corporation shall have a Board of Directors of 11 voting members appointed by the President with the advice and consent of the Senate. All meetings of the Board shall be open to the public.

H.R. 7824 also provides that legal assistance may be given only in noncriminal matters, and only to persons unable to afford legal assistance. Eligibility for assistance will be determined by the client's income and assets, cost of living in the locality and other specific factors which affect the client's ability to pay for legal assistance.

The cost of the bill will be approximately \$71,500,000 for fiscal year 1974, which is a reduction of \$2,300,000 from the amount spent in fiscal year 1973 by the legal services program.

Mr. Speaker, this need for independence for our legal services program has been supported by every interested party, group, and organization concerned with our system of justice. I urge adoption of House Resolution 435 in order that we may discuss and debate H.R. 7824.

Mr. Speaker, I yield to the gentleman from Ohio (Mr. Latta).

Mr. Latta. Mr. Speaker, today we are considering House Resolution 435 which provides for the consideration of H.R. 7824, the Legal Services Corporation Act. This is an open rule with 2 hours of general debate. In addition, the rule contains two other provisions. One makes the committee substitute in order as an original bill for the purpose of amendment, and the other waives all points of order against section 12 of the substitute for failure to comply with the provisions of clause 4, rule XXI, dealing with appropriations in a legislative bill.

The primary purpose of H.R. 7824 is to establish an independent Legal Services Corporation for the purpose of providing assistance in noncriminal matters to persons unable to afford legal help. This new nonprofit corporation is to replace the present legal services program.

The corporation is to have a board of directors of 11 members appointed by the President, no more than six of whom are to be members of the same political

party. Within 6 months after the appointment of the board, the board is to request the Governor of each State to appoint a nine member advisory council for his State. These councils are to notify the Corporation of any apparent violations of this legislation.

The board of directors is to appoint the president of the corporation who must be an attorney. The corporation is empowered to make grants to and contracts with individuals, organizations, and State and local governments for the purpose of providing legal assistance to eligible clients. No attorney is to receive any compensation for the provision of legal service under this act, unless he is authorized to practice in the State where such assistance is initiated.

The bill provides that employees of the Corporation and its recipients, while engaged in legal services activities, must refrain from participating in any riots, pickets, strikes, or any other illegal activities. However, this prohibition is not supposed to interfere with their providing legal assistance to eligible clients who do engage in such activities.

The Corporation is not to undertake to influence the passage of any legislation by the Congress or by local legislative bodies except that personnel of the Corporation may testify when requested to do so by such a legislative body, a committee, or a member thereof.

Eligibility for assistance is to be determined on the basis of the following factors: First, assets and income level of the client; second, debts, medical expenses and other factors which affect the client's ability to pay; third, size of the client's family; fourth, cost of living in the locality, and fifth, other factors which relate to financial ability to afford legal assistance.

The cost of this bill is estimated to be \$71,500,000 for fiscal year 1974, \$80,000,000 for fiscal year 1975, \$85,000,000 for fiscal year 1976, \$90,000,000 for fiscal year 1977, and \$95,000,000 for fiscal year 1978.

Mr. Speaker, I urge the adoption of House Resolution 435.

Mr. MURPHY of Illinois. Mr. Speaker, I have no further requests for time.

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

Mr. MURPHY of Illinois. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered. The SPEAKER pro tempore (Mr. O'NEILL). The question is on the resolution.

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

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

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 358, nays 34, not voting 41, as follows:

[Roll No. 251]

YEAS—358

Abdnor
Abzug
Adams
Addabbo
Alexander
Anderson,
Calif.
Anderson, Ill.
Andrews, N.C.
Andrews,
N. Dak.
Annunzio
Archer
Armstrong
Ashley
Aspin
Bafalis
Barrett
Bell
Bennett
Bergland
Bevill
Biaggi
Biestler
Blatnik
Boggs
Bolling
Bowen
Brademas
Brasco
Bray
Breckinridge
Brinkley
Brooks
Broomfield
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Buchanan
Burgener
Burke, Calif.
Burke, Fla.
Burke, Mass.
Burlison, Tex.
Burlison, Mo.
Burton
Butler
Byron
Camp
Carey, N.Y.
Carney, Ohio
Carter
Casey, Tex.
Cederberg
Chamberlain
Chappell
Chisholm
Clancy
Clark
Clausen,
Don H.
Clawson, Del
Clay
Cleveland
Cochran
Cohen
Collier
Collins, Ill.
Conable
Conlan
Conte
Conyers
Corman
Cotter
Coughlin
Cronin
Culver
Daniel, Dan
Daniel, Robert
W., Jr.
Daniels,
Dominick V.
Davis, Ga.
Davis, S.C.
de la Garza
Delaney
Dellenback
Dellums
Denholm
Dennis
Devine
Donohue
Dorn
Downing
Drinan
Dulski
du Pont
Eckhardt
Edwards, Ala.

Edwards, Calif.
Ellberg
Erlenborn
Esch
Eshleman
Evans, Colo.
Fascell
Flood
Flowers
Foley
Ford, Gerald R.
Ford,
William D.
Forsythe
Fountain
Fraser
Frelinghuysen
Frenzel
Frey
Fulton
Fuqua
Gardner
Gatto
Gibson
Gillman
Ginn
Goldwater
Goodling
Grasso
Gray
Green, Oreg.
Green, Pa.
Griffiths
Grover
Gubser
Gude
Gunter
Guyer
Haley
Hamilton
Hanley
Hanrahan
Hansen, Idaho
Harrington
Harsha
Hastings
Hawkins
Hechler, W. Va.
Heckler, Mass.
Heinz
Helstoski
Henderson
Hicks
Hillis
Hinshaw
Hogan
Holifield
Holt
Holtzman
Horton
Hosmer
Howard
Huber
Hudnut
Hungate
Hunt
Ichord
Jarman
Johnson, Calif.
Johnson, Colo.
Johnson, Pa.
Jones, Ala.
Jones, N.C.
Jones, Okla.
Jones, Tenn.
Jordan
Karth
Kastenmeier
Keating
Kemp
Koch
Kyros
Latta
Leggett
Lehman
Lent
Litton
Long, La.
Lujan
McClary
McCloskey
McCollister
McCormack
McDade
McEwen
McFall
McKay
McSpadden
Macdonald
Madden

Madigan
Mahon
Mailliard
Mallary
Mann
Maraziti
Martin, Nebr.
Martin, N.C.
Mathias, Calif.
Matsumaga
Mayne
Mazzoli
Meeds
Melcher
Metcalf
Mezvinsky
Michel
Milford
Miller
Minish
Mink
Minshall, Ohio
Mitchell, Md.
Mitchell, N.Y.
Moakley
Mollohan
Moorhead,
Calif.
Moorhead, Pa.
Morgan
Mosher
Moss
Murphy, Ill.
Murphy, N.Y.
Myers
Natcher
Nedzi
Nelsen
Nichols
Nix
Obey
O'Brien
O'Hara
O'Neill
Owens
Parris
Patten
Perkins
Pettis
Peyster
Pickle
Pike
Poage
Podell
Preyer
Price, Ill.
Price, Tex.
Pritchard
Quie
Rallsback
Randall
Rangel
Rees
Regula
Reuss
Rhodes
Riegle
Rinaldo
Robison, N.Y.
Rodino
Roe
Rogers
Roncallo, Wyo.
Roncallo, N.Y.
Rooney, Pa.
Rose
Rosenthal
Rostenkowski
Roush
Rousselot
Roy
Roybal
Runnels
Ruppe
Ryan
St Germain
Sandman
Sarasin
Sarbanes
Satterfield
Saylor
Schroeder
Sebelius
Seiberling
Shipley
Shoup
Shriver
Sikes
Skubitz
Slack
Smith, Iowa

Smith, N.Y.
Staggers
Stanton,
J. William
Stark
Steed
Steele
Steelman
Steiger, Ariz.
Steiger, Wis.
Stephens
Stokes
Stratton
Stubblefield
Stuckey
Studds
Sullivan
Symington
Symms
Talcott
Taylor, N.C.
Teague, Calif.

Teague, Tex.
Thomson, Wis.
Thone
Thornton
Towell, Nev.
Udall
Ullman
Van Deerlin
Vander Jagt
Vanik
Veysey
Vigorito
Waggonner
Waldie
Walsh
Wampler
Ware
Whalen
White
Whitehurst
Wiggins
Williams

Wilson, Bob
Wilson,
Charles H.,
Calif.
Wilson,
Charles, Tex.
Winn
Wolf
Wright
Wyatt
Wyder
Wylie
Wyman
Yates
Yatron
Young, Alaska
Young, Ga.
Young, Ill.
Young, Tex.
Zablocki
Zion
Zwach

NAYS—34

Baker
Blackburn
Broyhill, Va.
Collins, Tex.
Crane
Davis, Wis.
Derwinski
Dickinson
Duncan
Flynt
Froehlich
Gross

Hammer-
schmidt
Hays
Hébert
Hutchinson
Ketchum
Lott
Mathis, Ga.
Mizell
Montgomery
Powell, Ohio
Quillen

Roberts
Robinson, Va.
Ruth
Scherle
Shuster
Snyder
Spence
Taylor, Mo.
Treen
Young, Fla.
Young, S.C.

NOT VOTING—41

Arends
Ashbrook
Badillo
Beard
Bingham
Boland
Breaux
Brown, Calif.
Danielson
Diggs
Dingell
Evins, Tenn.
Findley
Fish

Fisher
Gonzalez
Hanna
Hansen, Wash.
Harvey
Kazen
King
Kluczynski
Kuykendall
Landgrebe
Landrum
Long, Md.
McKinney
Mills, Ark.

Passman
Patman
Pepper
Rarick
Reid
Rooney, N.Y.
Schneebeli
Sisk
Stanton,
James V.
Thompson, N.J.
Tiernan
Whitten
Widnall

So the resolution was agreed to.
The Clerk announced the following pairs:

Mr. Thompson of New Jersey with Mr. Arends.
Mr. Rooney of New York with Mr. Brown of California.
Mr. Breaux with Mr. Fisher.
Mr. James V. Stanton with Mr. Bingham.
Mr. Kluczynski with Mr. Findley.
Mr. Evins of Tennessee with Mr. Fish.
Mr. Danielson with Mr. Kazen.
Mrs. Hansen of Washington with Mr. King.
Mr. Passman with Mr. Schneebeli.
Mr. Rarick with Mr. Landgrebe.
Mr. Sisk with Mr. McKinney.
Mr. Tiernan with Mr. Beard.
Mr. Diggs with Mr. Badillo.
Mr. Hanna with Mr. Widnall.
Mr. Gonzalez with Mr. Harvey.
Mr. Landrum with Mr. Ashbrook.
Mr. Long of Maryland with Mr. Kuykendall.
Mr. Pepper with Mr. Mills of Arkansas.
Mr. Dingell with Mr. Whitten.
Mr. Reid with Mr. Boland.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

CAROLYN KING AND LITTLE LEAGUE BASEBALL

(Mrs. GRIFFITHS asked and was given permission to address the House for 1 minute, to revise and extend her remarks and include extraneous matter.)

Mrs. GRIFFITHS. Mr. Speaker, a little girl in Ypsilanti, Mich., has challenged the wisdom of Congress. I call attention to this girl because I feel that

too many of my colleagues will consider her challenge as an idle threat to this peerless body. I am taking this opportunity to assure my colleagues that neither this girl nor her challenge is idle. Once she laid down this challenge, boys from her hometown came to the defense of Congress. She and the Mayor of Ypsilanti beat them into submission.

The little girl in question is 12-year-old Carolyn King. She is a Little League baseball player, although not in the eyes of Little League headquarters in Williamsport, Pa. When she won a position on one of Ypsilanti's Little League teams, the order came from Williamsport that if she were not removed from the team's roster, the League would withdraw Ypsilanti's charter. There was hesitation at first—on the part of the local Little League representatives, the town's elected officials, and even on Carolyn's part. She did not want to cause any trouble. She just wanted to play baseball. The mayor of Ypsilanti, George Goodman, acted first. Mayor Goodman simply informed the men in Williamsport that if Carolyn were not allowed to play Little League baseball, the Little League would not be allowed to use any of the city's baseball fields. Carolyn is now playing baseball, but Ypsilanti's charter has been withdrawn.

The simple fact, however, is that in acting to prevent Carolyn from playing baseball, the Little League people in Williamsport, formally known as Little League Baseball, Inc., were entirely within the bounds of congressionally approved legislation. Little League Baseball, Inc., in fact, was created by an act of Congress. (Public Law 88-378.) In enacting this legislation, Congress declared that one of the purposes of the corporation would be "to promote, develop, supervise, and voluntarily assist in all lawful ways the interest of boys who will participate in Little League baseball." The language of this legislation thus precludes the participation of girls in Little League baseball despite the fact that the local leagues usually play on city-owned fields and often receive funds from the municipalities in which they are located. Some of these funds come from the revenue-sharing program enacted by the 92d Congress. In effect, Congress has approved the use of Federal moneys to fund an organization which, by the very language of the charter under which it operates, is discriminatory.

To correct this discriminatory situation, there are very few alternative courses of action available to Congress. We could repeal the act that incorporated Little League baseball. We could even enact legislation that would terminate Little League baseball's tax exempt status. Neither of these alternatives is desirable in this case, however, and I would not support proposals of this type.

The only real alternative open to Congress in this case is to amend the act that incorporated Little League Baseball to place girls on an equal footing with boys under the Little League's Federal charter, and, today, I am introducing legislation that will accomplish this end. There are no hidden results in-

tended in my proposal. Girls would not be required to use the same locker room as the boys, and if a girl was removed from a game because she was pitching badly she would not be sent to the men's showers.

There would be no quota systems involved, and Little League teams would not be required to submit their rosters to HEW each spring for review. And, a girl that could not field ground balls or hit fastballs would not be granted any more advantage in "getting on the team" than a boy with similar deficiencies. Let me assure you that if Billy Martin of the Detroit Tigers or Leo Durocher of the Houston Astros had a chance to sign a woman who hit home runs like Hank Aaron, fielded like Al Kaline, or pitched like Wilbur Wood, they would do their best to get that woman's name on a contract.

We in Congress cannot allow Carolyn King's challenge to go without a response, and the enactment of my proposal is the best way to meet that challenge.

Mr. Speaker, I enclose a newspaper article concerning Carolyn King from the Detroit Free Press of Wednesday, June 20, 1973.

The material referred to follows:

CAROLYN KING BARRED
(By Louis Heldman)

Carolyn King, a 12-year-old centerfielder who was barred temporarily from playing for an Ypsilanti Little League baseball team, filed suit Tuesday against the national Little League officer over its "no girls" rule.

She was joined in the suit in federal court in Detroit by the Ypsilanti American Little League and the city of Ypsilanti.

The Ypsilanti City Council last month ordered the local league to let Carolyn take her place in centerfield for her team, the Orioles, or lose the use of city ball diamonds, staff and financial aid.

The local league, which has 220 boys participating, agreed to let Carolyn play. However, the national Little League then lifted the Ypsilanti charter and threatened to seize its bank account, cancel team insurance and prevent Ypsilanti players from participating in tournaments and all-star games.

The same action was threatened against other local Little Leagues whose teams played Ypsilanti teams.

The suit says that Carolyn, a strong-throwing right-hander won her starting job fairly on the basis of her ability over 100 competing boy players.

The suit, assigned to Judge Ralph M. Freeman asks:

The 34-year-old Little League rule against girl players be declared unconstitutional.

An injunction be issued preventing the national Little League from prohibiting Carolyn's participation and preventing the national office from revoking the local league's charter rights.

A temporary restraining order be issued to allow Ypsilanti players to participate in post-season tournaments and all-star games.

Freeman set a hearing for June 28 on the request for a restraining order.

AID TO EDUCATION

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

Mr. PERKINS. Mr. Speaker, I have learned from a questionnaire which I sent 3 weeks ago to the 18,000 school

districts in the country that approximately 50,000 teachers have already been notified that their contracts will not be renewed in September because of the uncertainty about continued Federal aid to education. Another 130,000 teachers, teacher aids, and other personnel are also in jeopardy of losing their jobs during this upcoming school year.

This means that the education of approximately 8 million schoolchildren would be crippled. Remedial reading programs, library programs, education for the handicapped, job training programs, and hundreds of other programs would be eliminated.

We must have swift and decisive congressional action on the education appropriation bill and on the continuing resolution in order to avert such a disaster.

Within a few days the House will have before it the education appropriation bill for fiscal year 1974. I urge fast action on that bill.

But, we must also move next week on a continuing resolution which requires the administration to fund these programs until the appropriation bill becomes law which may be as late as September or October. Otherwise, the administration has already announced that if it is given the discretion it will cut Federal aid to education by at least one-half billion dollars.

We must also provide in both the regular appropriation bill and in the continuing resolution that no local educational agency will receive less in title I funds than it received during this present school year. If we do not take this action in both the appropriation bill and in the continuing resolution, many States will suffer substantial losses of title I funds. Some States would lose as much as one-half of their present allocations. Other States would lose one-third or one-fourth of their funds. And the most severely affected States are the poorest States in the country and therefore the least able to suffer these losses.

PUBLIC HEARINGS NEEDED TO PROTECT McHENRY COUNTY RESIDENTS

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

Mr. McCLORY. Mr. Speaker, in the course of developing methods for reducing water pollution and ultimately eliminating all domestic and municipal sewage effluents from our waterways, we must apply new and improved techniques, systems and methods for attaining this goal.

One alternative which was offered by our colleague, Congressman VANDER JAGT, in connection with the enactment of the Water Pollution Control Act of 1972, would encourage a system of waste treatment and management with open-space and recreational considerations.

In addition, the Administrator of EPA is charged with the responsibility to encourage waste treatment facilities which will provide for recycling of potential sewage pollutants, as well as the reclamation of waste water and the ultimate disposal of sludge in a manner which will not result in environmental hazards.

Mr. Speaker, in providing for the recycling of sewage pollutants in the production of agricultural products, extensive studies are underway contemplating the transportation of large quantities of treated sewage effluents, including a potential transfer of such effluents from the sewage treatment plants of the Metropolitan Sanitary District of Greater Chicago to outlying areas including portions of McHenry County in my 13th Congressional District—as well as other portions of McHenry County which lie in the 16th Illinois District represented by my colleague (Mr. JOHN ANDERSON).

Mr. Speaker, there is an understandable resistance to the receipt of effluents from such large sewage treatment plants as those operated by the Metropolitan Sanitary District of Greater Chicago and there is a justifiable fear that delivery of any such effluents would be extremely hazardous to human health and would provide excessive quantities of waste water and involve other potential risks which were not contemplated by the Congress in the enactment of the 1972 amendments.

Mr. Speaker, in order to assure that residents of my Congressional District may have a full and adequate opportunity for a hearing at which their views and objections may be heard, I am offering an amendment to the 1972 act which will require that public hearings shall be held in any affected political subdivision.

Mr. Speaker, in connection with this legislation, I am joined by my colleague from Illinois (Mr. ANDERSON) who represents the 16th District of Illinois which includes the northern part of McHenry County—which is also involved in studies relating to dry land sewage treatment, including the delivery of treated sewage effluents from the Metropolitan Sanitary District of Greater Chicago to portions of McHenry County which he represents in the Congress.

Mr. Speaker, on behalf of my colleague from Illinois (Mr. ANDERSON) and myself it is my hope that early hearings may be provided by the Public Works Committee to the end that this small but critical amendment may be adopted for the protection of McHenry County constituents whose interests are intimately at stake to this proposed alternative plan of disposing of treated sewage effluents.

Mr. Speaker, I am confident that other areas surrounding Cook County, Ill.—as well as other areas in our country which are experiencing similar concerns—would welcome the additional safeguards which would be provided by the measure which Mr. Anderson and I are offering. A copy of this proposed legislation follows these remarks:

H.R. 8847

A bill to amend the Federal Water Pollution Control Act to require public hearings in any political subdivision in which land may be used for treatment works proposed for grant assistance

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph (2) of section 201(g) of the Federal Water Pollution Control Act is amended—

(1) by striking out "and" at the end of subparagraph (A) of such paragraph;

(2) by striking out the period at the end of subparagraph (B) of such paragraph and inserting in lieu thereof "; and"; and

(3) by inserting after subparagraph (B) of such paragraph the following new subparagraph:

"(C) a public hearing has been held in each political subdivision where land is located and which may be used for the works proposed for grant assistance, and a record of such hearing has been submitted to the Administrator."

MAJOR HEALTH PROGRAM

(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 am pleased the President has signed H.R. 7806, extend 12 major health programs.

This will end the uncertainty among cooperators and supporters of these programs. The House vote was all but unanimous—372 to 1 and is indicative to the tremendous need for these programs.

There is widespread concern that Government programs and functioning have been brought to a virtual standstill by Watergate. This legislation will help to get things off dead center.

I am particularly concerned about these health programs because they are vital to Montana. The regional medical program, the community mental health centers and the Hill-Burton programs have provided invaluable assistance to the growth of an effective and efficient health care delivery system in Montana. But the job is far from finished. Additional and sustained Federal support is vital in States like Montana, large in area but rural in population.

Montana is a member of the Mountain States regional medical program which is providing enormous health benefits, direct and indirect, throughout a four-State area. For example, prior to 1967, no intensive coronary care units operated in Idaho, Montana, Nevada, or Wyoming. By 1972 there were 126 units operating, thanks to the regional medical program. These units increase the chances of survival by one-third for heart attack victims. For all residents of these States, this is an overwhelming benefit. The Mountain States program also has programs in kidney disease, stroke, diabetes, emergency services, health needs of the aged and minorities, and programs to enhance cooperative relationships between hospitals, colleges, governments, and so forth, all of which pay particular attention to rural health needs. Over 94,000 patients benefited from RMP in rural Montana in 1971-72 and about 12,000 in urban areas.

Federal funding is also making it possible to establish services essential to the mental health needs of Montana residents and we need to continue this support. Three centers are now operating, but have really just gotten off the ground; two more centers are being planned to serve about 300,000 residents in cities such as Great Falls, Butte, Helena, and Bozeman. Unless Federal support is forthcoming, these centers will

more probably remain no more than paper plans.

The three operating community mental health centers have been provided with adequate State and county support. Without continued Federal funds, the needed services provided in these centers would be seriously curtailed or even eliminated.

Besides this major health programs extension legislation, I hope we can move forward quickly on two other bills passed by the House.

The biomedical research fellowship and training bill, adopted 361 to 5, would continue this fundamental aspect of the Nation's health effort for the last 30 years. This measure is now pending before the Senate and early action is very desirable.

The Emergency Health Service Act is another important bill that would lend vital assistance to emergency services now available in Montana. Hospital emergency rooms would be upgraded and support for training ambulance attendants in emergency care and treatment would be provided. Improved emergency services could save up to 60,000 lives annually in the United States. Many of these lives would be saved in Montana where long distances and small facilities make support for emergency care vitally important. It is my hope that the House-Senate conference on this important measure will reach agreement at an early date.

ANNIVERSARY OF STATEHOOD FOR WEST VIRGINIA

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

Mr. HECHLER of West Virginia. Mr. Speaker, 5 score and 10 years ago today by proclamation of President Abraham Lincoln on June 20, 1863, West Virginia officially became the 35th State in the Union.

Nature has blessed the Mountain State of West Virginia with abundant natural resources and majestic scenic beauty.

West Virginia has a bright and promising future on this her 110th birthday. We have men to match our mountains and women to raise on high the beacon light of leadership. West Virginians are on the move, true to the ideal expressed in our State motto: "Montani Semper Liberi"—Mountaineers Always Free.

Mr. Speaker, not long ago, I addressed an assembly at Bluefield High School. At that time, I was given a copy of a statement of West Virginia's spirit which was ably prepared by the English honors class at Bluefield High School. I indicated to the school assembly that on West Virginia Day, June 20, I would have this statement printed in the RECORD:

WEST VIRGINIA

West Virginia, born in the throes of war, rests among "the endless mountains"—the Appalachians. Nature, in her benevolence, endowed the mountain state with great natural resources and unequalled scenic beauty. Her roots go deep; they draw from the Germans, Scotch, Irish, English, and Dutch—who defied both tyranny and wilderness to

make this land their own. She draws from the people who came later and who were to contribute much to her early history. Nourished by the people's independent spirit and their unwillingness to submit themselves or others to second-class citizenship, she soon reflected the characteristic that would become her motto: "Mountaineers are always free." Years, however, would pass, often hard and bitter ones, before West Virginia would become a state.

Today, her star upon the field of blue is a right and promising one. No longer is she isolated. Modern highways and means of communication are breaking barriers. Visitors marvel at her natural beauty, her industry, her recreational facilities, her schools, and her great potential for development. They are awed by the past—the Mound Builders, Aaron Burr and Blennerhasset, John Brown and Harpers Ferry, old forts, and trails made long ago by Indians and wild animals. The past is omnipresent, even in the speech of her people, for words from Elizabethan England linger.

West Virginia knows her history to be more than the visible signs of her past. Her past is a tapestry woven by time. Bold threads catch and magnify Blackwater Falls, Seneca Rocks, the majestic forests, and the busy Ohio and Kanawha Rivers; interlocking threads weave Logan's lament for his family and Cornstalk's disbelief as he was killed by those whom he would befriend. Other threads pick up the circuit rider, armed only with his Bible, riding dangerous trails to minister to the spiritual needs of his people. These same threads recapture the "burning rocks" of the Indians, later to be termed bituminous coal; the song of men on push boats; the skill of the early glass blowers; and men busy at the salt works—they are all there—the door to the past and prologue to the future.

This is West Virginia, buttressed by a proud heritage and by resources waiting for development. She steps confidently into the future, sure in the fact that her men will match her mountains and that the fierce love of liberty that drove her people into her mountain fastness will again become a beacon, helping to rekindle fundamental American democracy.

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

Mr. HECHLER of West Virginia. I yield to my colleague, the gentleman from West Virginia.

Mr. STAGGERS. Mr. Speaker, I thank my colleague, the gentleman from West Virginia, for yielding.

It is an honor and pleasure to speak in behalf of West Virginia in this salute to my native and great State.

Nature made West Virginia a scene of majesty and grandeur and quiet beauty. The art of man has converted it into the powerhouse of the Nation and at the same time a refuge from the delusions and cares of ultrasophistication.

Within the borders of the State may be found the descendants of the original European stock which settled the country. Generation after generation they clung to the ground which had become home to them. Out of the resources of soil and water and climate and mine and forest they fashioned wealth and pleasant living. These they now lay before an eager and a hungry world, and invite that world to share the good thing they have made.

For years West Virginia lay in the cocoon of isolation, gathering strength for the part it was to play in human progress. Today it is open in all its usefulness and beauty. Modern highways of

surpassing beauty penetrate its valleys and skirt its forest-clad hills. There are numberless towns and villages, each ornamented with industries of unimaginable variety. Here a noble people live and work in content.

Beneath our soil West Virginia has stored unlimited supplies of power. The Nation calls on this power to run its factories, its transportation systems, and all the convenient units of private control so important in modern life.

West Virginia is also the home of social institutions. More than 20 colleges and universities enrich the Nation with scholars, with creative imagination, with artists, with athletes.

West Virginia was born in wartime, and West Virginians are most brave and patriotic.

According to the records, West Virginia has given more men per capita to the fields of battle in defense of our great land, than any other State in our Nation.

In my pride in my native home, I say that West Virginia has everything. Come and see us world, and be prepared to cast your lot with the State destined to shine with ever-brightening luster in the galaxy of States.

Yes, I am proud to be a West Virginian.

AUTHORIZATION OF ATOMIC ENERGY COMMISSION

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

Mr. LUJAN. Mr. Speaker, the current gasoline shortage and the power cutback leaves no doubt that this Nation is facing a serious energy crisis, and as we consider the renewal of authorization for the Atomic Energy Commission we have an opportunity to seriously combat the energy crisis.

The time is long overdue to launch a full-fledge development of new sources of energy. Our scientists of today are not very far from finding the solutions to our energy problems. One thing is sure, however: We were never in a better position to take the bull by the horns and do something more than talk about the problem.

We have the finest, most learned and dedicated scientists time has ever known. We have the most sophisticated technology the world has ever known. We have the most advanced scientific laboratories in the world, such as Los Alamos, Sandia, Livermore, Oak Ridge and Hanford, but we have confined their efforts, for the most part, to atomic research.

In our research and development programs for other energy sources, we are many years behind current needs.

Most private industry is still thinking in terms of fossil fuels for a short range solution. And I can not totally fault that. But we should now be working on new ways to harness power sources other than nuclear, such as geothermal energy, solar power and other natural sources of clean, nonpolluting energy.

Nuclear fuels are relatively plentiful. And when we include the potential of breeder reactors and nuclear fusion, the supply is virtually inexhaustible. While

we must continue the avenues of research, we cannot put all our energy eggs in the nuclear basket. If every reactor now on the drawing boards was now in full production, the total output of nuclear-fueled power would satisfy less than 3 percent of our current national requirements. We must move ahead into new fields of power production.

The dedicated men and women in our scientific community are ready, willing and able to apply their knowledge and efforts to the development of these new power sources.

The Congress must give them the green light and the funds to move ahead now, and we can do this by broadening the authorization of the Atomic Energy Commission to include research and development projects in nonnuclear-related energy fields.

If we act now—if we seize the opportunity thrust onto us by today's fuel shortages—the same scientists who have developed atomic energy for our generation will be able to develop these new energy sources for all future generations.

Mr. Speaker, as we look down the road toward the America of tomorrow, let us visualize a nation where quiet, non-polluting power plants are supplying all of our energy needs with no possibility of shortages or brownouts; an America whose strip-mining scars are healed over and are part of the past. We can make that vision a reality by acting today and free out AEC personnel from the narrow confines of atomic research and direct their efforts toward even greater accomplishments in other fields.

Our opportunity presents itself in the Atomic Energy Commission authorization bill that comes before us.

I urge all of my colleagues to join in giving the Commission and its scientific personnel the tools and the resources they need to translate that opportunity into achievements even greater than those they have given us in the past.

INTERNATIONAL TRADE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. GAYDOS) is recognized for 30 minutes.

Mr. GAYDOS. Mr. Speaker, at a time when our President is meeting with Mr. Brezhnev to discuss among other problems, the future of foreign trade between the United States and Russia, it is essential that the Congress remain alert to present status of our deteriorating foreign trade balance. I am concerned that the ultimate results of the present meeting between Mr. Nixon and Mr. Brezhnev not be repetition of the previous grain deal with Russia—with its resultant paralysis of our transportation system, its excessive ship subsidies paid for by American taxpayers to our merchant fleet carrying part of the grain to Russia which experienced interminable delays from our over-taxed port facilities, and finally the market disruption and increased cost to the American meat producers and consumers of wheat and grain products.

But this is only one small part of the

general trade problem, I would like to point out to my colleagues additional evidence indicating continuing design on our domestic producers involving the humble and innocuous mushroom.

The little mushroom, while not fundamentally as important an international trade product as soybeans, and surely not comparable thereto, has not escaped Communist China's attention and looms large in its admitted plans to join and hopefully dominate the international trade race. Proof lies in the fact that as of this date, after a few years effort, Communist China has already captured one third of the mushroom market of our good neighbor, Canada, and she is still going strong. The question is then properly posed, why only Canada and not the U.S. market? A possible explanation has been put forth in a June 5, 1973, edition of the Christian Science Monitor, which carried an article dealing with potential trade relations between the United States and Communist China. The article goes on to state that China is hungry for U.S. technology and eager to buy American cotton, soybeans, and other grains. But Peking must sell its own products in return, and there the problem starts.

The humble mushroom provides a case in point. American importers at the recent Kwangchow—Canton—Trade Fair found they could buy Chinese mushrooms at a price 30 to 40 percent lower than that offered to Japanese and European buyers.

Price tags on almost every Chinese export—Jade, rugs, bamboo ware, textiles—had soared since last fall's Kwangchow fair, for all buyers, including Americans.

But Americans still could get a bargain on mushrooms. Why?

Says Dr. C. J. Wang, president of the International Corporation of America:

Because the Chinese want to penetrate the American mushroom market and they have to cut their price to do so.

The United States slaps a 45-percent duty on mushrooms from Communist China, which lacks most-favored-nation trading status with the United States. Mushrooms from Taiwan, which does enjoy most-favored-nation status, enter the United States at minimal duty.

Says Dr. Wang:

In the past few years, Peking has captured one-third of the mushroom market in Canada, where high duties are not a problem.

He added:

If the Chinese could get one-third of the U.S. mushroom market, that alone would make \$30 million worth of trade yearly.

It takes a lot of mushrooms, for example, to pay for jet commercial aircraft and a communications-satellite ground station—already bought by Peking—and for the mining equipment, power shovels, and construction cranes that China would like to buy.

It is indeed ironic that Communist China should seek to enter the mushroom market in the United States, where already foreign imports from Taiwan and South Korea have made such inroads as to seriously cripple the domestic mushroom industry in my State. And I might add that the mushroom imports from

Taiwan substantially contributed to that country's favorable balance of trade with the United States in the amount of \$450 million in 1972.

Lest my colleagues view the domestic mushroom industry as so small as to be expendable, I would like to ask them to reflect back to those times when foreign shoes and foreign watches began their early unprecedented invasion of the American market. The pleas of our domestic industries fell on deaf ears, but as we all know the foreign imports "mushroomed" to the extent that the American shoe industry is seriously crippled and the American watch industry is all but destroyed. And, as we all know, a wave of foreign imports has proceeded to destroy our radio and electronic industry. We must not be misled by what appears to be the innocuous attempts of a foreign country to penetrate our economy through markets of a size and type that may not at first blush appear to be a significant part of our economy; that is, the insignificant mushroom.

Spokesmen for these shoe, watch, radio, and electronic industries can vividly relate the mushrooming effect of foreign imports.

Let us not sit idly by while our domestic mushroom industry is mushroomed out of existence.

The textile and apparel industry employs approximately 2.5 million workers, double the number of production workers in the steel and coal industries combined. This is an industry where the average wage is between \$2.50 and \$3.50 an hour. In Japan the wage rate is \$1 per hour, in Hong Kong \$0.50 per hour, in Taiwan \$0.25 per hour, and in Korea \$0.12½ per hour. As a result of the disparity in wage rates imported shirts in 1971 amounted to almost half of American production. The imports in men's and boys' coats and jackets have soared from 3.6 percent in 1967 to 57.4 percent of domestic production in 1971. As a result, jobs in the clothing industry decreased nearly 40,000 between 1966 and 1972.

It is a sad commentary that a nation which has fought so long to eliminate sweatshop wages and child labor at home, now is fostering such unconscionable working conditions in foreign countries. It is certainly hypocritical for the United States to extend foreign aid to these countries, purportedly to help raise the standard of living for its citizens, at the same time we are encouraging the continuation of slave-labor conditions.

A recent survey by the AFL-CIO revealed that since the first of this year five plants in New Jersey have been forced to close as a result of foreign imports. The 4,000 workers who were put out of work are added to the 80,000 other workers in New Jersey who have previously been laid off because of foreign imports. While these numbers themselves are staggering, the situation becomes intolerable when we consider the multiplier effect of such plant closings. When Emerson closed its Jersey City plant and laid off 2,400 workers, Hudson County lost \$33 million in purchasing power. When RCA curtailed its operations in Camden County, because of foreign imports, there

was a net loss of purchasing power of over \$200 million in this area.

With regard to the American steel industry I notice that Mr. Gott, former chairman of United States Steel Corp., recently was quoted as saying:

For all practical purposes, the era of cheap foreign steel is changing.

While I certainly respect Mr. Gott, I do not share his optimism. Presently the worldwide demand for steel may have some dampening effect on our foreign imports of steel, but I fear this is only a temporary situation and that if the major steel producers should increase their prices in the near future, foreign steel imports would again rise to serious proportions. This is not just an idle thought in view of the fact that the major domestic steel producers contend that while domestic production should increase during 1973, profit margins will narrow and thus there will have to be some increase in the price of American steel.

Interestingly enough, the American Iron and Steel Institute in its news release of June 15, 1973, is not so optimistic about the future of foreign steel imports.

The institute states that steel imports from Japan for the first 4 months of 1973 were 14.5 percent more than for the comparable period of 1972; steel imports from the European Economic Community were 13.2 percent more for the same period in 1973 as compared to 1972; and steel imports from all other sources showed an even higher increase; namely, 21.4 percent over the comparable period in 1972.

With respect to tool steel imports the picture is even more gloomy. For the first 4 months of 1973 Sweden enjoyed a 93.5-percent increase in its shipments to the United States, while the overall increase in foreign tool steel imports was 46.6 percent more than for the comparable period in 1972.

The Wall Street Journal, June 20, 1973, reveals the recent new Japanese approach to continued penetration of the American market and I include this article at this point:

THE DIRECT APPROACH: JAPAN, LONG AN EXPORTER OF STEEL TO UNITED STATES, NOW IS BUILDING A MILL IN NEW YORK STATE

(By Michael K. Drapkin)

AUBURN, N.Y.—The Japanese, who for years have shipped steel to this country through Pacific ports, down the Great Lakes, up from Mexico and across the Canadian border, now have found the most direct route yet to U.S. markets: They plan to make the steel here.

Thus, domestic steelmakers, which had begun to breathe a sigh of relief over prospects that surging world demand for the metal and a twice-devalued U.S. dollar would sharply reduce imports later this year, are casting apprehensive glances at this quiet town of 35,000 in upstate New York.

For groundbreaking will begin here next Sunday for the first direct interest in a steel-producing plant in the U.S. by Japanese steel concerns—the most aggressive marketers of steel in the world and long one of the biggest foreign suppliers to the U.S.

Last year, Japan shipped 6.4 million tons of steel to this country, representing more than a third of total U.S. steel imports of 17.7 million tons.

The \$18 million plant, including an electric

furnace, modern continuous-casting machinery and rolling mill, is to be built on a 190-acre site here, about 30 miles west of Syracuse. It will be a "mini-mill," designed to supply about 150,000 tons a year of concrete-reinforcing bars and bars for construction uses.

(By contrast, big integrated steel plants usually can turn out several million tons of a variety of products. Even bar mills operated by the big producers tend to be larger. U.S. Steel Corp., for example, has opened two bar mills at its Lorain, Ohio, complex, with annual capacity of about one million tons.)

LARGEST SINGLE VENTURE

Town officials here tout the plant as the largest single Japanese venture in the U.S. What's more, it may be just the first in a series of such plants. The U.S. head of one Japanese partner in the mill says confidently: "This is just the beginning."

While the Auburn facility is the first Japanese-owned steel-producing plant in the U.S., it is far from the only Japanese investment in this country. Plants that are either wholly or substantially owned by Japanese interests produce, among other goods, aircraft in Texas, lumber in Alaska, yarn in South Carolina and soy sauce in Wisconsin. Among major Japanese concerns, Sony Corp. builds television sets in San Diego, Hitachi Ltd. owns a controlling interest in a magnet plant in Michigan and Mitsui & Co. holds large tracts of land for possible future development in Seattle, in New Jersey and near Orlando, Fla. And there's more to come. For example, a big Japanese zipper company is building a manufacturing plant in Macon, Ga.

Domestic steelmen, of course, aren't so enthusiastic about the plant here. Privately, they say two aspects of the project are especially galling: It is to be financed entirely by industrial revenue bonds, thus eliminating the need for capital investment by the Japanese. And the ease with which the package was put together, from feasibility study to financing, contrasts sharply with the red tape U.S. executives say ensnarls them when they try to invest in Japan.

"Why the hell are we making it so easy for the Japanese? Imports have been eating us alive for years," one steelman snaps. Another says that when his company proposed a \$500,000 investment in Japan, "It took nearly two years to get the required government approval."

The plant here, to be known as Auburn Steel Industries Inc., will technically be owned by the Auburn Industrial Authority, the quasi-government agency that is issuing the bonds. The bonds will be guaranteed by the Japanese companies whose rental payments to the authority will be used to retire the bonds. One of the Japanese firms is Ataka & Co., one of Japan's largest trading companies with a long history as a steel distributor here. The other firm is the steel division of Kyoel Saka Ltd., a big machinery builder.

LOCAL SELF-HELP

Whatever U.S. steelmen think of the plant, the people in Auburn love it. For one thing, unemployment is more than 7% here, and the plant will create at least 200 jobs. For another, local officials claim with undisguised pride that the deal is a classic example of local self-help.

Mayor Paul W. Lattimore, an ebullient second-term Democrat who describes himself as "an insurance man who has spent a lot of time on redevelopment," says he put the package together on his own initiative. He says he began three years ago after reading a newspaper story about another foreign-owned steel plant in the U.S.—the Georgetown, S.C., plant owned by West German interests. "I thought, 'Hell, if they have one, why can't we have one?'" Mayor Lattimore says.

He commissioned a \$35,000 study at Batelle

Memorial Institute and then circulated the results "at foreign embassies in Washington and around generally," he says.

Response came from the Japanese and Italians, the mayor says, and "some faint, indirect inquiries" came from domestic steel-makers. A trip to Japan last year by Mayor Lattimore and others from Auburn resulted in the deal with Ataka and Kyoel.

Why didn't Americans take advantage of the attractive financing available? The mayor says he doesn't know, and steelmakers generally decline to talk about the site. But one says privately that U.S. mills in general "have not seen fit to scatter small plants around the country—it doesn't suit their organization."

The bond package is still in the hands of counsel, but Mayor Lattimore says it will consist of both tax-exempt and fully taxable bonds. There is a \$5 million limit on tax-free revenue bonds for plant and equipment spending, but anything that can be included under the label of "pollution-control equipment" also can be financed on a tax-exempt basis. The rest of the costs will be financed by taxable bonds.

A POSSIBLE PROTOTYPE

If the plant proves successful, it could be the prototype for similar Japanese investment elsewhere. Matsuo Tominaga, head of Ataka America Inc., the U.S. arm of the trading company, says that "there are quite a few suitable locations across this nation" for such plants that interest the Japanese. But he declines to say if more are in the works. It is widely believed by domestic producers, however, that Ataka plans at least two more mini-mills, one in the South and another in the West.

The Auburn plant will produce fairly low-profit items that lose their attractiveness if they have to be hauled long distances. (Under usual steel-industry practice the producer absorbs the freight between his customers and the nearest producing point where a competitor can make the same product.)

But Mr. Tominaga believes the market for his plant to be fully satisfactory and, in fact, holds out the hope that some customer-fabricators will choose to locate on the same or adjacent land. Mayor Lattimore says that "some satellites (customers) already are looking around" at Auburn.

POTENTIAL PROBLEMS

Domestic steel executives, though, see what they believe to be a number of potential problems. They say that because Auburn has little in the way of industries that generate heavy scrap, the availability of sufficient scrap to run its electric furnace might be a problem. They also say that such a furnace will take huge quantities of electric power and that expansion of the plant might prove untenable for that reason. One steelman says, "the market for reinforcing bars in all of New York State is such that to survive, in my opinion, Auburn would have to take fully half of it. I'm not sure, competitors will let that happen." The implication is that price cutting and thus profit pressure on Auburn Steel might result.

There's a union labor question, too. The United Steelworkers union, which organized the West German mini-mill in South Carolina after a bitter fight, surely would move to organize the Auburn facility. "It's certainly within our jurisdiction," a USW spokesman says.

But Mr. Tominaga is sanguine about these potential problems. "We'll have to see what happens," he says, "but we think this will be a very good plant."

Officials of New York State Gas & Electric Corp., which will supply the power, say the furnace and plant addition will be "the equivalent of adding a very small community" to its present load but will still leave it with

spare capacity for future growth both at the plant and elsewhere.

These facts and statistics mean nothing else than further deterioration of the American economy. Lest there be any doubt—look what occurs when American industry, in a desperate attempt to survive in the face of foreign imports, seeks to poach on the depressed wages of our neighbor, Mexico.

One of the most traveled routes for shipping American jobs out of the United States is down through Texas and into Mexico. Some of America's largest corporations have, with the blessing of both the United States and Mexican Governments, followed this route to the detriment of American workers.

Utilizing the so-called "twin plant concept," corporations can get most of the work done on their products under low-foreign-wage conditions, and then bring those products back to this country and send the finished product off to the unwary consumer with a "Made in U.S.A." label in it—and charge the higher American price for it.

How this work is badly revealed in a letter from Recon Real Estate Consultants, Inc., of El Paso, to a large west coast clothing manufacturer:

Many American industries are carefully considering El Paso as a new manufacturing site because of the possibility to eventually expand into Juarez, Mexico, and utilize the very economic and abundant labor force—

The letter says—

The El Paso and Juarez area can offer industry the availability of a large number of quality, trainable low-end labor. In addition, since there is little union activity in their city at this time, the wage scale for semi-skilled and skilled labor is nominal. The average manufacturing wage scale is approximately \$4.32 per day in Juarez. This includes all fringe benefits.

The twin-plant concept as it has developed is a means by which American industry can utilize the most economic resources both of the United States and Mexico. This program is officially sanctioned by both governments and has been instigated for the purpose of developing the border zone into an industrial area beneficial to both countries. This concept allows industry to ship the basic raw materials from the U.S. to their plant in Juarez. There it is worked into a semi-finished product utilizing inexpensive labor for their most costly manufacturing processes and then the semi-finished product is returned to an American plant for finishing. The result is a finished product manufactured at a cost savings as a result of utilizing low-end labor from Juarez.

When we view the other side of the coin, namely, the problem of American exports we find that our products are barred from foreign markets by inequitable levies. The paper industry is a case in point. Currently American paper manufacturers are faced with the situation that whereas the levy on American paper products is pegged at 12 percent by the European Economic Community, levies on competitive products from Sweden, Finland, and Norway will terminate in the near future. While some American paper producers hope for a change in the current levy, St. Regis Paper Co. is forming a joint venture in Sweden with a Swedish company to start up a liner-board factory in late 1975.

While this joint venture may be one way that the St. Regis Paper Co. can penetrate the Common Market, it is certainly an unsatisfactory approach when we realize the lost job opportunities for American workers.

Left to their own devices American companies will be forced in ever-increasing numbers to jump on the multinational bandwagon and expand their operations into foreign countries while at the same time curtailing the employment of American workers.

While obviously the American worker loses, does the worker in the foreign country benefit? A recent edition of the Los Angeles Times reported that with respect to Brazil the foreign workers does not benefit. Fourteen bishops and archbishops along with the heads of the Jesuit and Franciscan orders have prepared a report indicating that while the GNP of Brazil has increased 10 percent per year since 1968, that between 1960 and 1970 the top 1 percent of the population increased its share of national income from 12 to 17 percent. Fifty million Brazilians saw their share of the national income decrease from 17.6 to 13.7 percent. Additionally, the purchasing power of the average worker's income dropped 38.3 percent. Accordingly, the Government of Brazil has found it necessary to institute repressive measures to force the great mass of the people to be happier with less.

Thus we see the twofold bad effect of uncontrolled multinational operations.

In conclusion it is obviously the task of this Congress to take the initiative and enact a foreign trade program to prevent the rush to corporate multinationalism with its attendant disadvantages to both the American worker and the American consumer. In the list of priorities needed to sustain an equitable foreign trade program, the need to face the elimination of discriminatory trade practices against American exports stands high.

Finally, if this country fails to maintain complete and unfettered control of domestic production of all goods, it is destined to relive an early era in this country's history when we were nothing more than a second-rate colony with all production and economic activity exclusively vested in foreign nationals and international interests.

ENVIRONMENTAL POLICY ACT AMENDMENT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Connecticut (Mr. STEELE) is recognized for 10 minutes.

Mr. STEELE. Mr. Speaker, today I am introducing legislation with the gentleman from Michigan (Mr. DINGELL) to amend the National Environmental Policy Act of 1969. Our proposal would amend the current law to clearly provide that economic and social factors be considered along with environmental factors when a Federal environmental impact statement is filed.

The bill is needed to clarify the original intent of Congress. We are sure many of our colleagues would agree that among

other objectives, NEPA was passed to provide citizens or communities the right to use our country's legal system to help preserve the quality of their environment. Not only with respect to environmental considerations, such as proper landscaping or the construction of new sewage systems, but in a broader sense to include economic and social factors affecting their lives.

The 1969 act did not clearly define what factors were to be thought of as "environmental." Thus, the courts interceded and were asked to interpret the meaning of "environmental impact" as contained in NEPA. In certain cases the question of what constitutes environmental considerations was interpreted narrowly to mean only physical, biological, or chemical effects. Other jurisdictions, however, were also conscious of economic, social, and cultural factors in their decisions. It is fortunate that many courts have broadly interpreted the act and expressed the true intent of Congress.

In view of the uncertainty and differing interpretations, we believe it is time for Congress to act once and for all to resolve this question regarding the National Environmental Policy Act.

Our communities have a right to a quality environment and a means of protecting it as Congress originally intended. When an agency in Washington makes a decision to go forward with a new Federal project, the citizens of a community are entitled to know fully how it will affect their schools, sewage systems, hospitals, traffic patterns, and other elements in their human environment. It is essential to retain public participation for the orderly growth and development of communities. But if the Federal Government is allowed to proceed with a project without disclosing all of the potentially disruptive factors, then cities and towns are being denied the traditional right to determine their own futures.

Therefore, it is time for us to fulfill our pledge and take the necessary action to end any misunderstanding. If there was ever any doubt about our intentions when we passed NEPA, then let us clearly restate them now and keep our promise to the public.

HEALTH PROGRAMS EXTENSION ACT OF 1973

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Massachusetts (Mrs. HECKLER) is recognized for 5 minutes.

Mrs. HECKLER of Massachusetts. Mr. Speaker, the President has, this week, signed into law the Health Programs Extension Act of 1973.

I am especially delighted at the enactment of this legislation as it contains a new provision—one designed to protect and guarantee the right of conscience of dedicated men and women of the medical profession.

Title IV(b) of this new law recognizes that the right of conscience in abortion procedures is not only a precious right, it is a legal right. This title provides that an individual, a hospital, or any medical entity may follow the dictates of religious or moral conviction in facing the ques-

tion of performance of abortions or sterilizations without jeopardizing its eligibility for Federal financial assistance. It endorses the right of Americans to say "no" to practices that are morally repulsive.

It is extremely important that in our increasingly open society we respect the right of individuals, and institutions, to openly defend their ethical positions. The Congress—and the President—have recognized the moral objection to the taking of unborn life is worthy of as much respect as moral objection to the taking of life on the battlefields of war.

The bill does not directly affect the issue of abortion; it merely states that Federal funds cannot be used as grounds for compelling those who are opposed to abortion or sterilization procedures to perform what to these individuals and institutions are repugnant acts.

The signing of this legislation marks another victory for individual rights. I hail this new law with pleasure and pride.

WAR POWERS RESOLUTION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. FRELINGHUYSEN), is recognized for 5 minutes.

Mr. FRELINGHUYSEN. Mr. Speaker, it appears that the House on Monday will consider House Joint Resolution 542, the War Powers Resolution of 1973. This measure attempts to limit the power of the President with the respect to the stationing of our troops overseas and committing them to hostilities. Because of the far-reaching—and in my opinion, unwise—implications of this proposal, I should like to call the attention of the Members of the minority views on House Joint Resolution 542.

The minority views follow:

MINORITY VIEWS OF REPRESENTATIVES FRELINGHUYSEN, DERWINSKI, THOMPSON, AND BURKE

We are opposed to the enactment of House Joint Resolution 542. Its most important provisions are probably unconstitutional and certainly are unwise. We strongly doubt the wisdom of attempting to draw rigid lines between the President and Congress in the area of warmaking powers. Ironically, enactment of this resolution in some respects would expand considerably the constitutional authority of the President, and in other respects would severely restrict his authority. In our opinion, the only appropriate way to make such far-reaching changes would be by an amendment to the Constitution.

While we are in accord with the understandable desire of Members to assure Congress its proper role in national decisions of war and peace, we consider the severe restrictions which this resolution seeks to impose on the authority of the President to be dangerous. Should they become effective, they could affect adversely important national security interests of the United States.

Flexibility—not the exact delimitation of powers—is a basic characteristic of the Constitution. The framers of the Constitution clearly had that in mind when they refrained from closely defining the responsibilities of the executive and legislative branches in the areas of warmaking powers. Moreover, throughout our history, Presidents have employed the power which that flexibility has allowed them to encourage peace-

ful resolutions of potentially dangerous situations.

What is most ironic is that this joint resolution, constructed as it is with an eye to our unfortunate experiences during the mid-1960's, would not have prevented our steadily deepening involvement in Vietnam, had it been on the books 10 years ago. For example, there is no reason to believe that Congress after the Gulf of Tonkin incident would have refused to approve Presidential action through the mechanism provided in this measure. Congress at the time would have declared war, had that been requested, or we would have specifically authorized the use of our Armed Forces.

House Joint Resolution 542 cannot give Congress foresight or wisdom, and will not force an uncooperative Executive to be more forthcoming. In fact, it may achieve just the opposite effect. A President faced with a possible congressional veto of his actions might be tempted to circumvent Congress. He might, for example, appeal directly to the American people in order to force Congress to support him. If that were to happen, Congress could be virtually excluded from the decisionmaking process. Moreover, House Joint Resolution 542, which seeks to provide a "trip wire," invoking restrictions on Executive action, might well encourage a President to be less than candid when setting forth the circumstances and justifications for his actions.

Following are our views in more detail with respect to each section of the resolution.

Section 2, and most of section 3, seek to insure reasonable consultation with Congress, by requiring submission of reports to Congress by the President whenever he commits the U.S. forces to hostilities or potentially hostile situations, or when he enlarges our combat forces already located in foreign nations. Essentially the same provisions have been enacted previously by the House of Representatives in two preceding Congresses. Section 4(a), which seeks to insure prompt action by Congress on such reports, also is the same language as that already twice approved by the House. We consider these requirements to be entirely appropriate.

We have reservations, however, about the wisdom of the inclusion of section 3(d), language which was not contained in the resolutions previously approved by the House. Section 3(d) requires that the President communicate to Congress the estimated financial cost of any commitment of U.S. forces outside the United States. What point would there be in requiring the President to announce at the outset of a national security emergency his judgment as to the cost of committing of our forces? It may be argued that Congress needs a specific estimate of costs in order to help us make up our minds about whether or not to support the President. In our opinion, that information would be of no particular value to Congress but might be extremely revealing to an enemy. We believe that Congress would receive adequate information under the requirements of the other subsections of section 3, and that the advantages to be gained by hostile powers through the required financial disclosure would far outweigh any incremental benefit to Congress.

Section 4(b) and (c) are at the heart of our objections to the resolutions. Section 4(b) provides that the President at the end of 120 days, without regard even to the immediate safety of our armed forces, must terminate any involvement of U.S. forces in hostilities outside the United States, and withdraw newly dispatched combat forces from the area of any foreign country (except for supply, replacement, repair or training deployments), unless the Congress by that time has enacted a declaration of war or "specifically" authorized the use of our Armed Forces.

This effort to limit the President's power—

by the failure of Congress to take affirmative action—strikes us as highly dangerous. For example, suppose the President were to commit troops in Europe in order to defend our own country? That he has such power as Commander in Chief is not challenged, but the 120-days limitation might make it necessary for him to withdraw troops already fully committed to combat. At best, the limitation could only be construed as an effort to circumscribe sharply his ability to continue to exercise his power. To avoid such a reversal of national policy, a President might hurriedly escalate hostilities, to force Congress to support him, or in an effort to win the conflict within 120 days—or an enemy might seek to avoid negotiating a settlement in the belief that the President would soon be forced to withdraw our troops. Thus the 120-day provision might actually promote, rather than deter, our involvement in hostilities.

Proponents may argue that in such a situation Congress would recognize the necessity of declaring war, or of specifically authorizing the use of troops. As a practical matter, however, Congress does not always move quickly and a legislative deadlock might develop. Moreover, in our opinion it is highly undesirable for Congress, through its own inaction, to be able to determine whether a course of Presidential action should be continued.

The manifold constitutional and national security problems created by the 120-day provision of section 4(b) are compounded by section 4(c). This section provides that hostilities and deployments may be terminated by Congress alone at any time within the 120-day period, by means of a concurrent resolution having no force of law.

If the Commander in Chief, acting within his constitutional authority, orders our forces to deploy or to engage in hostilities, Congress may affect such action if it wishes, but necessarily must do so through use of its constitutionally granted powers. By seeking to provide that a concurrent resolution shall have the force of law, we are embarking on an extremely dangerous, and probably unconstitutional course of action.

There may be cases in which Congress has specifically authorized hostilities or deployments by constitutional means other than a declaration of war. Under Article I, Section 7 of the Constitution, authority granted by any bill, order or resolution may be repealed or amended only through the same process; once Congress has given its consent to legislation it may not be withdrawn unilaterally by the Congress with less than a two-thirds vote.

Section 5 is another example of the difficulty of trying to establish rigid procedures where, in fact, flexibility is required. During committee consideration it was clear that the practical effects of the time requirements were not adequately explored. For example, the question was raised, if the beginning of the last 45 days of the 120-day period coincided with the end of a Congress, would be the 15 days for committee consideration be binding upon the next Congress? A related question was whether Congress would be able to organize quickly enough to meet the deadline. These questions, in our opinion, were not answered satisfactorily.

While sections 7 and 8 are generally helpful, given their context, we strongly oppose the requirement of section 9 that this resolution be applied retroactively to cover hostilities existing on the day of its enactment which were previously authorized and initiated.

The proper and most useful role for Congress to play, in decisions of war and peace, cannot be developed through confrontation with the Executive. To function effectively, particularly in times of national crisis, our system of government must exhibit a maximum amount of cooperation between the two branches—executive and legislative. In

the past such cooperation has been the means by which we have achieved successful policy decisions. It is to this end that we should be striving. House Joint Resolution 542 will not help—indeed, we believe it will seriously impede—the achievement of this objective.

PETER H. B. FRELINGHUYSEN,
EDWARD J. DERWINSKI,
VERNON W. THOMSON,
J. HERBERT BURKE.

TWO-CENT INCREASE FOR FIRST-CLASS MAIL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. CRANE) is recognized for 5 minutes.

Mr. CRANE. Mr. Speaker, the announcement this morning that a 2-cent increase in the rate for first-class mail appears imminent should be of concern to us for several reasons.

First, of course, is the fact that such an increase—a 25-percent increase, to be exact—is vastly out of line at a time when our Government supposedly is taking steps to curtail dramatic price increases.

But if a 25-percent increase, from 8 to 10 cents, is not shocking enough, consider the fact that postal rates will have risen by 66⅔ percent in little more than 3 years if the 10-cent rate is charged. How can Government tell business and industry that they must curtail increases when Government itself contemplates such drastic action?

A second area of concern is the postal service itself.

There is little doubt that the U.S. Postal Service Department, as it is currently constituted, falls far short of the standards expected and desired by the American people.

Examples of mismanagement are legion. Writing in the Washington Star News of March 5, 1973, Miriam Ottenberg reports that—

Tradition says it can't be snow or rain or heat or gloom of night. But something is slowing the mail.

Miss Ottenberg notes that—

That's what CARE, the international relief organization, found when it tried to rush into the mail a postcard appeal for funds to aid victims of Nicaragua's Christmas earthquake. Eight carloads of mail, including the CARE cards, got mislaid for nine days. By the time they were located, the earthquake was no longer big news and the response—or lack of response—showed it. The U.S. Postal Service is still trying to find out what happened.

John Jay Daley, vice president of the Direct Mail Advertising Association, stated that—

I used to say it can't get much worse. I've stopped saying that.

At one time all postal boxes received collections after 5 p.m. Today, only 50 percent of them are collected after 5 p.m. Saturday mail deliveries may now be curtailed in downtown city areas.

Several years ago, when more and more people became incensed over the continual rise in cost of the Postal Service and the deteriorating service provided, the Postal Service was set up as an independent Federal agency under the Postal Reorganization Act of 1970.

It was incorporated to give it an aura of free enterprise, but the Government retained full control and a monopoly on most types of mail service.

This quasi-corporation, we were told, combined the best of both worlds—Government provided service and the expertise and methods of the marketplace. Unfortunately, the two are incompatible. Perhaps by this time we have learned that fact.

Reports heralding the new postal corporation claimed that costs would be reduced, or at least brought into line with income, and service would be substantially improved. Unproductive procedures, equipment, and employees would be eventually weeded out. The projected result was a fast, efficient mail service at low cost to the public.

The actual result, quite to the contrary, is less service and we are now hearing that another postal rate increase may be necessary. More and more people are saying that something must be done to solve the problem.

What that something is was indicated in an editorial in the Anaheim, Calif., Bulletin of February 27, 1973, which declared:

Why doesn't it ever occur to us that . . . maybe government itself, with its funding, its myriad laws and regulations, is the source of the problem, and therefore adding more of the same will only speed the postal service on its downhill course. Maybe we don't realize this because most of us are so conditioned that certain services must be performed by the government that we think if the government did not do it, it would not get done . . . When one suggests that government should get out of the postal service altogether and turn it over to the marketplace, he frequently is met with incredulous stares and sputters of protest. The idea usually is rejected out of hand. Until more of us begin to question the basic premise that certain services must be provided by the government; until we begin to ask why they can't be done by private enterprise; until we realize that there is an alternative, the problem will continue.

Our current situation is deteriorating rapidly. Where we once received two mail deliveries daily at a rate of 3 or 4 cents for a first-class letter, today we receive one daily delivery at a rate of 8 cents for a first-class letter and 11 cents for air mail letters.

LACK OF COMPETITION

As with all monopolies, lethargic service is the result of a lack of competition. The American people have, in effect, become a captive audience, forced to deal with an inefficient mail system which has no incentive to increase its efficiency. Every Member of Congress need only look at his own mail to realize that the people are not happy with the situation.

Not long ago, Mr. Harlan Lewin, the president of the Wichita Independent Postal System of America, noted that—

If you ask the clerk in a post office around Christmas time how things are, he will almost always say, "Terrible, we're so busy." Now you ask a clerk in a department store, she'll say, "Great, we're so busy."

Mr. Lewin's independent postal system says that it can deliver mail for 3¼ cents per letter as against the U.S. mail's 8 cents. The organization has franchises

in 52 cities, and believes that it can deliver mail more efficiently than the U.S. Government, at a lower price and at profit.

Discussing the governmental monopoly in the field of mail delivery, Washington Post columnist Nicholas von Hoffman noted that—

On every level the taxpayer/customer is complaining about the groaning inefficiency and the stinging costs of postal service, while at the same time, the government takes new jobs and responsibilities which it fails to do well enough to satisfy us. Maybe if it let go of certain areas to the proficiencies of the profit system, it could do what it alone must do better.

In his book, *Bureaucracy*, Economist Ludwig von Mises points out the essential difference between the management of a business and of a government bureaucracy:

Business management or profit management, is directed by the profit motive. The objective is to make a profit. As success or failure to attain this can be ascertained by accounting not only for the whole business but also for any of its parts, it is feasible to decentralize both management and accountability without jeopardizing the unity of operations and attainment of their goal. . . . In public administration there is no connection between revenue and expenditure. Bureaucratic management is the method applied to the conduct of administrative affairs the result of which has no cash value in the market. Bureaucratic management . . . cannot be checked by economic calculations.

GOVERNMENT INVOLVEMENT FAILS

It is clear that government involvement has failed in many areas. Welfare, urban renewal, agricultural price supports, and housing provide only several areas of failure. Even many former advocates of Government involvement and intervention in the economy have come to the conclusion that private enterprise would have done, and will do in the future, a far better job.

Daniel Moynihan, for example, has expressed support for the view that the voluntary sector of the economy should help to solve domestic problems. He said that—

We must begin getting private business involved in domestic programs in a much more systematic, purposeful manner. Making money is one thing Americans are good at, and the corporation is their favorite device for doing so. What aerospace corporations have done for getting us to the moon, urban housing corporations can do for the slums. All that is necessary, one fears is to enable enough men to make enough money out of doing so. It is encouraging to note how much ferment there seems to be in this direction at this time, and hopefully possible to expect that the liberal community will support the effort rather than oppose it.

What Dr. Moynihan has proposed for the elimination of slums might well be applied to the creation of an efficient postal system. Free enterprise is far more likely to solve our problems in this area than is Government bureaucracy.

In addition, it is important to remember that the majority of the American people fear big government and wish it to intrude in their lives to a far less degree than is currently the case.

A recent Gallup poll found that the American people feared big government

more than any other single force. Forty-nine percent of those polled said that they feared the increasing power of the Federal Government, while only 21 percent were concerned with big labor and only 14 percent with big business. A year before the figures were almost reversed. In the 21- to 29-age group lies the strongest feeling that big government is the major threat.

MONOPOLY FOR POSTAL SERVICE

The law, as it stands today, states that first-class mail is the absolute monopoly of the U.S. Post Office Department. No one in this country is allowed to deliver a letter except the U.S. mail and, under the Private Express Statute of 1936:

A letter is further defined as a message in writing from one person to another containing live, current information which would incite the recipient to act or to refrain from answering.

Although few Americans are aware of it, a growing number of private mail delivery companies are being established across the United States in an effort to challenge the monopoly of the U.S. Postal Service.

These firms, of course, are forbidden by law from competing with the Government in the delivery of first-class letters. In the handling of third-class matter, however, such as advertising circulars and so-called bulk mail, private delivery services are doing a booming business. The reason, according to a report in *U.S. News & World Report* of November 1, 1971, is that—

Customers are reported to be turning to them for fast and reliable deliveries—at relatively low costs. Banned from using home mailboxes, these companies usually employ plastic bags that are hung on doorknobs.

One of the largest firms in this field is the Independent Postal System of America—IPSA—with headquarters in Oklahoma City. According to its president and founder, Thomas M. Murray, it now has 53 offices in 19 States, plus one in Canada. It employs 18,000 people and can deliver material to about 7 million homes.

Another firm in this field is Consumer Communication Services Corp., based in Columbus, Ohio. It reports that handling third-class mail is "our No. 1 priority," and it recently expanded operations from four to six cities in Ohio, Indiana, and Kentucky. With 2,500 employees, Consumer Communication can deliver material to about 1.1 million homes.

On the west coast, the American Postal Corp. delivers advertising to 500,000 homes every week in the Los Angeles area. Sales of this company, in the first half of 1971, jumped 74 percent over the same period in 1970, according to the firm's chief executive officer, Melvin Skolnik. Pieces delivered went from 8.2 to 14.6 million in the period. Revenues rose from \$570,000 in 1970 to between \$900,000 and \$1 million in 1971.

Private Postal System of America, Inc., now distributes material to 125,000 to 150,000 homes in the Miami-Palm Beach area of Florida. President Larry L. Van Dusseldorf says the company's goal is to serve all 14 metropolitan areas of the

State—holding 84 percent of the population—by this year. He says that the firm has experimented with mail delivery to specific addresses and has in the works a test for major magazine publisher.

Continental Postal Service operates in Charlotte, N.C., and the surrounding region. According to George Page, president, plans include expansion to the north-central area of the State. He says the company has delivered mail to specific addresses and is continuing to experiment in that field.

PRIVATE FIRMS MORE EFFICIENT

It is interesting to note that these private firms, as well as many others, are making a profit by charging lower rates than the U.S. Government is charging, while, at the same time, it increases its yearly deficits.

The U.S. Postal Service, at this time, has a legal monopoly on first-class letters. Yet, it is not illegal for a private firm to deliver its own letters.

The Virginia Electric & Power Co., to cite one example, is now doing precisely this—delivering a portion of its monthly bills by hand.

The company was spurred to the move by the first-class postage increase from 6 to 8 cents in May 1970. The firms estimated added postal costs from the rise would total \$250,000 a year.

According to *U.S. News & World Report*:

A three month test has been so successful that the Virginia utility plans to expand the hand delivery system to about half of its 1 million customers as soon as possible. It estimates that it can deliver its own bills in urban areas for less than 5 cents each—cutting mail costs by \$200,000 annually.

In the area of the delivery of packages it is clear that Government is considered more costly and less efficient than a private concern such as United Parcel Service. In 1967, the U.S. Post Office delivered more than twice the number of packages that United Parcel Service did—725 million parcels compared with 327 million. By 1970, however, the private service delivered about 500 million parcels to the Government service's 570 million. United Parcel Service is now planning to extend its operations to all 48 States, excluding only Hawaii and Alaska.

During the last session of Congress I proposed legislation which would repeal the legal prohibitions on private mail carriers and end the Government's monopoly of the postal service. It seems clear to me that private carriers should be permitted to enter into competition with the most reasonable price which may prevail.

CONGRESS SHOULD ACT

It is high time for the Congress to act to improve our postal system by providing the Post Office the same stimulant that has brought American business and industry to its high peak of achievement: competition.

Neither the system we have endured for so many years nor the new concept of a postal corporation can adequately guarantee improved mail service. Only by bringing the innovative abilities of the American private enterprise system

in to plan new and more efficient techniques for Postal Service can we hope to provide necessary improvements.

The governmental monopoly of the Postal Service is, it seems to me, inconsistent with our national antitrust policy. Why should the Government continue to exercise a monopoly over the area of postal service, when it would not permit private enterprise to exercise monopoly power over any other area of the economy?

It has been said that free competition for mail service would leave the U.S. Post Office only that portion of the mail unprofitable for private carriers to handle. This, however, overlooks the fact that private carriers are now making a profit by delivering such bulk mail.

In addition, a far more reasonable approach would be that of basic economics which would dictate that we determine the real costs of these services, and see that individuals, businesses, or other users are held responsible for paying them. The system of subsidization is as unfair in this area as it is in other areas of our economic and social policy.

The plan I have introduced will constitute an important step toward an efficient postal system, a system that will bring into play the energies and technological expertise of our dynamic private sector and permit the free, competitive market to operate, insuring for us that our mail can be delivered with maximum feasible speed and accuracy at minimum cost.

Mr. Speaker, I have today asked Chairman DULSKI of the Post Office Committee to schedule hearings on H.R. 433, my legislation which would end the Government monopoly on carriage of first-class mail.

In testimony today before the Committee on Banking and Currency, Mr. John T. Dunlop, Chairman of the Cost of Living Council, agreed that such hearings would be in order. I urge my colleagues to notify Chairman DULSKI that the time has come for us to take a look at our Postal Service and to reintroduce the fresh winds of competition to the carriage of first-class mail.

FEDERAL BUDGET POLICYMAKING

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arkansas (Mr. ALEXANDER) is recognized for 15 minutes.

Mr. ALEXANDER. Mr. Speaker, during recent years, and particularly the past 6 months, there has been increasing national disquiet about the manner in which Federal budget policymaking is done.

A number of areas are of special concern. One is the setting and promotion of national priorities. Another is the control of Federal spending. And, a third is the apparent confusion in the minds of the public and the executive branch, and, maybe, even at times in the Congress, over the responsibilities of the legislature for establishing the policy programs for raising and spending money and the duties of the executive branch and the President to see that these are

carried out according to congressional intent.

Because of my interest in establishing an effective budget procedure and a desire to help the people of the First Congressional District of Arkansas, whom I represent, wade through the often confusing descriptions of this process and achieve a better understanding of it, I requested the research assistance of the Library of Congress in developing a factual series of articles on the Federal budget.

I believe the results of this effort will be of interest, and hopefully of use, to many of my colleagues, so, if there is no objection, I would like to begin today making this series of articles a part of the RECORD:

I. THE BATTLE OF THE BUDGET

The federal budget is the nation's single most important policy-making instrument. The budget supports all government programs, including national defense, social security and medicare, space exploration, highway construction, agricultural assistance, education, welfare, public health, urban renewal, and countless others.

Further, the spending itself—estimated at \$250 billion in the year ending June 30 and \$268.7 billion in the year ending June 30, 1974—makes up the largest single component of the economy. Federal spending exerts major influence on the nation's economic health.

Significantly, there is little dispute between the President and Congress over the total amount of federal spending. Both sides are in general agreement that the overall size of the budget should be in line with prevailing economic conditions. The quarrel relates to spending priorities and policies, and whether Congress will continue to have its equal say in such matters.

The process of selecting among our nation's priorities—the decisions to begin a new program, to renew or to discontinue an existing one, to set the amounts to be allocated to each program—these are the determinations that guide the course of the nation. These are the choices that will tell whether federal spending will favor private industry and government contractors, or whether it will emphasize programs such as social security and public employment which deliver benefits directly to the people.

These decisions are enormously important—how much to spend, what to spend it for, and how much to pay for the spending. The persons responsible for making such decisions are under terrific pressures from special interests who want their programs and from the people who want their money's worth.

That is why the spending and taxing powers are vested in a legislature—in the Congress. Members, having been elected by the people, are authorized to speak for the people on the raising and spending of public funds.

The President has constitutional authority to exert two powerful influences on actions that basically are entrusted to the Congress. The President is authorized "to recommend to [Congress] consideration such measures as he shall judge necessary and expedient"—the basis for his annual budget which is essentially a recommendation to Congress.

Secondly, the President is given a conditional veto of all legislation passed by Congress—including bills to raise or to spend public funds.

Usually, the annual budget debate is resolved by accommodation between the two branches. Congress makes some changes in the President's budget, but not enough to provoke a veto. For his part, the President is willing to accept changes in his budget in

recognition of the separate and equal role of Congress established by the Constitution. But this year's confrontation shows definite signs of being different.

The first sparks of controversy were ignited in 1972. After the 92nd Congress had completed its business and adjourned, the President vetoed a dozen bills. These included the regular appropriations for the Department of Health, Education, and Welfare and for the Department of Labor. Also vetoed were bills to provide assistance for older Americans and for the physically and mentally handicapped, as well as federal grants for airport development. Because it had already adjourned, Congress did not have an opportunity to override any of these vetoes.

Another issue had arisen in 1972 pertaining to control over total federal spending. The President requested of Congress that expenditures be held to \$250 billion, and that he be given complete authority to determine what programs should be cut to achieve this spending limit. Many members argued that it would be an abdication of Congressional responsibility to allow the President to cut programs at will without any check on his power.

When Congress balked at giving the President the great power he wanted, the President decided to act unilaterally. His main weapon was to impound—refuse to spend—funds voted by Congress. Thus the President withheld \$6 billion authorized by Congress to combat the pollution of the nation's rivers and streams.

This was only the first of many impoundments in which the President curtailed or terminated programs adopted by Congress. Acting of Presidential orders, the Department of Housing and Urban Development promulgated an 18-month halt to housing programs, thereby bringing to a sudden stop plans for the construction of thousands of housing units. Similarly, Labor imposed a freeze on new enrollments in its manpower programs and Agriculture cut off rural electrification loans and assistance to farmers under rural environmental programs. The President abruptly curtailed aid for victims of disasters, a program which had been enacted only months earlier with Presidential support in response to Hurricane Agnes, the worst natural disaster in American history.

By his own count, the President impounded funds from more than 100 programs, on a scale far in excess of that practiced by any previous President. Even more disturbing, the President was using impoundments to kill enacted programs, not merely to ensure that appropriated funds were wisely spent.

The concept of impoundment had evolved gradually during the tenure of previous Presidents. Eventually, Congress gave official sanction to a limited power of refusal to spend appropriated funds. Congress recognized that the President should not spend every dollar (a) if he can get the job done for less, or (b) if he must ration spending so that he does not run out of money before the end of the fiscal year.

President Nixon, however, has stretched that limited authority far beyond any previous dimension; he has put it to uses never envisioned or recognized by the Congress. President Nixon has used impoundment to change the mandate of Congress; he has picked and chosen among the laws enacted by Congress and carried into effect only such laws as he wished.

Such a use of impoundment is unprecedented in American history. That is the issue which has aroused such furor and indignation.

The confrontation between Capitol Hill and the White House escalated in January when the President sent his annual budget to Congress. Even though the new budget rec-

commended a \$268.7 billion ceiling, some \$19 billion higher than the previous year's amount, it proposed the termination or reduction of dozens of programs. Typical of the "bad news" was the recommendation that elderly citizens be required to pay a billion dollars more a year in medical and hospital costs. Among the main programs marked for elimination were model cities, urban renewal, rural environmental assistance, regional medical programs, community mental health, and economic development. Both rural and urban programs would be severely affected if the President's budget recommendations are allowed to prevail.

At stake is not only the fate of the programs adopted by Congress but also a determination of whether the formula designed by the Founding Fathers to divide power between the legislative and executive branches shall continue.

If the President were able to decide for himself how much should be spent, the United States would be close to one-man rule, and Congress would be nothing more than a rubber stamp. By giving control over spending to the legislative branch, the Constitution establishes an effective check on executive indiscretion.

U.S. PLAN FOR MASS TRANSIT TO CUT POLLUTION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. MINISH) is recognized for 5 minutes.

Mr. MINISH. Mr. Speaker, the proposed pollution control measures issued by the Environmental Protection Agency last week represent a severe challenge to heavily urbanized States such as New Jersey.

There is some doubt among conscientious public officials as to the possibility of achieving the proposed drastic reduction in pollution within the required time frame. However, there is little doubt the standards will not be met unless Government on all levels makes a significantly greater commitment to the development of quality, low-cost mass transportation.

New Jersey is home to 7 million people and over 3 million cars, making it the most densely populated State for both categories. However, mass transit operations have been, and are, deteriorating. All of the railroads in the State are in bankruptcy, trains and buses are frequently late and dirty, fares are rising, and connections between systems are virtually nonexistent.

In order to prevent a further decline in mass transit operations for New Jersey and for the entire Nation, with the attendant problems of pollution and congestion, the Congress should enact legislation such as H.R. 6452, which I have sponsored, to begin to redress the balance in our Government's emphasis on various modes of transportation.

At this point, I insert an article from the Sunday Star-Ledger of June 17 outlining the pollution and transit problems in New Jersey:

UNITED STATES SEEKS PLAN FOR MASS TRANSIT TO CUT POLLUTION
(By Gordon Bishop)

The federal government plans to help New Jersey develop large-scale mass transit systems necessary to prevent widespread disruptions that can be caused by significant reductions in automobile use during the im-

plementation of the state's Transportation and Pollution Control Plan.

Robert W. Fri, acting administrator of the U.S. Environmental Protection Agency, disclosed that New Jersey would not be able to meet the clean air standards by 1975 without a massive commitment by the state and federal governments for transportation alternatives to the automobile.

The administrator's disclosure followed the EPA's announcement Friday that North Jersey reduce motor vehicle traffic by 68 per cent and equip all cars with pollution control devices in order to meet the 1975 deadline established by the Clean Air Act of 1970.

Fri said he "will be in contact with the Department of Transportation and other federal agencies and departments, requesting them to give special attention to the needs of New Jersey for strategies to reduce traffic and the needs for mass transit systems to replace the automobile travel eliminated by the proposed controls."

The administrator asserted: "What is needed in the State of New Jersey is a comprehensive mass transit system which will provide transportation for nonwork related trips and for work-related trips within the state."

Fri said that the present low-density, sprawling land-use pattern in New Jersey "is not conducive to the efficient use of mass transit."

A public transportation system that can absorb the travelers displaced by sizable reduction in gasoline consumption or vehicle miles traveled will have to be "considerably more extensive" than the system now existing within the state, Fri said.

"The long-term problems of attaining and maintaining high levels of transit service and usage would be considerably eased through the application of public policy measures to promote the centralization and corridorization of activities that generate large demands for transportation," Fri explained. "Such measures would not eliminate the need for many of the emissions control measures proposed. However, proper land-use policies would greatly assist the long-term implementation of such emissions control measures as (traffic) reductions."

Fri admitted that the EPA has "serious reservations" as to the feasibility and desirability of the 68 per cent reduction of traffic required to meet the 1975 air quality standards.

"It is clear that extreme measures will be necessary here to comply with statutory requirements and that these measures will have a significant socio-economic impact," Fri declared.

The plan will go into effect Aug. 15, either as proposed, or modified, following public hearings in July.

The EPA plan was imposed on New Jersey after the State Department of Environmental Protection failed to submit an acceptable plan to the federal government by April 15.

In an initial response to the plan, New Jersey Environmental Commissioner Richard J. Sullivan said:

"In my opinion, there is no publicly acceptable way to achieve two-thirds reduction in traffic in the metropolitan area in the space of a couple of years. That's why we didn't propose a plan. We're not convinced that that degree of reduction is needed to meet the air quality standards."

The EPA plan calls for:

A "relatively inexpensive" retrofit device for all pre-1968 passenger vehicles to lower both carbon monoxide and hydrocarbon emissions.

Inspection and maintenance of vehicles through the existing auto emissions program at the state inspection stations.

A catalytic converter for selected vehicles (1971-72-73-74 models) and the availability of lead-free gasoline.

Conversion of selected lanes of major

streets and highways to exclusive bus and carpool lanes—primarily for streets or highways with three or four lanes in one direction.

Gasoline distribution limitations—freezing the amount of gasoline available in the area to the total amount available in fiscal year 1973 (essentially what is being done by major oil companies at this time). The issue of how the supply of gas will be distributed among retail outlets will be left to the state.

Gasoline storage and marketing controls, requiring that modifications to existing gasoline storage and bulk tank facilities be equipped with vapor recovery systems so that escaping hydrocarbons (gas fumes) do not enter the atmosphere.

Restriction of parking facilities to prevent construction, modification or enlargement of any parking facility without first obtaining a permit from the administrator or a designated state agency. The criteria for issuing such a permit will be that construction of a facility will not interfere with attainment of maintenance of national ambient air quality standards.

A ban on daylight hour deliveries—limiting deliveries to stores, factories and businesses in order to eliminate emissions from these vehicles during congested periods.

Motorcycle registration and use limitation, since motorcycles (especially with two-stroke engines) emit extremely high levels of hydrocarbons (specifically, no increase in the number of motorcycles over present registration levels.)

Imposition of stationary source controls, notably dry cleaning establishments and degreasing operations. Other users of organic solvents may be required to install additional emissions control equipment to reduce hydrocarbon levels.

Both federal and state environmental officials indicated that the regulations for North Jersey may have to be either relaxed or extended if mass transit alternatives are not available by 1975.

To do this, Congress would have to amend the Clean Air Act to give such urban states as New Jersey time to implement "a reasonable transportation control program," one that would not lead to major social or economic dislocations, according to Gerald M. Hansler, administrator of EPA's Region II, which takes in New Jersey and Connecticut.

Hansler also conceded that the Jersey plan was "extreme" but that EPA was forced to act swiftly following a Supreme Court ruling last month that the clean air legislation will be implemented on schedule.

"Limitations of gasoline supply may result in individuals having to plan trips better than they presently do, but should cause no substantial disruptions in present lifestyles," Hansler said. "A possible result of gasoline limitations would be the formation of carpools for commuter purposes, which would ease the problems of commuter traffic."

Under the proposed plan, a 67 per cent reduction in hydrocarbon emissions from 1972 levels will be necessary in North Jersey to achieve ambient air quality standards.

A 43 per cent reduction in carbon monoxide emissions from 1972 levels also will be necessary to meet the '75 deadline.

In the Philadelphia region, which takes in Camden and Trenton, CO levels will have to be reduced by 70 per cent, while HC levels must go down 17 per cent.

No mention was made of controlling traffic on the New Jersey Turnpike or Interstate 80, which are used as connecting corridors between New York and Pennsylvania and Delaware.

Herbert Wortreich, chief enforcement officer in the state bureau of air pollution control, said that increasing tolls never resulted in a reduction of traffic on either the Turnpike or Garden State Parkway.

When a new toll booth was established in East Orange on the Parkway, traffic did not

diminish, but, in fact, increased steadily, Wortreich noted.

"Unless we get to work right away on alternate transportation systems, I seriously doubt we'll be ready by 1975 or even 1977."

The North Jersey region affected by the transportation plan include Bergen, Essex, Hudson, Middlesex, Monmouth, Morris, Passaic, Somerset and Union counties.

The southern counties affected by the Philadelphia region include Burlington, Camden, Gloucester, Mercer and Salem.

The New Jersey portion of the affected areas had a population of nearly five million people in 1970 and about half as many motor vehicles.

In 1972, the eight-hour average standard for CO was exceeded 352 times in Newark, the site with the highest CO concentration in the affected areas. For this same period, the oxidant standard was exceeded 19 times, also the highest in the state, according to EPA figures.

Where regulations have been proposed to limit the use of vehicles or require their emissions per mile to be reduced, the state or city will be required to take steps to accomplish the intended result. If the state or municipality fail to take action, penalties for violation of the Clean Air Act may be assessed, Acting Administrator Fri warned.

He said it is EPA's position to require states or municipalities to enforce regulations on those roadways they maintain. "As owners of roads, states and cities may be held directly responsible for the pollution caused by those roads, and by the traffic which roads make possible," Fri stated.

The administrator concluded in his analysis of the plan that the proposed controls, including the 68 per cent traffic reduction, "are the only ones which could be proposed at this time with any confidence they would provide for the achievement of the ambient air quality standards."

Other approaches, Fri said, "some of which may appear less extreme, present problems regarding feasibility and effectiveness of implementation and enforcement."

He emphasized, however, that further analysis of the problem will be made to determine whether other options are available.

The public hearings on the Jersey plan are scheduled for 9 a.m. June 16 at Rutgers University campus, Camden; 9 a.m. July 17, the New Jersey State Museum, Trenton, and July 18 and 19 at Newark College of Engineering.

OFFICE OF FEDERAL CORRECTIONAL OMBUDSMAN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. METCALFE) is recognized for 30 minutes.

Mr. METCALFE. Mr. Speaker, today I have introduced legislation which would establish the office of the Federal correctional ombudsman. This office would serve the particular needs of the people who are either in the custody of the U.S. Attorney General or under the supervision of the U.S. Parole Board.

The need for this type of legislation has been demonstrated time and time again by the prisoners themselves as well as the courts of this country. The office that I propose will exist outside the present prison bureau and would operate in the form of an impartial investigating agency which seeks a more humane prison system and relief for both the prison officials and prisoners.

This bill would establish the first independent third party system for investigating and arbitrating complaints of both the inmates and the staffs of the

Federal prison system and those who are under the direction of the Federal parole board. The ombudsman's goal would be to open up the lines of communication within the prison system and to provide procedural safeguards to insure that fair treatment, according to well defined rules and procedures, is maintained.

The ombudsman is not a new institution. The origin of the office is found in the Swedish office which was established in 1809. Finland followed a little over a century later in 1919. New Zealand established an office in 1962 and four of the Canadian Provinces, Alberta, New Brunswick, Quebec, and Manitoba have established the offices of an ombudsman. The Alberta ombudsman is the first such office in North America. In this country the State of Hawaii in the late 1960's established a State ombudsman and last year the State of Minnesota established the office of correctional ombudsman. Further, other States around the country have considered establishing such an office, some even have taken legislative action to implement such a plan.

To further illustrate both the need for and the desirability of a Federal correctional ombudsman I would like to draw to your attention the "Report of the Study Group on the Caseload of the Supreme Court" which was issued last December. In that report it was noted that there has been a sharp increase in the number of habeas corpus cases filed with the court over the last 5 years. Most of these cases fall into the class of In Forma Pauperis—IFP—and are filed by residents of correctional institutions. The study group concluded that one of the alternatives to offsetting this burden was to establish a correctional ombudsman who could sift through the complaints that usually would be filed with the court. It was the contention of the study group, as others have held in the past, that most of the IFP cases that are filed with the court have no legal standing and merely add to a somewhat crowded court calendar.

The ombudsman would, for the most part, receive the complaint of a prisoner, and after an investigation, probably resolve the conflict between the prisoner and the prison in such a way that a IFP case would not have to be filed. The action of the ombudsman would not preclude any prisoner from seeking remedy through the courts.

Generally, the administrators of the correctional facilities have been given wide latitude as far as internal prison discipline is concerned, and the courts, for the most part, have been reluctant to involve themselves in settling certain disputes concerning applications of various regulations and statutes when it involves the correctional institutions. The ombudsman would be able through his powers of subpoena to require testimony or review documents and to hold hearings. It is this independence and impartiality that will enable the ombudsman to bring to light and help correct the ills that plague our correctional system.

The ombudsman would if an investigation proved to be unsatisfactory in terms of cooperation for change from the Bureau of Prisons, be able to go to the

people and the press, or utilize any public forum that he felt proper, in order to obtain the changes that are necessary for a more humane system of rehabilitation within this country. For the safety of the prisoners, or others who are associated with the prison system, the ombudsman will be able to hold private hearings for the purpose of gathering testimony. The ombudsman has the obligation to keep information confidential as long as is necessary so that his investigation is completed in an unhampered manner.

The ombudsman will report annually to the Congress so that any changes that he feels should be made within the system can be obtained through this legislative group. The ombudsman will also keep the Congress informed as to the progress his office is making in terms of either resolving the grievances of the prisoners or effecting the needed changes within the system.

We have reached a point where we can no longer afford to wait and see where the next prison crisis will occur. Since Attica there have been numerous strikes and sitdowns within our Federal prison system. This Congress must take the initiative toward avoiding another such situation. For too long we have ignored those people whom we have sentenced; they, too, are human beings, even though they have been incarcerated because they failed to live up to the norms of society. They are to be rehabilitated so that they can return to the mainstream of society.

This legislation is, I hope, an answer to the problems within the prison society. It may be one of the most effective answers to the ever growing problem of recidivism that we experience in this country. I am hopeful that many of my distinguished colleagues will join me in cosponsoring this legislation when it is reintroduced.

I am also including a section-by-section analysis of the bill for the benefit of my colleagues who may wish to study the matter.

OMBUDSMAN: SECTION BY SECTION ANALYSIS

Section 1.—Title: The Federal Correctional Ombudsman Act of 1973.

Section 2.—Amends Title 18 to include the Office of Correctional Ombudsman, an Assistant Ombudsman, and such Deputy Ombudsmen and staff as the Chief Ombudsman deems necessary and sufficient.

Chapter 701: Establishment and Organization of Office

Section 7001.—Establishes the office which is to be composed of a Chief Ombudsman, an Assistant Ombudsman, and such Deputy Ombudsmen and staff as the Chief Ombudsman deems necessary and sufficient.

Section 7002.—Chief Ombudsman appointed by the President with advice and consent of the Senate. The term of appointment of the Chief Ombudsman will be five years, and he may be reappointed for only one successive term. This section requires that the Chief Ombudsman shall not have been a member of either the House of Representatives or the Senate at any time within two years prior to his appointment. Also, there is a removal clause which limits removal for disability, neglect of duty, or misconduct.

Section 7003.—The Assistant Ombudsman will be appointed by the President, with the advice and consent of the Senate, and shall serve for a term of five years. If the office of the Chief Ombudsman should become vacant, the Assistant shall assume the duties

of the Chief Ombudsman until such time as the President appoints another Chief Ombudsman and he is confirmed by the Senate.

Section 7004.—The Chief Ombudsman will be compensated at the rate of \$38,000 per year, and the Assistant Ombudsman will be compensated at the rate of \$36,000 per year. The rest of the staff will be compensated at rates prescribed by the Ombudsman.

Section 7005.—Civil Service laws will not apply to any person who is employed in the Office. For areas such as health benefits, workman's compensation, retirement, and life insurance the employees of the office will be treated in the same manner as congressional employees.

Section 7006.—This section stipulates those offices which may not be held and businesses which must be avoided.

Section 7007.—Delegation of duties and authority by the Chief Ombudsman to his or her staff. Excludes those responsibilities found under Sec. 7014(b), informing an agency of the completion of an investigation, and the results of such investigation.

Section 7008.—Allows the Chief Ombudsman the right to employ on a temporary basis experts and consultants.

CHAPTER 702: POWERS AND DUTIES

Section 7011.—Gives authority to the Chief Ombudsman to investigate in such manner as he sees fit, either upon complaint or upon his own initiative, any administrative act of the Bureau of Prisons or the action of those under contract to the Bureau of Prisons concerning the treatment of any Federal prisoner or parolee, or the conditions in any Federal penal or correctional institution or any institution which is under contract for the imprisonment, subsistence, care, or proper employment of any Federal prisoner. This section also requires that the Office shall have the duty to investigate any complaint made by any person in connection with any administrative act over which the Ombudsman has investigative authority under this section. However, the Ombudsman may decline to investigate, or discontinue an investigation of any complaint if he finds that the complainant has adequate remedy under existing law or administrative practice, or the complaint is trivial, frivolous, vexatious, not made in good faith, or otherwise unjustified, or the complainant had knowledge of the matter complained of for a substantial period and did not make a complaint within such period (this will not apply for the first 18 months after enactment).

Section 7012.—Investigative procedures: the Chief Ombudsman may enter and inspect any penal or correctional institution, conduct interviews and investigative hearings and examine any records or other documents relating to such investigation, and request from any agency referred to assistance and information which he deems necessary for the discharge of his responsibilities. This section also allows the Chief Ombudsman to conduct hearings and interviews in private in any case where he determines that the safety of the witnesses or complainants so requires. The section further allows the Chief Ombudsman the right to issue subpoenas for necessary testimony relating to his investigation. There is also the standard protection of witnesses from self-incrimination and the usual travel fees for witnesses in the Federal District Courts. Refusal to honor the subpoenas may be punished by the Court as contempt thereof.

Section 7013.—This section instructs the Chief Ombudsman as to what should be done after an investigation if during said investigation it is found that any administrative act is: (1) contrary to law, (2) unreasonable, unfair, oppressive, or unnecessarily discriminatory, (3) based on mistaken ascertainment of fact, (4) based upon im-

proper or irrelevant grounds, (5) performed in an inefficient manner, (6) unclear or inadequately explained when reasons should have been revealed, or (7) otherwise objectionable. The Chief Ombudsman shall consult with the appropriate official or employee in order to make a satisfactory disposition of the matter. This section further explains that the Chief Ombudsman may, if a satisfactory disposition of any matter has not been made within a reasonable period of time, make recommendations to the appropriate official or employee, and if the Chief Ombudsman so requests, such official or employee shall inform the Chief Ombudsman within a specified period of time as to the actions that have been taken or the reasons for non-compliance. Further, if an administrative act has been dictated by laws whose results are unfair or otherwise objectionable, he shall notify the appropriate committees of the United States Congress. This section also allows the Chief Ombudsman to publish and otherwise make public any recommendations if he includes in such publication the substance of any statement of reasons for non-compliance. The Chief Ombudsman is also directed to refer to the Attorney General any case in which he finds probable cause indicating a violation of law.

Section 7014.—This section requires the Ombudsman to keep complainants informed as to the progress of an investigation, and when the investigation has been completed, the Chief Ombudsman shall, at his discretion, inform the appropriate agency that he has completed the investigation and what his findings were.

Section 7015.—This section allows the Chief Ombudsman to participate in studies when he believes that these studies may be beneficial to the prison system and/or his office.

CHAPTER 703: DEFINITIONS; REPORT, MISCELLANEOUS REPORTS

Section 7021.—The Chief Ombudsman and his office will maintain the confidentiality of complainants unless it is otherwise so necessary for the purposes of his investigation.

Section 7022.—No other remedies, especially those of remedies at law, will be changed by a person's complaint to the Ombudsman.

Section 7023.—There shall be no fee imposed by the Chief Ombudsman nor shall there be a requirement that the complainants have to be in writing.

Section 7024.—Penalties for obstruction: not more than \$5,000 or two years or both.

Section 7025.—Does not allow for review of any proceeding, expression, or opinion of the Chief Ombudsman in any court. Also, no civil action can be brought by any person against the Chief Ombudsman or any member of his staff for any act done or statement made, within the scope of his authority. Also, no officer or employee of the Office shall be required to testify or produce evidence in any judicial or administrative proceeding, except as to the extent necessary to carry out the purposes of sections 7012(b), 7013(b) 4 and 7024.

Section 7026.—The Chief Ombudsman shall report annually to the Congress and the report shall be printed as a public document.

FUEL NEEDS FOR FARMERS AND CONSUMERS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Wisconsin (Mr. ASPIN) is recognized for 5 minutes.

Mr. ASPIN. Mr. Speaker, the Nixon administration is totally ignoring the

needs of farmers and consumers for additional petroleum products by allowing the continued exportation of gasoline, fuel oil, and propane gas during the current shortage.

I am introducing legislation today that will force the President to halt all exports of gasoline, fuel oil, and propane during the current emergency.

President Nixon already has the authority under law to halt these exports, but, he has done absolutely nothing to stop exports during the shortage. As many of my colleagues may know, U.S. exports of propane gas have actually increased by 50 percent during the first 4 months of 1973 compared to 1972. To top it all off, the exporters have increased their prices by 300 percent in the last year. During the first 4 months of 1973 propane exports sold for \$9.30 per barrel. Last year the price tag was only \$3.20.

In addition, during last winter's fuel oil shortage, more than 200,000 barrels of fuel oil was exported from the United States. Similarly, in March, when most experts were predicting a gasoline shortage, 133,000 barrels of gasoline was sent overseas.

These exports during the shortage must be stopped. If the President will not act, Congress must force a halt to this throwing away of our precious petroleum resources.

Specifically, the bill I am introducing today provides a congressional declaration of an emergency shortage of gasoline, fuel oil, and propane. It orders the President to halt all exports of these three products until the shortage no longer exists.

To be perfectly blunt, Mr. Speaker, the exports only line the pockets of the big oil companies while consumers and farmers here at home pay higher prices and face continuing shortages.

STEEL IMPORT AGREEMENTS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Louisiana (Mr. WAGGONER), is recognized for 15 minutes.

Mr. WAGGONER. Mr. Speaker, the April 25 edition of the Washington Post reports that the distinguished senior Senator from Michigan, Mr. HART, has filed a friend of the court brief in the U.S. Court of Appeals for the District of Columbia, challenging the legality of the recently negotiated steel import limitation agreements by Japanese and European producers.

These agreements, designed in part to protect domestic wage earners, placed limits on the amount of foreign steel exported to the United States from the participating countries. Consumers Union, one of the Nation's most prestigious consumer organizations, has sued the Secretary of State to have the agreements declared illegal.

The impact on consumers in such agreements is obvious. A limit on the amount of foreign steel coming into the United States will obviously contribute to high or higher prices for steel and the billions of consumer goods utilizing steel. Not until I read the Post article did

I fully grasp the precedent-setting nature of this case, its relationship to legislation pending before the Congress, and its impact on public interest issues which includes as a lesser part consumer protection issues.

Consumers Union, as an advocate for the special interests of consumers, of course, argues that meeting the consumer need for more competitive goods through greater importation is now more important than protecting the needs of domestic wage earners or a struggling friendly foreign nation.

Consumers Union and other consumer representatives have long held a freer trade position. In fact, they have argued that this will be one of the missions of an independent Consumer Protection Agency—CPA—a proposal now undergoing hearings in the Senate.

This CPA would be given extraordinary powers never before conferred on an advocate to attempt to increase this country's importation of goods in the interests of consumers and at the expense of other special interests.

Such a proposal should give the Congress pause. Do we really want to create a CPA which can intrude into the negotiations of the State Department and oppose any position that would result in higher prices? Do we really want to create an agency that, failing to impose its will at the negotiations stage, can appeal the negotiated trade agreement to the courts and ask the courts to impose the CPA's will on the State Department?

The effect of such broad and sweeping authority, as proposed in some Consumer Protection Agency legislation, on issues that transcend mere consumer affairs is not being adequately considered, I fear.

What, for instance, should be the position of a Consumer Protection Agency on the importation of oil into this country? In the midst of an "energy crisis," the consumer interest would appear to be in having available a plentiful and inexpensive source of oil. Yet when we begin to look outside of our boundaries for sources of oil, we also go beyond the boundaries of more consumer affairs into affairs of State.

For instance, there is enough surplus in the Middle East to meet our domestic needs. It is estimated that by 1980, one out of every five barrels of oil consumed in the United States will come from the country of Saudi Arabia, alone, if we can still import it.

The Saudi Arabians, however, have recently made it clear that increases in their oil exports will be directly linked to the United States' position on the political crisis which exists between the Arab countries and Israel. In short, they tell us, Arabian oil will be tied to an alteration of this country's pro-Israel stance.

Supporters of a CPA have made it clear that balancing considerations of State, such as our policy vis-a-vis the Middle East is not to be a function of the CPA. The CPA, they say, is to be an advocate of a special interest, not a judge of the public interest, and that non-consumer issues will have to be protected by others.

Yet, I think it is reasonable to infer that a Consumer Protection Agency, if created, would be compelled to protect oil consumer interests by advocating within the State Department a pro-Arab stance, and failing there, appealing to the courts any pro-Israel State Department decision that could result in higher oil prices.

Mr. Speaker, the Consumers Union suit is clearly precedent for such a development. We, in the Congress, should take a long, hard look at any proposal—even one as popular as consumer protection—which holds even the potential to upset the delicate affairs of State and place our friends around the world in jeopardy.

BILL TO ESTABLISH A CENTRAL SECURITY REVIEW OFFICE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Missouri (Mr. ICHORD) is recognized for 5 minutes.

Mr. ICHORD. Mr. Speaker, I have today, jointly with the gentleman from North Carolina (Mr. PREYER), introduced a bill to establish a Central Security Review Office for the coordination of the administration of Federal personnel loyalty and security programs. I have taken this action with a view toward implementing a recommendation to this effect made in the Preyer report. This report of a subcommittee of the Committee on Internal Security which had the subject under consideration, titled "The Federal Civilian Employee Loyalty Program," House report No. 92-1637, was the product of over 2 years of extensive inquiry into the operation and administration of laws and procedures underlying the Federal civilian employee loyalty-security program. Prepared by the distinguished gentleman from North Carolina (Mr. PREYER), the report is a thorough and detailed examination of the subject. A number of recommendations, both for legislative and executive branch action, have been made to remedy deficiencies appearing in the operation of the program and to improve it.

It was found that the absence of centralized direction was a major factor contributing to a number of failures which were found to exist in the administration of the program. The failure of the departments and agencies to update and maintain appropriate implementing regulations, the absence of uniformity in standards and practices, the delays and bypassing of responsibilities in loyalty adjudications, the failure in obvious cases to dismiss disloyal persons from non-sensitive positions, inadequacies in investigative or applicant forms and questionnaires, the failure to appeal lower court decisions adversely affecting the program, and generally the uneven capacity and expertise among personnel of the departments and agencies in the application of the program, are all in some measure, the subcommittee concluded, to be ascribed to this basic weakness in the organization of the program.

Under the complex of existing laws, orders, and regulations on this subject, we have a ship without a helmsman.

While by the terms of section 14 of Executive Order 10450 the Civil Service Commission is directed to make "a continuing study" of the manner in which the order is being implemented by the departments and agencies and, by the provisions of section 13, the Attorney General is required to render advice to the heads of departments and agencies in the maintenance of an appropriate employee security program, these functions delegated and reposed in the Civil Service Commission and the Attorney General are at best advisory only. The delegation also suffers more gravely from the fact, as the Preyer report points out, that it is reposed in two agencies which have primary operating responsibilities in the execution of the program. They should not be required to be the judge of their own performance.

Moreover, as the subcommittee advises, in reporting upon the successes or failures of a program in which they have operating responsibilities, these two agencies are not likely to acknowledge failures in their mission or in the execution of their responsibilities. It is not enough that the Civil Service Commission and the Attorney General should "report to the President" on the program. Obviously, in view of his many burdens the President cannot see to their day-to-day operation. He can maintain necessary oversight and exercise the required authority only through an independent centralized agency having responsibility for the coordination of the overall program with power to act, that is, not only to advise, but also to exercise the requisite executive authority.

While the discussion in the report and the recommendation on this subject was directed to the loyalty-security program maintained under Executive Order 10450 and regulations of the Civil Service Commission, the bill would be applicable to all present loyalty and security programs, not only those relating to Federal civilian employment, but would also include the industrial security and industrial defense facilities programs administered by the Department of Defense, as well as the port and vessel security program now administered by the Department of Transportation under the Magnuson Act.

These are similar and related programs, a complex process of investigation, evaluation, and adjudication for determining suitability or eligibility of individuals for employment or access to sensitive facilities. Yet each has its own rubric, with widespread division of responsibilities among and within the agencies responsible for their administration. The programs encompass a vast field, involving literally millions of individuals in public and private employment. Huge sums are expended in their maintenance. Despite these facts there is no centralization of authority for oversight and coordination.

Take for example the operation and administration of the loyalty-security program relating to Federal civilian employment. Responsibility for the actual performance of investigations is divided among the Civil Service Commission, the Federal Bureau of Investigation, and

those agencies maintaining investigative facilities, including the Departments of State, Defense, Treasury, Justice, and the Postal Service. Moreover, in some important aspects of the investigative process each employing department and agency of the Government is involved, at least to the extent of preparing and requiring response to applicant forms, in the conduct of interviews, and the review and evaluation of investigative reports.

Likewise in the evaluation and adjudication of an individual's suitability for employment, there is a division of responsibility between the Civil Service Commission and each of the employing departments and agencies. During the initial period of 1 year, after the effective date of an applicant's appointment, the Commission has jurisdiction concurrently with each of the departments and agencies to evaluate and adjudicate an applicant's suitability for employment on loyalty grounds. The Commission's authority, however, is exercised only with respect to individuals seeking appointment in the competitive service, and access to nonsensitive positions therein.

With respect to sensitive positions in the competitive service and all positions in the excepted service, the departments and agencies are confided sole authority or responsibility for denials or removals on loyalty, security, and other suitability grounds. After the expiration of the one year period, the departments and agencies are each confided sole responsibility for the removal of persons in all positions for whatever cause. There is, moreover, an absence of uniformity of practice among and within the agencies, and it is evident from the testimony adduced that there is considerable confusion among administrative personnel as to their authority, and a noticeable disparity in the adequacy of their training.

It is evident that this widespread division of responsibility inevitably presents opportunities for a duplication of effort or a bypassing of responsibility. We do not by any means suggest that a system of divided or concurrent responsibility is in itself an evil. On the contrary, under certain circumstances it may well be a positive virtue, particularly in the field of intelligence so as to minimize the possibility for sabotage of the program. Nor do we by any means suggest that responsibility for the evaluation and adjudication of employee eligibility be withdrawn from the departments and agencies. It is important that these responsibilities be retained by them and that they carry them out. It is nevertheless a condition which requires centralized direction so as effectively to coordinate the effort, to cope with uneven capacities of the participants, and to avoid waste. Indeed, we believe that several millions of dollars can be saved through such centralized control. A present cost study undertaken by the Government Accounting Office, when completed, we believe, will fully support this conclusion.

The need for centralized direction for such programs has long been recognized but never remedied. In the first comprehensive review of the loyalty program undertaken by the Government, Presi-

dent Truman's Commission on Employee Loyalty, in November 1946, recommended that an independent overall centralized authority, acting for and on behalf of the President, be created to oversee the responsibilities conferred upon the departments and agencies in the execution of a loyalty program. Pursuant to this recommendation, such an agency was created and designated the Loyalty Review Board on the promulgation in 1947 of Executive Order 9835, the first comprehensive loyalty program ever established by the U.S. Government. The Board, however, was established with advisory powers only, and there was some confusion as to its responsibilities which led to litigation. Again in 1952, the Interdepartmental Committee on Internal Security of the National Security Council, which conducted an investigation of the employee "security program"—as distinguished from the then existing "loyalty program"—undertaken at the direction of President Truman, again found need for a central review of procedures pursued by the departments and agencies.

Prior to the 1953 change in administration, President Truman had appointed a committee to study the implementation of these recommendations and to combine the loyalty, security, and suitability programs. Its work was not completed when President Eisenhower took office and, in April of 1953, he revoked Executive Order 9835 on the promulgation of Executive Order 10450. This superseding order, now in effect, substantially adopted the basic loyalty program of the prior Truman order, but in line with some recommendations derived from the prior studies which had been initiated by President Truman, the new order combined the security program with the principal features of the loyalty program previously in effect.

The new order, however, failed to provide for a centralized agency to coordinate the newly combined programs. This order which, together with civil service regulations, form the basis for the present Federal civilian loyalty and security programs, have not been wholly effective. The absence of centralized direction has proved to be a grave point of weakness.

This has been found to be so not only in a privately conducted examination of its administration by a special committee of the New York City Bar Association, which reported in 1956, but also by a nonpartisan Government Commission created by joint resolution of the Congress in 1955, known as the Wright Commission, which had undertaken investigation and inquiry of all security programs administered by the Government. Reporting in 1957, the Wright Commission's recommendation that a central security office be established has likewise never been implemented. A similar recommendation now made in the report of the subcommittee of the Committee on Internal Security, to which I have referred, remains to be acted upon.

The bill would thus establish a Central Security Review Office in the Executive Office of the President headed by a Director, who will be assisted by a Dep-

uty Director and three Assistant Directors, to coordinate the programs and to require compliance with the directives of the Office when approved by the President. The Director's principal functions will be, in short, as follows:

First, to conduct continuing surveys and inspections of the administration of loyalty and security programs, and on the basis of these surveys and inspections the Director shall make recommendations to the executive agencies concerned for such changes in loyalty and security regulations, practices and procedures, as he determines to be necessary or advisable in the interest of uniformity, simplicity, effectiveness, and economy.

Second, to compile and maintain appropriate statistical records with respect to the results of each loyalty and security program administered or supervised by executive agencies.

Third, to prepare plans and recommendations for suitable in-service training programs to provide for the instruction of security officers in all relevant aspects of their duties and to provide for an adequate and free flow of information between them and the intelligence community.

Fourth, to receive, investigate, and evaluate complaints made on behalf of Federal employees by recognized labor or employee organizations, or by Government contractors and labor organizations with respect to the administration of loyalty and security programs.

Fifth, on the approval of the President to promulgate such rules and regulations as the Director may determine to be necessary to provide for the uniform, effective, and economical administration of the loyalty and security programs.

Sixth, to make annual reports to the President and the Congress concerning the operations of the Office and to make such special reports concerning the operation of any loyalty and security program upon request made by the President, the Congress, or either House thereof, or any committee or subcommittee of either House having oversight responsibilities regarding the administration of the act.

I believe this bill is a much needed corrective measure. I shall welcome the comments of Members and the public on the measure, and will seek their testimony in hearings on the bill.

SACRIFICING MORALS TO CULTURE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. PODELL) is recognized for 15 minutes.

Mr. PODELL. Mr. Speaker, yesterday saw the signing of a number of Soviet-American agreements, including accords on transportation, agriculture and oceanography. I am pleased to see tangible proof that the detente we have been hearing so much about really exists. I hope that the Soviet Union and the United States will continue to enjoy the current state of warm relations far into the future.

However, there is one agreement signed yesterday which I feel does a great disservice to our Nation. That is the new cultural exchange agreement, to which the President regrettably gave his imprimatur.

This new agreement expands on the first cultural exchange agreement made in 1959, and will be in effect until 1979. It provides for increased numbers of exchange students between the two countries. In addition, there would be at least 10 major performing arts groups and 35 individual performers sent to each other's country.

On the surface, this appears to be a good agreement. Whenever a Soviet performing company—particularly the Bolshoi or one of the other great Soviet ballet troupes—performs here, the reviews are uniformly excellent. Russian ballet is world renowned for the technical brilliance of its dancers. There are orchestras and individual musicians of great talent who will be permitted to perform here for the first time.

But there has already been negative response to this new accord. Only a few days ago, a troupe of dancers from New York City, the well-known and highly talented members of the American Ballet Theatre, were here in Washington protesting against the new cultural exchange treaty. They protested that, under the terms of this agreement, the American Ballet Theatre would be turned out of its annual Lincoln Center engagement so that the Leningrad-Kirov company could perform there instead. As a result, 150 American artists will lose valuable jobs.

This in itself would be bad enough if it were not for the fact that the Leningrad-Kirov Ballet company has already become notorious for its treatment of one of its finest performers, Valery Panov. Panov first came to American attention when he and his wife, also a member of the Kirov Ballet, sought permission to emigrate to Israel. They felt that they could not be free to perform as true artists in the Soviet Union, because of the politicization of the arts in that country.

As a result of his wish to emigrate to Israel, both Panov and his wife have been fired from their jobs at the Kirov. In addition, Panov has been subjected to all manner of psychological brutality. Perhaps the cruelest of his tortures was his recent experience in which he was imprisoned in a cell with a number of amputees, men who had lost their legs. It would take the most insensitive mind not to appreciate the anguish this must have caused to a man who has devoted his life to expressing the beauty of motion through his own legs.

Today Panov and his wife are living in Leningrad, still waiting to be granted permission to leave. They are told that if they stop "making trouble," they will be permitted to dance again. But as long as they are not free to perform as they choose in the Soviet Union, they will continue to be "troublemakers."

There are other instances of persecutions of cultural figures in the Soviet Union. The most famous is Alexander Solzhenitsyn, the brilliant author of *Cancer Ward* and *August 1914*. For years he

has been hounded by the Soviet Government and despised by the members of the Soviet literary establishment, because he has dared criticize the Russian Government in his novels. The Russian Government has forbidden the circulation of his books in the Soviet Union.

Panov and Solzhenitsyn are only two among many. It seems that the closer Russia's economic ties become with the West, the more stringent it makes its cultural restrictions. While Chairman Brezhnev is conducting his summit talks here in Washington, the Russians are busy jamming American radio broadcasts. While Panov and Solzhenitsyn are being persecuted, President Nixon rushes to sign a cultural trade agreement that extends the exchange program for 6 years without getting any concessions on a freer atmosphere for cultural expression in the Soviet Union.

I am sad to say that President Nixon passed up a golden opportunity to exert his influence to improve the quality of life for 3 million Soviet citizens. What he has done instead was to give his tacit approval to the incredible restrictions placed on cultural activities in the Soviet Union, indicating that he found none of the persecution, harassment or censorship offensive either to him or to the American people he purports to represent.

Unfortunately the President is so anxious to win kudos for his diplomatic coups that he forgets that there are the rights and privileges of many people at stake in this agreement. The dancers of the American Ballet Theatre, Valery Panov and his wife, Alexander Solzhenitsyn, Mstislav Rostropovich, and thousands of others, well-known and obscure, are being sacrificed on the altar of detente. Somebody should have reminded the President that cultural exchange and concern for human freedom and moral behavior are not mutually exclusive.

HEARINGS ON ANTITRUST ASPECTS OF FOOD PRICE RISE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. RODINO) is recognized for 5 minutes.

Mr. RODINO. Mr. Speaker, I wish to announce that the Subcommittee on Monopolies and Commercial Law of the Committee on the Judiciary will hold 2 days of public hearings on June 27 and 28, 1973, to investigate the extent to which anti-competitive practices and industry structure may have contributed to increasing food prices; and to inquire into federal antitrust enforcement actions and techniques. The hearings will be held in room 2141 Rayburn House Office Building, and will begin each day at 10 a.m. Subsequent hearings will be held following the July recess.

THE 1852 INDEPENDENCE DAY SPEECH BY FREDERICK DOUGLASS

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

Mr. YOUNG of Georgia. Mr. Speaker,

in 1852 at an Independence Day observance, the great American Frederick Douglass, delivered one of the most famous orations in the annals of the Nation's struggle for justice. The speech, entitled "The Meaning of July Fourth for the Negro," was given at Corinthian Hall in Rochester, N.Y., on July 5 of that year. To this day, this address is one of the most profound and powerful statements ever made against slavery and the oppression of human beings.

I am pleased to report that this year on July 4, this great speech by Frederick Douglass will be reenacted by the distinguished actor, Mr. James Earl Jones. The presentation will take place at the "Cedar Hill" home of Frederick Douglass, a national historic site here in the District of Columbia. It is an honor for me to support this event, which will be sponsored by the Afro-American Bicentennial Corporation, in corporation with the National Park Service.

Mr. Jones' reenactment of the oration will be presented against a background of Afro-American history and cultural expression. The very worthwhile purposes of this event will be to effectively recapture the significance of an auspicious moment in American history, and to call attention to the importance of the black role in the forthcoming Bicentennial.

Mr. Speaker, for those who will not be able to attend the occasion at Cedar Hill, I am submitting for inclusion in the RECORD the complete text of this unforgettable and stirring address by Frederick Douglass.

THE MEANING OF JULY FOURTH FOR THE NEGRO

(Oration by Frederick Douglass, Corinthian Hall, Rochester, N.Y., July 5, 1852)

Mr. President, Friends and Fellow Citizens:

He who could address this audience without a quailing sensation has stronger nerves than I have. I do not remember ever to have appeared as a speaker before any assembly more shrinkingly, nor with greater distrust of my ability, than I do this day. A feeling has crept over me quite unfavorable to the exercise of my limited powers of speech. The task before me is one which requires much previous thought and study for its proper performance. I know what apologies of this sort are generally considered. Should I seem at ease, my appearance would much misrepresent me. The little experience I have had in addressing public meetings, in country school houses, avails me nothing on the present occasion.

The papers and placards say that I am to deliver a Fourth of July Oration. This certainly sounds large, and out of the common way, for me. It is true that I have often had the privilege to speak in this beautiful Hall, and to address many who now honor me with their presence. But neither their familiar faces, nor the perfect gage I think I have of Corinthian Hall seems to free me from embarrassment.

The fact is, ladies and gentlemen, the distance between this platform and the slave plantation, from which I escaped, is considerable, and the difficulties to be overcome in getting from the latter to the former are by no means slight. That I am here today is, to me, a matter of astonishment as well as of gratitude. You will not, therefore, be surprised, if in what I have to say I evince no elaborate preparation, nor grace my speech with any high sounding exordium. With little experience and with less learning,

I have been able to throw my thoughts hastily and imperfectly together; and trusting to your patient and generous indulgence, I will proceed to lay them before you.

This, for the purpose of this celebration, is the Fourth of July. It is the birthday of your National Independence, and of your political freedom. This, to you, is what the Passover was to the emancipated people of God. It carries your minds back to the day, and to the act of your great deliverance; and to the signs, and to the wonders, associated with that act, and that day. This celebration also marks the beginning of another year of your national life; and reminds you that the Republic of America is now 76 years old. I am glad, fellow-citizens, that your nation is so young. Seventy-six years, though a good old age for a man, is but a mere speck in the life of a nation. Three score years and ten is the allotted time for individual men; but nations number their years by thousands. According to this fact, you are, even now, only in the beginning of your national career, still lingering in the period of childhood. I repeat, I am glad this is so. There is hope in the thought, and hope is much needed, under the dark clouds which lower above the horizon. The eye of the reformer is met with angry flashes, portending disastrous times; but his heart may well beat lighter at the thought that America is young, and that she is still in the impressive stage of her existence. May he not hope that high lessons of wisdom, of justice and of truth, will yet give direction to her destiny? Were the nation older, the patriot's heart might be sadder, and the reformer's brow heavier. Its future might be shrouded in gloom, and the hope of its prophets go out in sorrow. There is consolation in the thought that America is young. Great streams are not easily turned from channels, worn deep in the course of ages. They may sometimes rise in quiet and stately majesty, and inundate the land, refreshing and fertilizing the earth with their mysterious properties. They may also rise in wrath and fury, and bear away, on their angry waves, the accumulated wealth of years of toil and hardship. They, however, gradually flow back to the same old channel, and flow on as serenely as ever. But, while the river may not be turned aside, it may dry up, and leave nothing behind but the withered branch, and the unsightly rock, to howl in the abyss-sweeping wind, the sad tale of departed glory. As with rivers so with nations.

Fellow-citizens, I shall not presume to dwell at length on the associations that cluster about this day. The simple story of it is, that, 76 years ago, the people of this country were British subjects. The style and title of your "sovereign people" (in which you now glory) was not then born. You were under the British Crown. Your fathers esteemed the English Government as the home government; and England as the fatherland. This home government, you know, although a considerable distance from your home, did, in the exercise of its parental prerogatives, impose upon its colonial children, such restraints, burdens and limitations, as, in its mature judgment, it deemed wise, right and proper.

But your fathers, who had not adopted the fashionable idea of this day, of the infallibility of government, and the absolute character of its acts, presumed to differ from the home government in respect to the wisdom and the justice of some of those burdens and restraints. They went so far in their excitement as to pronounce the measures of government unjust, unreasonable, and oppressive, and altogether such as ought not to be quietly submitted to. I scarcely need say, fellow-citizens, that my opinion of those measures fully accords with that of your fathers. Such a declaration of agreement on my part would not be worth much to anybody. It would certainly prove nothing

as to what part I might have taken had I lived during the great controversy of 1776. To say now that America was right, and England wrong, is exceedingly easy. Everybody can say it; the dastard, not less than the noble brave, can flippantly descant on the tyranny of England towards the American Colonies. It is fashionable to do so; but there was a time when, to pronounce against England, and in favor of the cause of the colonies, tried men's souls. They who did so were accounted in their day plotters of mischief, agitators and rebels, dangerous men. To side with the right against the wrong, with the weak against the strong, and with the oppressed against the oppressor! here lies the merit, and the one which, of all others, seems unfashionable in our day. The cause of liberty may be stabbed by the men who glory in the deeds of your fathers. But, to proceed.

Feeling themselves harshly and unjustly treated, by the home government, your fathers, like men of honesty, and men of spirit, earnestly sought redress. They petitioned and remonstrated; they did so in a decorous, respectful, and loyal manner. Their conduct was wholly unexceptionable. This, however, did not answer the purpose. They saw themselves treated with sovereign indifference, coldness and scorn. Yet they persevered. They were not the men to look back.

As the sheet anchor takes a firmer hold, when the ship is tossed by the storm, so did the cause of your fathers grow stronger as it breasted the chilling blasts of kingly displeasure. The greatest and best of British statesmen admitted its justice, and the loftiest eloquence of the British Senate came to its support. But, with that blindness which seems to be the unvarying characteristics of tyrants, since Pharaoh and his hosts were drowned in the Red Sea, the British Government persisted in the exactions complained of.

The madness of this course, we believe, is admitted now, even by England; but we fear the lesson is wholly lost on our present rulers.

Oppression makes a wise man mad. Your fathers were wise men, and if they did not go mad, they became restive under this treatment. They felt themselves the victims of grievous wrongs, wholly incurable in their colonial capacity. With brave men there is always a remedy for oppression. Just here, the idea of a total separation of the colonies from the crown was born! It was a startling idea, much more so than we, at this distance of time, regard it. The timid and the prudent (as has been intimated) of that day were, of course, shocked and alarmed by it.

Such people lived then, had lived before, and will, probably, ever have a place on this planet; and their course in respect to any great change (no matter how great the good to be attained, or the wrong to be redressed by it), may be calculated with as much precision as can be the course of the stars. They hate all changes, but silver, gold and copper change! Of this sort of change they are always strongly in favor.

These people were called Tories in the days of your fathers; and the appellation, probably, conveyed the same idea that is meant by a more modern, though a somewhat less euphonious term, which we often find in our papers, applied to some of our old politicians.

Their opposition to the then dangerous thought was earnest and powerful; but, amid all their terror and affrighted vociferations against it, the alarming and revolutionary idea moved on, and the country with it.

On the 2nd of July, 1776, the old Continental Congress, to the dismay of the lovers of ease, and the worshipers of property, clothed that dreadful idea with all the authority of national sanction. They did so in the form of a resolution; and as we seldom hit upon resolutions, drawn up in our day, whose transparency is at all equal to this,

it may refresh your minds and help my story if I read it.

"Resolved, That these united colonies are, and of right, ought to be free and Independent States; that they are absolved from all allegiance to the British Crown; and that all political connection between them and the State of Great Britain is, and ought to be, dissolved."

Citizens, your fathers made good that resolution. They succeeded; and today you reap the fruits of their success. The freedom gained is yours; and you, therefore, may properly celebrate this anniversary. The 4th of July is the first great fact in your nation's history—the very ringbolt in the chain of your yet undeveloped destiny.

Pride and patriotism, not less than gratitude, prompt you to celebrate and to hold it in perpetual remembrance. I have said that the Declaration of Independence is the ringbolt to the chain of your nation's destiny; so, indeed, I regard it. The principles contained in that instrument are saving principles. Stand by those principles, be true to them on all occasions, in all places, against all foes, and at whatever cost.

From the round top of your ship of state, dark and threatening clouds may be seen. Heavy billows, like mountains in the distance, disclose to the leeward huge forms of flinty rocks! That bolt drawn, that chain broken, and all is lost. Cling to this day—cling to it, and to its principles, with the grasp of a storm-tossed mariner to a spar at midnight.

The coming into being of a nation, in any circumstances, is an interesting event. But, besides general considerations, there were peculiar circumstances which makes the advent of this republic an event of special attractiveness.

The whole scene, as I look back to it, was simple, dignified and sublime. The population of the country, at the time, stood at the insignificant number of three millions. The country was poor in the munitions of war. The population was weak and scattered, and the country a wilderness unsubdued. There were then no means of concert and combination, such as exist now. Neither steam nor lightning had then been reduced to order and discipline. From the Potomac to the Delaware was a journey of many days. Under these, and innumerable other disadvantages, your fathers declared for liberty and independence and triumphed.

Fellow Citizens, I am not wanting in respect for the fathers of this republic. The signers of the Declaration of Independence were brave men. They were great men, too—great enough to give frame to a great age. It does not often happen to a nation to raise, at one time, such a number of truly great men. The point from which I am compelled to view them is not, certainly, the most favorable; and yet I cannot contemplate their great deeds with less than admiration. They were statesmen, patriots and heroes, and for the good they did, and the principles they contended for, I will unite with you to honor their memory.

They loved their country better than their own private interests; and, though this is not the highest form of human excellence, all will concede that it is a rare virtue, and that when it is exhibited it ought to command respect. He who will, intelligently, lay down his life for his country is a man whom it is not in human nature to despise. Your fathers staked their lives, their fortunes, and their sacred honor, on the cause of their country. In their admiration of liberty, they lost sight of all other interests.

They were peace men; but they preferred revolution to peaceful submission to bondage. They were quiet men; but they did not shrink from agitating against oppression. They showed forbearance; but that they knew its limits. They believed in order; but not in the order of tyranny.

With them, nothing was "settled" that was not right. With them, justice, liberty and humanity were "final"; not slavery and oppression. You may well cherish the memory of such men. They were great in their day and generation. Their solid manhood stands out the more as we contrast it with these degenerate times.

How circumspect, exact and proportionate were all their movements! How unlike the politicians of an hour! Their statesmanship looked beyond the passing moment, and stretched away in strength into the distant future. They seized upon eternal principles, and set a glorious example in their defence. Mark them!

Fully appreciating the hardships to be encountered, firmly believing in the right of their cause, honorably inviting the scrutiny of an on-looking world, reverently appealing to heaven to attest their sincerity, soundly comprehending the solemn responsibility they were about to assume, wisely measuring the terrible odds against them, your fathers, the fathers of this republic, did, most deliberately, under the inspiration of a glorious patriotism, and with a sublime faith in the great principles of justice and freedom, lay deep, the cornerstone of the national super-structure, which has risen and still rises in grandeur around you.

Of this fundamental work, this day is the anniversary. Our eyes are met with demonstrations of joyous enthusiasm. Banners and pennants wave exultingly on the breeze. The din of business, too, is hushed. Even mammon seems to have quitted his grasp on this day. The ear-piercing fife and the stirring drum unite their accents with the ascending peal of a thousand church bells. Prayers are made, hymns are sung, sermons are preached in honor of this day; while the quick martial tramp of a great and multitudinous nation, echoed back by all the hills, valleys and mountains of a vast continent, bespeak the occasion one of thrilling and universal interest—a nation's jubilee.

Friends and citizens, I need not enter further into the causes which led to this anniversary. Many of you understand them better than I do. You could instruct me in regard to them. That is a branch of knowledge in which you feel, perhaps, a much deeper interest than your speaker. The causes which led to the separation of the colonies from the British crown have never lacked for a tongue. They have all been taught in your common schools, narrated at your fire-sides, unfolded from your pulpits, and thundered from your legislative halls, and are as familiar to you as household words. They form the staple of your national poetry and eloquence.

I remember, also, that, as a people, Americans are remarkably familiar with all facts which make in their own favor. This is esteemed by some as a national trait—perhaps a national weakness. It is a fact, that whatever makes for the wealth or for the reputation of Americans and can be had cheap, will be found by Americans. I shall not be charged with slandering Americans if I say I think the American side of any question may be safely left in American hands.

I leave, therefore, the great deeds of your fathers to other gentlemen whose claim to have been regularly descended will be less likely to be disputed than mine!

My business, if I have any here today, is with the present. The accepted time with God and His cause is the ever-living now:

"Trust no future, however pleasant,
Let the dead past bury its dead;
Act, act in the living present,
Heart within, and God overhead."

We have to do with the past only as we can make it useful to the present and to the future. To all inspiring motives, to noble deeds which can be gained from the past, we are welcome. But now is the time, the im-

portant time. Your fathers have lived, died, and have done much of it well. You live and must die, and you must do your work. You have no right to enjoy a child's share in the labor of your fathers, unless your children are to be blest by your labors. You have no right to wear out and waste the hard-earned fame of your fathers to cover your indolence. Sydney Smith tells us that men seldom eulogize the wisdom and virtues of their fathers, but to excuse some folly or wickedness of their own. This truth is not a doubtful one. There are illustrations of it near and remote, ancient and modern. It was fashionable, hundreds of years ago, for the children of Jacob to boast, we have "Abraham to our father," when they had long lost Abraham's faith and spirit. That people contented themselves under the shadow of Abraham's great name, while they repudiated the deeds which made his name great.

Need I remind you that a similar thing is being done all over this country today? Need I tell you that the Jews are not the only people who built the tombs of the prophets, and garnished the sepulchers of the righteous? Washington could not die till he had broken the chains of his slaves. Yet his monument is built up by the price of human blood, and the traders in the bodies and souls of men shout: "We have Washington to our father." Alas! that it should be so; yet so it is.

The evil that men do, lives after them,
The good is oft interred with their bones.

Fellow-citizens, pardon me, allow me to ask, why am I called upon to speak here today? What have I, or those I represent, to do with your national independence? Are the great principles of political freedom and of natural justice, embodied in that Declaration of Independence, extended to us? Am I, therefore, called upon to bring our humble offering to the national altar, and to confess the benefits and express devout gratitude for the blessings resulting from your independence to us?

Would to God, both for your sakes and ours, that an affirmative answer could be truthfully returned to these questions! Then would my task be light, and my burden easy and delightful. For who is there so cold, that a nation's sympathy could not warm him? Who so obdurate and dead to the claims of gratitude, that would not thankfully acknowledge such priceless benefits? Who so stolid and selfish, that would not give his voice to swell the hallelujahs of a nation's jubilee, when the chains of servitude had been torn from his limbs? I am not that man. In a case like that, the dumb might eloquently speak, and the "lame man leap as an hart."

But such is not the state of the case. I say it with a sad sense of the disparity between us. I am not included within the pale of this glorious anniversary! Your high independence only reveals the immeasurable distance between us. The blessings in which you, this day, rejoice, are not enjoyed in common. The rich inheritance of justice, liberty, prosperity and independence, bequeathed by your fathers, is shared by you, not by me. The sunlight that brought light and healing to you, has brought stripes and death to me. This Fourth July is yours, not mine. You may rejoice, I must mourn.

To drag a man in fetters into the grand illuminated temple of liberty, and call upon him to join you in joyous anthems, were inhuman mockery and sacrilegious irony. Do you mean, citizens, to mock me, by asking me to speak today? If so, there is a parallel to your conduct. And let me warn you that it is dangerous to copy the example of a nation whose crimes, towering up to heaven, were thrown down by the breath of the Almighty, burying that nation in irrevocable ruin! I can today take up the plaintive lament of a peeled and woe-smitten people!

"By the river of Babylon, there we sat down. Yea! we wept when we remembered Zion. We hanged our harps upon the willows in the midst thereof. For there, they that carried us away captive, required of us a song; and they who wasted us required of us mirth, saying, Sing us one of the Songs of Zion. How can we sing the Lord's song in a strange land? If I forget thee, O Jerusalem, let my right hand forget her cunning. If I do not remember thee, let my tongue cleave to the roof of my mouth."

Fellow citizens, above your national, tumultuous joy, I hear the mournful wail of millions! whose chains, heavy and grievous yesterday, are, to-day, rendered more intolerable by the jubilee shouts that reach them. If I do forget, if I do not faithfully remember those bleeding children of sorrow this day, "may my right hand forget her cunning, and may my tongue cleave to the roof of my mouth!" To forget them, to pass lightly over their wrongs, and to chime in with the popular theme, would be treason most scandalous and shocking, and would make me a reproach before God and the world. My subject, then, fellow-citizens, is American slavery. I shall see this day and its popular characteristics from the slave's point of view. Standing there identified with the American bondman, making his wrongs mine, I do not hesitate to declare, with all my soul that the character and conduct of this nation never looked blacker to me than on this 4th of July! Whether we turn to the declarations of the past, or to the professions of the present, the conduct of the nation seems equally hideous and revolting. America is false to the past, false to the present, and solemnly binds herself to be false to the future. Standing with God and the crushed and bleeding slave on this occasion, I will, in the name of humanity which is outraged, in the name of liberty which is fettered, in the name of the constitution and the Bible which are disregarded and trampled upon, dare to call in question and to denounce, with all the emphasis I can command, everything that serves to perpetuate slavery—the great sin and shame of America! "I will not equivocate; I will not excuse;" I will use the severest language I can command; and yet not one word shall escape me that any man, whose judgment is not blinded by prejudice, or who is not at heart a slaveholder, shall not confess to be right and just.

But I fancy I hear some one of my audience say, "It is just in this circumstance that you and your brother abolitionists fail to make favorable impression on the public mind. Would you argue more, and denounce less; would you persuade more, and rebuke less; your cause would be much more likely to succeed." But, I submit, where all is plain there is nothing to be argued. What point in the anti-slavery creed would you have argued? On what branch of the subject do the people of this country need light? Must I undertake to prove that the slave is a man? That point is conceded already. Nobody doubts it. The slaveholders themselves acknowledge it in the enactment of laws for their government. They acknowledge it when they punish disobedience on the part of the slave. There are seventy-two crimes in the State of Virginia which, if committed by a black man (no matter how ignorant he be), subject him to the punishment of death; while only two of the same crimes will subject a white man to the like punishment. What is this but the acknowledgement that the slave is a moral, intellectual, and responsible being? The manhood of the slave is conceded. It is admitted in the fact that Southern statute books are covered with enactments forbidding, under severe fines and penalties, the teaching of the slave to read or to write. When you can point to any such laws in reference to the beasts of the field, then I may consent

to argue the manhood of the slave. When the dogs in your streets, when the fowls of the air, when the cattle on your hills, when the fish of the sea, and the reptiles that crawl, shall be unable to distinguish the slave from a brute, then will I argue with you that the slave is a man!

For the present, it is enough to affirm the equal manhood of the Negro race. Is it not astonishing that, while we are ploughing, planting, and reaping, using all kinds of mechanical tools, erecting houses, constructing bridges, building ships, working in metals of brass, iron, copper, silver and gold; that, while we are reading, writing and ciphering, acting as clerks, merchants and secretaries, having among us lawyers, doctors, ministers, poets, authors, editors, orators and teachers; that, while we are engaged in all manner of enterprises common to other men, digging gold in California, capturing the whale in the Pacific, feeding sheep and cattle on the hill-side, living, moving, acting, thinking, planning, living in families as husbands, wives and children, and, above all, confessing and worshipping the Christian's God, and looking hopefully for life and immortality beyond the grave, we are called upon to prove that we are men!

Would you have me argue that man is entitled to liberty? that he is the rightful owner of his own body? You have already declared it. Must I argue the wrongfulness of slavery? Is that a question for Republicans? Is it to be settled by the rules of logic and argumentation, as a matter beset with great difficulty, involving a doubtful application of the principle of justice, hard to be understood? How should I look today, in the presence of Americans, dividing, and subdividing a discourse, to show that men have a natural right to freedom? speaking of it relatively and positively, negatively and affirmatively. To do so would be to make myself ridiculous, and to offer an insult to your understanding. There is not a man beneath the canopy of heaven that does not know that slavery is wrong for him.

What, am I to argue that it is wrong to make men brutes, to rob them of their liberty, to work them without wages, to keep them ignorant of their relations to their fellow men, to beat them with sticks, to flay their flesh with the lash, to load their limbs with irons, to hunt them with dogs, to sell them at auction, to sunder their families, to knock out their teeth, to burn their flesh, to starve them into obedience and submission to their masters? Must I argue that a system thus marked with blood, and stained with pollution, is wrong? No! I will not. I have better employment for my time and strength than such arguments would imply.

What, then, remains to be argued? Is it that slavery is not divine; that God did not establish it; that our doctors of divinity are mistaken? There is blasphemy in the thought. That which is inhuman, cannot be divine! Who can reason on such a proposition? They that can, may; I cannot. The time for such argument is passed.

At a time like this, scorching irony, not convincing argument, is needed. O! had I the ability, and could reach the nation's ear, I would, today, pour out a fiery stream of biting ridicule, blasting reproach, withering sarcasm, and stern rebuke. For it is not light that is needed, but fire; it is not the gentle shower, but thunder. We need the storm, the whirlwind, and the earthquake. The feeling of the nation must be quickened; the conscience of the nation must be roused; the propriety of the nation must be startled; the hypocrisy of the nation must be exposed; and its crimes against God and man must be proclaimed and denounced.

What, to the American slave, is your 4th of July? I answer; a day that reveals to him, more than all other days in the year, the gross injustice and cruelty to which he is the constant victim. To him, your celebration is a sham; your boasted liberty, an unholy license; your national greatness, swelling vanity; your sounds of rejoicing are empty and heartless; your denunciation of tyrants, brass-fronted impudence; your shouts of liberty and equality, hollow mockery; your prayers and hymns, your sermons and thanksgivings, with all your religious parade and solemnity, are, to Him, mere bombast, fraud, deception, impiety, and hypocrisy—a thin veil to cover up crimes which would disgrace a nation of savages. There is not a nation on the earth guilty of practices more shocking and bloody than are the people of the United States, at this very hour.

Go where you may, search where you will, roam through all the monarchies and despotisms of the Old World, travel through South America, search out every abuse, and when you have found the last, lay your facts by the side of the everyday practices of this nation, and you will say with me, that, for revolting barbarity and shameless hypocrisy, America reigns without a rival.

Take the American slave-trade, which we are told by the papers, is especially prosperous just now. Ex-Senator Benton tells us that the price of men was never higher than now. He mentions the fact to show that slavery is in no danger. This trade is one of the peculiarities of American institutions. It is carried on in all the large towns and cities in one-half of this confederacy; and millions are pocketed every year by dealers in this horrid traffic. In several states this trade is a chief source of wealth. It is called (in contradistinction to the foreign slave-trade) "the internal slave-trade." It is, probably, called so, too, in order to divert from it the horror with which the foreign slave-trade is contemplated. That trade has long since been denounced by this government as piracy. It has been denounced with burning words from the high places of the nation as an execrable traffic. To arrest it, to put an end to it, this nation keeps a squadron, at immense cost, on the coast of Africa. Everywhere, in this country, it is safe to speak of this foreign slave-trade as a most inhuman traffic, opposed alike to the laws of God and of man. The duty to extirpate and destroy it, is admitted even by our doctors of divinity. In order to put an end to it, some of these last have consented that their colored brethren (nominally free) should leave this country, and establish themselves on the western coast of Africa! It is, however, a notable fact that, while so much execration is poured out by Americans upon all those engaged in the foreign slave-trade, the men engaged in the slave-trade between the states pass without condemnation, and their business is deemed honorable.

Behold the practical operation of this internal slave-trade, the American slave-trade, sustained by American politics and American religion. Here you will see men and women reared like swine for the market. You know what is a swine-drover? I will show you a man-drover. They inhabit all our Southern States. They perambulate the country, and crowd the highways of the nation, with droves of human stock. You will see one of these human flesh jobbers, armed with pistol, whip, and bowie-knife, driving a company of a hundred men, women, and children, from the Potomac to the slave market at New Orleans. These wretched people are to be sold singly, or in lots, to suit purchasers. They are food for the cotton-field and the deadly sugar-mill. Mark the sad procession, as it moves wearily along, and the inhuman

wretch who drives them. Hear his savage yells and his blood-curdling oaths, as he hurries on his affrighted captives! There, see the old man with locks thinned and gray. Cast one glance, if you please, upon that young mother, whose shoulders are bare to the scorching sun, her briny tears falling on the brow of the babe in her arms. See, too, that girl of thirteen, weeping, yes! weeping, as she thinks of the mother from whom she has been torn! The drove moves tardily. Heat and sorrow have nearly consumed their strength; suddenly you hear a quick snap, like the discharge of a rifle; the fetters clank, and the chain rattles simultaneously; your ears are saluted with a scream, that seems to have torn its way to the centre of your soul! The crack you heard was the sound of the slave-whip; the scream you heard was from the woman you saw with the babe. Her speed had faltered under the weight of her child and her chains! That gash on her shoulder tells her to move on. Follow this drove to New Orleans. Attend the auction; see men examined like horses; see the forms of women rudely and brutally exposed to the shocking gaze of American slave-buyers. See this drove sold and separated forever; and never forget the deep, sad sobs that arose from that scattered multitude. Tell me, citizens, where, under the sun, you can witness a spectacle more fiendish and shocking. Yet this is but a glance at the American slave-trade, as it exists, at this moment, in the ruling part of the United States.

I was born amid such sights and scenes. To me the American slave-trade is a terrible reality. When a child, my soul was often pierced with a sense of its horrors. I lived on Philpot Street, Fell's Point, Baltimore, and have watched from the wharves the slave ships in the Basin, anchored from the shore, with their cargoes of human flesh, waiting for favorable winds to waft them down the Chesapeake. There was, at that time, a grand slave mart kept at the head of Pratt Street, by Austin Woldfolk. His agents were sent into every town and county in Maryland, announcing their arrival, through the papers, and on flaming "hand-bills," headed cash for Negroes. These men were generally well dressed men, and very captivating in their manners; ever ready to drink, to treat, and to gamble. The fate of many a slave has depended upon the turn of a single card; and many a child has been snatched from the arms of its mother by bargains arranged in a state of brutal drunkenness.

The flesh-mongers gather up their victims by dozens, and drive them, chained, to the general depot at Baltimore. When a sufficient number has been collected here, a ship is chartered for the purpose of conveying the forlorn crew to Mobile, or to New Orleans. From the slave prison to the ship, they are usually driven in the darkness of night; for since the anti-slavery agitation, a certain caution is observed.

In the deep, still darkness of midnight, I have been often aroused by the dead, heavy footsteps, and the piteous cries of the chained gangs that passed our door. The anguish of my boyish heart was intense; and I was often consoled, when speaking to my mistress in the morning, to hear her say that the custom was very wicked; that she hated to hear the rattle of the chains and the heart-rending cries. I was glad to find one who sympathized with me in my horror.

Fellow-citizens, this murderous traffic is, today, in active operation in this boasted republic. In the solitude of my spirit I see clouds of dust raised on the highways of the South; I see the bleeding footsteps; I hear the doleful wail of fettered humanity on the way to the slave-markets, where the victims are to be sold like horses, sheep, and swine, knocked off to the highest bidder.

There I see the tenderest ties ruthlessly broken, to gratify the lust, caprice and rapacity of the buyers and sellers of men. My soul sickens at the sight.

Is this the land your Fathers loved,
The freedom which they toiled to win?
Is this the earth whereon they moved?
Are these the graves they slumber in?

But a still more inhuman, disgraceful, and scandalous state of things remains to be presented. By an act of the American Congress, not yet two years old, slavery has been nationalized in its most horrible and revolting form. By that act, Mason and Dixon's line has been obliterated; New York has become as Virginia; and the power to hold, hunt, and sell men, women and children, as slaves, remains no longer a mere state institution, but is now an institution of the whole United States. The power is co-extensive with the star-spangled banner, and American Christianity. Where these go, may also go the merciless slave-hunter. Where these are, man is not sacred. He is a bird for the sportsman's gun. By that most foul and fiendish of all human decrees, the liberty and person of every man are put in peril. Your broad republican domain is hunting ground for men. Not for thieves and robbers, enemies of society, merely, but for men guilty of no crime.

Your law-makers have commanded all good citizens to engage in this hellish sport. Your President, your Secretary of State, your lords, nobles, and ecclesiastics enforce, as a duty you owe to your free and glorious country, and to your God, that you do this accursed thing. Not fewer than forty Americans have, within the past two years, been hunted down and, without a moment's warning, hurried away in chains, and consigned to slavery and excruciating torture. Some of these have had wives and children, dependent on them for bread; but of this, no account was made. The right of the hunter to his prey stands superior to the right of marriage, and to all rights in this republic, the rights of God included! For black men there is neither law nor justice, humanity nor religion. The Fugitive Slave Law makes mercy to them a crime; and bribes the judge who tries them. An American judge gets ten dollars for every victim he consigns to slavery, and five, when he fails to do so. The oath of any two villains is sufficient, under this hell-black enactment, to send the most pious and exemplary black man into the remorseless jaws of slavery! His own testimony is nothing. He can bring no witnesses for himself. The minister of American justice is bound by the law to hear but one side; and that side is the side of the oppressor. Let this damning fact be perpetually told. Let it be thundered around the world that in tyrant-killing, king-hating, people-loving, democratic, Christian America the seats of justice are filled with judges who hold their offices under an open and palpable bribe, and are bound, in deciding the case of a man's liberty, to hear only his accusers!

In glaring violation of justice, in shameless disregard of the forms of administering law, in cunning arrangement to entrap the defenceless, and in diabolical intent this Fugitive Slave Law stands alone in the annals of tyrannical legislation. I doubt if there be another nation on the globe having the brass and the baseness to put such a law on the statute-book. If any man in this assembly thinks differently from me in this matter, and feels able to disprove my statements, I will gladly confront him at any suitable time and place he may select.

I take this law to be one of the grossest infringements of Christian Liberty, and, if the churches and ministers of our country were not stupidly blind, or most wickedly indifferent, they, too, would so regard it.

At the very moment that they are thanking God for the enjoyment of civil and reli-

gious liberty, and for the right to worship God according to the dictates of their own consciences, they are utterly silent in respect to a law which robs religion of its chief significance and makes it utterly worthless to a world lying in wickedness. Did this law concern the "mint, anise, and cumin"—abridge the right to sing psalms, to partake of the sacrament, or to engage in any of the ceremonies of religion, it would be smitten by the thunder of a thousand pulpits. A general shout would go up from the church demanding repeal, instant repeal! And it would go hard with that politician who presumed to solicit the votes of the people without inscribing this motto on his banner. Further, if this demand were not complied with, another Scotland would be added to the history of religious liberty, and the stern old covenants would be thrown into the shade. A John Knox would be seen at every church door and heard from every pulpit, and Fillmore would have no more quarter than was shown by Knox to the beautiful, but treacherous, Queen Mary of Scotland. The fact that the church of our country (with fractional exceptions) does not esteem "the Fugitive Slave Law" as a declaration of war against religious liberty, implies that that church regards religion simply as a form of worship, an empty ceremony, and not a vital principle, requiring active benevolence, justice, love, and good will towards man. It esteems sacrifice above mercy; psalm-singing above right doing; solemn meetings above practical righteousness. A worship that can be conducted by persons who refuse to give shelter to the houseless, to give bread to the hungry, clothing to the naked, and who enjoin obedience to a law forbidding these acts of mercy is a curse, not a blessing to mankind. The Bible addresses all such persons as "scribes, Pharisees, hypocrites, who pay tithe of mint, anise, and cumin, and have omitted the weightier matters of the law, judgement, mercy, and faith."

But the church of this country is not only indifferent to the wrongs of the slave, it actually takes sides with the oppressors. It has made itself the bulwark of American slavery, and the shield of American slave-hunters. Many of its most eloquent Divines, who stand as the very lights of the church, have shamelessly given the sanction of religion and the Bible to the whole slave system. They have taught that man may, properly, be a slave; that the relation of master and slave is ordained of God; that to send back an escaped bondman to his master is clearly the duty of all the followers of the Lord Jesus Christ; and this horrible blasphemy is palmed off upon the world for Christianity.

For my part, I would say, welcome infidelity! welcome atheism! welcome anything! in preference to the gospel, as preached by those Divines! They convert the very name of religion into an engine of tyranny and barbarous cruelty, and serve to confirm more infidels, in this age, than all the infidel writings of Thomas Paine, Voltaire, and Bolingbroke put together have done! These ministers make religion a cold and flinty-hearted thing, having neither principles of right action nor bowels of compassion. They strip the love of God of its beauty and leave the throne of religion a huge, horrible, repulsive form. It is a religion for oppressors, tyrants, man-stealers, and thugs. It is not that "pure and undefiled religion" which is from above, and which is "first pure, then peaceable, easy to be entreated, full of mercy and good fruits without partiality, and without hypocrisy." But a religion which favors the rich against the poor; which exalts the proud above the humble; which divides mankind into two classes, tyrants and slaves; which says to the man in chains, stay there; and to the oppressor, oppress on; it is a religion which may be pro-

fessed and enjoyed by all the robbers and enslavers of mankind; it makes God a respecter of persons, denies his fatherhood of the race, and tramples in the dust the great truth of the brotherhood of man. All this we affirm to be true of the popular church, and the popular worship of our land and nation—a religion, a church, and a worship which on the authority of inspired wisdom, we pronounce to be an abomination in the sight of God. In the language of Isaiah, the American church might be well addressed, "Bring no more vain oblations; incense is an abomination unto me; the new moons and Sabbaths, the calling of assemblies, I cannot away with; it is iniquity even the solemn meeting. Your new moons, and your appointed feasts my soul hateth. They are a trouble to me; I am weary to bear them; and when ye spread forth your hands I will hide mine eyes from you. Yea! when ye make many prayers, I will not hear. Your hands are full of blood; cease to do evil, learn to do well; seek judgement; relieve the oppressed; judge for the fatherless; plead for the widow."

The American church is guilty, when viewed in connection with what it is doing to uphold slavery; but it is superlatively guilty when viewed in connection with its ability to abolish slavery.

The sin of which it is guilty is one of omission as well as of commission. Albert Barnes but uttered what the common sense of every man at all observant of the actual state of the case will receive as truth, when he declared that "There is no power out of the church that could sustain slavery an hour, if it were not sustained in it."

Let the religious press, the pulpit, the Sunday School, the conference meeting, the great ecclesiastical, missionary, Bible and tract associations of the land array their immense powers against slavery, and slaveholding; and the whole system of crime and blood would be scattered to the winds, and that they do not do this involves them in the most awful responsibility of which the mind can conceive.

In prosecuting the anti-slavery enterprise, we have been asked to spare the church, to spare the ministry; but how, we ask, could such a thing be done? We are met on the threshold of our efforts for the redemption of the slave, by the church and ministry of the country, in battle arrayed against us; and we are compelled to fight or flee. From what quarter, I beg to know, has proceeded a fire so deadly upon our ranks, during the last two years, as from the Northern pulpit? As the champions of oppressors, the chosen men of American theology have appeared—men honored for their so-called piety, and their real learning. The Lords of Buffalo, the Springs of New York, the Lathrops of Auburn, the Coxes and Spencers of Brooklyn, the Gannets and Sharps of Boston, the Deweys of Washington, and other great religious lights of the land have, in utter denial of the authority of Him by whom they professed to be called to the ministry, deliberately taught us, against the example of the Hebrews, and against the remonstrance of the Apostles, that we ought to obey man's law before the law of God.

My spirit wearies of such blasphemy; and how such men can be supported, as the "standing types and representatives of Jesus Christ," is a mystery which I leave others to penetrate. In speaking of the American church, however, let it be distinctly understood that I mean the great mass of the religious organizations of our land. There are exceptions, and I thank God that there are. Noble men may be found, scattered all over these Northern States, of whom Henry Ward Beecher, of Brooklyn; Samuel J. May, of Syracuse; and my esteemed friend (Rev. R. R. Raymond) on the platform, are shining

examples; and let me say further, that upon these men lies the duty to inspire our ranks with high religious faith and zeal, and to cheer us on in the great mission of the slave's redemption from his chains.

One is struck with the difference between the attitude of the American church towards the anti-slavery movement, and that occupied by the churches in England towards a similar movement in that country. There, the church, true to its mission of ameliorating, elevating and improving the condition of mankind, came forward promptly, bound up the wounds of the West Indian slave, and restored him to his liberty. There, the question of emancipation was a high religious question. It was demanded in the name of humanity, and according to the law of the living God. The Sharps, the Clarksons, the Wilberforces, the Buxtons, the Burchells, and the Knibbs were alike famous for their piety and for their philanthropy. The anti-slavery movement there was not an antichurch movement, for the reason that the church took its full share in prosecuting that movement; and the anti-slavery movement in this country will cease to be an anti-church movement, when the church of this country shall assume a favorable instead of a hostile position towards that movement.

Americans! your republican politics, not less than your republican religion, are flagrantly inconsistent. You boast of your love of liberty, your superior civilization, and your pure Christianity, while the whole political power of the nation (as embodied in the two great political parties) is solemnly pledged to support and perpetuate the enslavement of three millions of your countrymen. You hurl your anathemas at the crowned headed tyrants of Russia and Austria and pride yourselves on your Democratic institutions, while you yourselves consent to be the mere tools and body-guards of the tyrants of Virginia and Carolina. You invite to your shores fugitives of oppression from abroad, honor them with banquets, greet them with ovations, cheer them, toast them, salute them, protect them, and pour out your money to them like water; but the fugitives from your own land you advertise, hunt, arrest, shoot, and kill. You glory in your refinement and your universal education; yet you maintain a system as barbarous and dreadful as ever stained the character of a nation—a system begun in avarice, supported in pride, and perpetuated in cruelty. You shed tears over fallen Hungary, and make the sad story of her wrongs the theme of your poets, statesmen, and orators, till your gallant sons are ready to fly to arms to vindicate her cause against the oppressor; but, in regard to the ten thousand wrongs of the American slave, you would enforce the strictest silence, and would hail him as an enemy of the nation who dares to make those wrongs the subject of public discourse!

You are all on fire at the mention of liberty for France or for Ireland; but are as cold as an iceberg at the thought of liberty for the enslaved of America. You discourse eloquently on the dignity of labor; yet, you sustain a system which, in its very essence, casts a stigma upon labor. You can bare your bosom to the storm of British artillery to throw off a three-penny tax on tea; and yet wring the last hard earned farthing from the grasp of the black laborers of your country. You profess to believe "that, of one blood, God made all nations of men to dwell on the face of all the earth," and hath commanded all men everywhere, to love one another; yet you notoriously hate (and glory in your hatred) all men whose skins are not colored like your own. You declare before the world, and are understood by the world to declare that you "hold these truths to be

self-evident, that all men are created equal; and are endowed by their Creator with certain inalienable rights; and that among these are, life, liberty, and the pursuit of happiness;" and yet, you hold securely, in a bondage which, according to your own Thomas Jefferson, "is worse than ages of that which your fathers rose in rebellion to oppose," a seventh part of the inhabitants of your country.

Fellow-citizens, I will not enlarge further on your national inconsistencies. The existence of slavery in this country brands your republicanism as a sham, your humanity as a base pretense, and your Christianity as a lie. It destroys your moral power abroad; it corrupts your politicians at home. It saps the foundation of religion; it makes your name a hissing and a bye-word to a mocking earth. It is the antagonistic force in your government, the only thing that seriously disturbs and endangers your Union. It fetters your progress; it is the enemy of improvement; the deadly foe of education; it fosters pride; it breeds insolence; it promotes vice; it shelters crime; it is a curse to the earth that supports it; and yet you cling to it as if it were the sheet anchor of all your hopes. Oh! be warned! be warned! a horrible reptile is coiled up in your nation's bosom; the venomous creature is nursing at the tender breast of your youthful republic; for the love of God, tear away, and fling from you the hideous monster, and let the weight of twenty millions crush and destroy it forever!

But it is answered in reply to all this, that precisely what I have now denounced is, in fact, guaranteed and sanctioned by the Constitution of the United States; that, the right to hold, and to hunt slaves is a part of that Constitution framed by the illustrious Fathers of this Republic.

Then, I dare to affirm, notwithstanding all I have said before, your fathers stooped, basely stooped:

To palter with us in a double sense:
And keep the word of promise to the ear,
But break it to the heart.

And instead of being the honest men I have before declared them to be, they were the veriest impostors that ever practised on mankind. This is the inevitable conclusion, and from it there is no escape; but I differ from those who charge this baseness on the framers of the Constitution of the United States. It is a slander upon their memory, at least, so I believe. There is not time now to argue the constitutional question at length; or have I the ability to discuss it as it ought to be discussed. The subject has been handled with mastery power by Lysander Spooner, Esq., by William Goodell, by Samuel E. Sewall, Esq., and last, though not least, by Gerrit Smith, Esq. These gentlemen have, as I think, fully and clearly vindicated the Constitution from any design to support slavery for an hour.

Fellow-citizens! there is no matter in respect to which the people of the North have allowed themselves to be so ruinously imposed upon as that of the pro-slavery character of the Constitution. In that instrument I hold there is neither warrant, license, nor sanction of the hateful thing; but interpreted, as it ought to be interpreted, the Constitution is a glorious liberty document. Read its preamble, consider its purposes. Is slavery among them? Is it at the gateway? or is it in the temple? It is neither. While I do not intend to argue this question on the present occasion, let me ask, if it be not somewhat singular that, if the Constitution were intended to be, by its framers and adopters, a slaveholding instrument, why neither slavery, slaveholding, nor slave can anywhere be found in it.

What would be thought of an instrument, drawn up, legally drawn up, for the purpose of entitling the city of Rochester to a tract of land, in which no mention of land was made? Now, there are certain rules of interpretation for the proper understanding of all legal instruments. These rules are well established. They are plain, common-sense rules, such as you and I, and all of us, can understand and apply, without having passed years in the study of law. I scout the idea that the question of the constitutionality, or unconstitutionality of slavery, is not a question for the people. I hold that every American citizen has a right to form an opinion of the Constitution, and to propagate that opinion, and to use all honorable means to make his opinion the prevailing one. Without this right, the liberty of an American citizen would be as insecure as that of a Frenchman. Ex-Vice-President Dallas tells us that the Constitution is an object to which no American mind can be too attentive, and no American heart too devoted. He further says, the Constitution, in its words, is plain and intelligible, and is meant for the home-bred unsophisticated understanding of our fellow-citizens. Senator Berrien tells us that the Constitution is the fundamental law, that which controls all others. The charter of our liberties, which every citizen has a personal interest in understanding thoroughly. The testimony of Senator Breese, Lewis Cass, and many others that might be named, who are everywhere esteemed as sound lawyers, so regard the Constitution. I take it, therefore, that it is not presumption in a private citizen to form an opinion of that instrument.

Now, take the Constitution according to its plain reading, and I defy the presentation of a single pro-slavery clause in it. On the other hand, it will be found to contain principles and purposes, entirely hostile to the existence of slavery.

I have detained my audience entirely too long already. At some future period I will gladly avail myself of an opportunity to give this subject a full and fair discussion.

Allow me to say, in conclusion, notwithstanding the dark picture I have this day presented, of the state of the nation, I do not despair of this country. There are forces in operation which must inevitably work the downfall of slavery. "The arm of the Lord is not shortened," and the doom of slavery is certain. I, therefore, leave off where I began, with hope. While drawing encouragement from "the Declaration of Independence," the great principles it contains, and the genius of American Institutions, my spirit is also cheered by the obvious tendencies of the age. Nations do not now stand in the same relation to each other that they did ages ago. No nation can now shut itself up from the surrounding world and trot around in the same old path of its fathers without interference. The time was when such could be done. Long established customs of hurtful character could formerly fence themselves in, and do their evil work with social impunity. Knowledge was then confined and enjoyed by the privileged few, and the multitude walked on in mental darkness. But a change has now come over the affairs of mankind. Walled cities and empires have become unfashionable. The arm of commerce has borne away the gates of the strong city. Intelligence is penetrating the darkest corners of the globe. It makes its pathway over and under the sea, as well as on the earth. Wind, steam, and lightning are its chartered agents. Oceans no longer divide, but link nations together. From Boston to London is now a holiday excursion. Space is comparatively annihilated. Thoughts expressed on one side of

the Atlantic are distinctly heard on the other.

The far off and almost fabulous Pacific rolls in grandeur at our feet. The Celestial Empire, the mystery of ages, is being solved. The fiat of the Almighty, "Let there be Light," has not yet spent its force. No abuse, no outrage whether in taste, sport or avarice, can now hide itself from the all-pervading light. The iron shoe, and crippled foot of China must be seen in contrast with nature. Africa must rise and put on her yet unwoven garment. "Ethiopia shall stretch out her hand unto God." In the fervent aspirations of William Lloyd Garrison, I say, and let every heart join in saying:

God speed the year of jubilee

The wide world o'er!
When from their galling chains set free,
Th' oppress'd shall vilely bend the knee,

And wear the yoke of tyranny

Like brutes no more
That year will come and freedom's reign,
To man his plundered rights again
Restore.

God speed the day when human blood

Shall cease to flow!
In every clime be understood,
The claims of human brotherhood,
And each return for evil, good,

Not blow for blow;
That day will come all feuds to end,
And change into a faithful friend
Each foe.

God speed the hour, the glorious hour,

When none on earth
Shall exercise a lordly power,
Nor in a tyrant's presence cower;
But to all manhood's stature tower,
By equal birth!

That hour will come, to each, to all,
And from his prison-house, to thrall
Go forth.

Until that year, day, hour, arrive,
With head, and heart, and hand I'll strive,
To break the rod, and rend the gyve,
The spoiler of his prey deprive—
So witness Heaven!
And never from my chosen post,
Whate'er the peril or the cost,
Be driven.

THE POSTAL SERVICE

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

Mr. SYMMS. Mr. Speaker, for the past several years mail service in the United States has grown steadily worse. During the same period, the costs of operating the Postal System have rapidly increased. Now at the very time when we are being told that it is necessary to hold the line on prices, and that we must have controls on private business, we are being told that it is necessary to raise the price of first-class postage stamps from 8 cents to 10 cents.

I am not convinced that these rate increases are justified. The Postal Service is suffering from the same illness which strikes any business which has been granted an unlimited monopoly. Time and time again, history has demonstrated that monopolies stifle creativity, and encourage inefficiency. It is time that we give serious consideration to eliminating the monopoly which we

have created in this very important service business, and allow private companies and private individuals to have the opportunity to show what can be done to increase efficiency and reduce prices.

A number of years ago the Tennessee Valley Authority was established, and we were told that it was a healthy thing for the Government to run a power system as a "yardstick" by which to judge the performance of private power companies. I believe that the same argument now holds true for the Post Office. Private companies should be allowed to carry first-class mail, without being subject to criminal penalties.

I am convinced that the initiative and creativity of private enterprise would be a very welcome and useful yardstick by which to measure the performance of the Government. And I am further convinced that if citizens were not subject to criminal penalties for performing this service, they would soon discover new and better ways to carry the mail at a lower cost.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. GONZALEZ from 4 p.m. Wednesday, June 20 through Friday, June 22 on account of death in family.

Mr. WIDNALL (at the request of Mr. GERALD R. FORD) from 4:30 p.m. today and balance of week, on account of official business.

Mr. ASHBROOK (at the request of Mr. GERALD R. FORD) for balance of this week and week of June 25, 1973, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. KETCHUM) to revise and extend their remarks and include extraneous material:)

Mr. STEELE, for 10 minutes, today.

Mrs. HECKLER of Massachusetts, for 5 minutes, today.

Mr. FRELINGHUYSEN, for 5 minutes today.

Mr. CRANE, for 5 minutes today.

Mr. SYMMS, for 5 minutes today.

(The following Members (at the request of Mr. STARK) to revise and extend their remarks and include extraneous material:)

Mr. ALEXANDER, for 15 minutes today.

Mr. MINISH, for 5 minutes, today.

Mr. METCALFE, for 30 minutes, today.

Mr. GONZALEZ, for 5 minutes, today.

Mr. ASPIN, for 5 minutes, today.

Mr. WAGGONNER, for 15 minutes, today.

Mr. ICHORD, for 5 minutes, today.

Mr. PODELL, for 15 minutes, today.

Mr. RODINO, for 5 minutes, today.

Mr. VAN DEERLIN, for 20 minutes, June

27.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. DORN and to include extraneous matter in two instances.

Mr. MADDEN, on the Slovak World Congress.

Mr. YOUNG of Georgia, and to include extraneous matter, notwithstanding the fact that it exceeds two pages of the RECORD and is estimated by the Public Printer to cost \$892.50.

(The following Members (at the request of Mr. KETCHUM) and to include extraneous matter:)

Mr. PRICE of Texas.

Mr. STEELMAN.

Mr. DERWINSKI in two instances.

Mr. SARASIN.

Mr. MCCLORY.

Mr. VANDER JAGT.

Mr. QUILLEN.

Mr. WYMAN in two instances.

Mr. CRONIN in three instances.

Mr. SHUSTER.

Mr. ZWACH.

Mr. ROBISON of New York.

Mr. REGULA.

Mr. HOGAN in two instances.

Mr. SPENCE.

Mr. ERLBORN.

Mr. RONCALLO of New York in three instances.

Mr. RAILSBACK in three instances.

Mr. SHOUP.

Mr. DON H. CLAUSEN.

Mr. STEIGER of Wisconsin.

(The following Members (at the request of Mr. STARK) and to include extraneous material:)

Mr. EVINS of Tennessee.

Mrs. CHISHOLM.

Mr. TEAGUE of Texas in six instances.

Mr. GONZALEZ in three instances.

Mr. RARICK in three instances.

Mr. WALDIE in seven instances.

Mr. O'NEILL in three instances.

Mr. BRINKLEY.

Mrs. SCHROEDER.

Mr. CARNEY of Ohio in two instances.

Mr. DENT.

Mr. MAHON.

Mr. MANN in two instances.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 1529. An act to authorize the Secretary of the Interior to enter into agreements with non-Federal agencies for the replacement of the existing American Falls Dam, Minidoka project, Idaho, and for other purposes; to the Committee on Interior and Insular affairs.

SENATE ENROLLED BILL SIGNED

The Speaker announced his signature to the enrolled bill of the Senate of the following title:

S. 1386. An act to authorize appropriations for the saline water program for fiscal year 1974, and for other purposes.

ADJOURNMENT

Mr. STARK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 21 minutes p.m.), the House adjourned until tomorrow, Thursday, June 21, 1973, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS,
ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1054. A letter from the Secretary of the Navy, transmitting a draft of proposed legislation to amend title 10, United States Code, to provide certain benefits to members of the Coast Guard Reserve, and for other purposes; to the Committee on Armed Services.

1055. A letter from the Administrator, Small Business Administration, transmitting the annual report of the accomplishments of the Administration for calendar year 1972, pursuant to 15 U.S.C. 639(a); to the Committee on Banking and Currency.

1056. A letter from the Attorney General, transmitting his annual report on the activities of the Department of Justice, pursuant to law; to the Committee on the Judiciary.

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. POAGE: Committee on Agriculture. S. 1938. An act to extend the time for conducting the referendum with respect to the national marketing quota for wheat for the marketing year beginning July 1, 1974; (Rept. No. 93-297). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLS of Arkansas: Committee on Ways and Means. H.R. 4200. A bill to amend section 122 of the Internal Revenue Code of 1954; with amendment (Rept. No. 93-298). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLS of Arkansas: Committee on Ways and Means. H.R. 5874. A bill to establish a Federal Financing Bank, to provide for coordinated and more efficient financing of Federal and federally assisted borrowings from the public, and for other purposes; with amendment (Rept. No. 93-299). Referred to the Committee of the Whole House on the State of the Union.

Mr. STRATTON: Committee on Armed Services. H.R. 8528. A bill to provide for increasing the amount of interest paid on the permanent fund of the U.S. Soldiers' and Airmen's Home; (Rept. No. 93-300). 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. ADDABBO:

H.R. 8826. A bill to amend titles 39 and 5, United States Code, to eliminate certain restrictions on the rights of officers and employees of the Postal Service, and for other

purposes; to the Committee on Post Office and Civil Service.

By Mr. ANNUNZIO:

H.R. 8827. A bill to establish an arbitration board to settle disputes between supervisory organizations and the U.S. Postal Service; to the Committee on Post Office and Civil Service.

By Mr. ASPIN:

H.R. 8828. A bill to direct the President to halt all exports of gasoline, No. 2 fuel oil, and propane gas until he determines that no shortage of such fuels exists in the United States; to the Committee on Banking and Currency.

By Mr. ASPIN (for himself and Mr. LONG of Maryland):

H.R. 8829. A bill to provide for the continued sale of gasoline to independent gasoline retailers; to the Committee on Interstate and Foreign Commerce.

By Mr. BRINKLEY:

H.R. 8830. A bill to amend title 38, United States Code, in order to treat vocational school attendance certification requirements on the same basis as college attendance certification requirements; to the Committee on Veterans' Affairs.

By Mr. BURKE of Massachusetts:

H.R. 8831. A bill to relieve certain imports of Portuguese cement from retroactive dumping duties; to the Committee on Ways and Means.

By Mr. CEDERBERG:

H.R. 8832. A bill to amend the Internal Revenue Code of 1954 to designate the home of a State legislator for income tax purposes; to the Committee on Ways and Means.

By Mr. DANIELSON (for himself, Mr. BAFALIS, Mr. BEVILL, Mrs. CHISHOLM, Mr. CONYERS, Mr. DAN DANIEL, Mr. DAVIS of Georgia, Mr. FASCELL, Mr. WILLIAM D. FORD, Mrs. HANSEN of Washington, Mr. HELSTOSKI, Mr. HOSMER, Mr. MITCHELL of Maryland, Mr. MOAKLEY, Mr. MURPHY of Illinois, Mrs. SCHROEDER, Mr. STARK, Mr. THOMPSON of New Jersey, Mr. THORNTON, Mr. WON PAT, Mr. YATRON, and Mr. YOUNG of Georgia):

H.R. 8833. A bill to create a Federal Disaster Insurance Corporation to insure the people of the United States against losses due to major natural disaster, and for other purposes; to the Committee on Banking and Currency.

By Mr. DENT (for himself and Mr. ERLBORN):

H.R. 8834. A bill to amend the black lung benefits provisions of the Federal Coal Mine Health and Safety Act to prevent duplicate awards in the case of certain widows; to the Committee on Education and Labor.

By Mr. DENT (for himself, Mr. ERLBORN, and Mr. MAZZOLI):

H.R. 8835. A bill to deny reimbursement under the black lung program on account of attorney's fees arising out of State workmen's compensation cases; to the Committee on Education and Labor.

By Mr. DOWNING:

H.R. 8836. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

By Mr. DOWNING (for himself, Mrs. SULLIVAN, Mr. ROGERS, and Mr. MURPHY of New York):

H.R. 8837. A bill to promote safety in the operation of submersible vessels; to the Committee on Merchant Marine and Fisheries.

By Mr. ERLBORN (for himself, Mr. DENT, and Mr. MAZZOLI):

H.R. 8838. A bill to limit the reimbursement of attorney's fees under the black lung

program; to the Committee on Education and Labor.

By Mrs. GRIFFITHS (for herself, Mr. CORMAN, and Mr. MURPHY of New York):

H.R. 8839. A bill to create a national system of health security; to the Committee on Ways and Means.

By Mr. GUDE:

H.R. 8840. A bill to amend title VII of the Civil Rights Act of 1964 to protect the employment rights of the elderly; to the Committee on Education and Labor.

By Mr. HELSTOSKI:

H.R. 8841. A bill to improve the conduct and regulation of Federal election campaign activities and to provide public financing for such campaigns; to the Committee on House Administration.

H.R. 8842. A bill to amend title II of the Social Security Act to permit the payment of benefits to a married couple on their combined earnings record, to eliminate the special dependency requirement for entitlement to husband's or widower's benefits, to provide for the payment of benefits to widowed fathers with minor children, and to make the retirement test inapplicable to individuals with minor children who are entitled to mother's or father's benefits; to the Committee on Ways and Means.

By Mr. JOHNSON of Colorado:

H.R. 8843. A bill to designate the Eagles Nest Wilderness, Arapaho and White River National Forests, in the State of Colorado; to the Committee on Interior and Insular Affairs.

By Mr. KOCH (for himself, Mr. B-

DILLO, Mr. BINGHAM, Mr. BROWN of California, Mr. BURTON, Mrs. CHISHOLM, Mr. CONYERS, Mr. DRINAN, Mr. FAUNTROY, Mr. FRASER, Mr. GUDE, Mr. HECHLER of West Virginia, Mr. HEINZ, Mr. McCLOSKEY, Mr. PODELL, Mr. RANGEL, Mr. ROSENTHAL, Mr. ROYBAL, Mr. STARK, Mr. WOLFF, and Mr. WON PAT):

H.R. 8844. A bill to amend the National Security Act of 1947 to prohibit the Central Intelligence Agency from providing training or other assistance in support of State or local law enforcement activities; to the Committee on Armed Services.

By Mr. KOCH (for himself, Mr. BURTON, Mr. CULVER, and Mr. DRUGS):

H.R. 8845. A bill to amend title 5, United States Code, to provide that persons be apprised of records concerning them which are maintained by Government agencies; to the Committee on Government Operations.

By Mr. KOCH (for himself and Mr. ASPIN):

H.R. 8846. A bill to amend title 38 of the United States Code to make more equitable the procedures for determining eligibility for benefits under the laws administered by the Veterans' Administration, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. McCLORY (for himself and Mr. ANDERSON of Illinois):

H.R. 8847. A bill to amend the Federal Water Pollution Control Act to require public hearings in any political subdivision in which land may be used for treatment works proposed for grant assistance; to the Committee on Public Works.

By Mr. METCALFE:

H.R. 8848. A bill to amend title 18 of the United States Code to establish an Office of the U.S. Correctional Ombudsman; to the Committee on the Judiciary.

By Mr. RANGEL:

H.R. 8849. A bill to prohibit the impoundment of funds appropriated for programs under the jurisdiction of the Secretary of Housing and Urban Development; to the Committee on Appropriations.

H.R. 8850. A bill to amend titles I, X, XIV,

and XVI of the Social Security Act so as to permit Federal reimbursement to States for two-party payments under the programs of aid or assistance for the aged, the blind, and the disabled in the same way as is presently permitted under the program of aid to families with dependent children; to the Committee on Ways and Means.

By Mr. RHODES:

H.R. 8851. A bill relating to the interest rates on loans made by the Treasury to the Department of Agriculture to carry out the programs authorized by the Rural Electrification Act of 1936; to the Committee on Agriculture.

By Mr. ROE:

H.R. 8852. 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.

H.R. 8853. A bill to facilitate the completion of the New York Harbor collection and removal of drift project; to the Committee on Public Works.

By Mr. ROE (for himself and Mr. HELSTOSKI):

H.R. 8854. A bill to amend the Internal Revenue Code of 1954 to provide for adjustment in the dollar limitations for purposes of the retirement income credit in order to make the tax benefits accorded to retirement income comparable to those accorded to social security income; to the Committee on Ways and Means.

By Mr. ROE:

H.R. 8855. A bill to amend the Internal Revenue Code of 1954 to exclude from gross income the severance pay received by individuals as a result of the consolidation, reduction, realignment, or closure of certain military and naval installations; to the Committee on Ways and Means.

By Mr. ROYBAL:

H.R. 8856. A bill to disregard section 212 (a) (15) of the Immigration and Nationality Act when the applicant for a visa is the alien spouse or child of a U.S. citizen or permanent resident, and for other purposes; to the Committee on the Judiciary.

By Mr. ST GERMAIN:

H.R. 8857. A bill to establish an arbitration board to settle disputes between supervisory organizations and the U.S. Postal Service; to the Committee on Post Office and Civil Service.

By Mr. STEELE (for himself and Mr. DINGELL):

H.R. 8858. A bill to amend the National Environmental Policy Act of 1969 in order to insure the balancing of environmental considerations with economic and social considerations in complying with provisions of such act; to the Committee on Merchant Marine and Fisheries.

By Mr. WIDNALL:

H.R. 8859. 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. POAGE (for himself, Mr. ALEXANDER, Mr. BERGLAND, Mr. BOWEN, Mr. BROWN of California, Mr. DE LA GARZA, Mr. DENHOLM, Mr. FOLEY, Mr. GUNTER, Mr. JOHNSON of Colorado, Mr. JONES of Tennessee, Mr. JONES of North Carolina, Mr. LITTON, Mr. MATHIAS of California, Mr. MATHIS of Georgia, Mr. MATSUNAGA, Mr. MELCHER, Mr. RARICK, Mr. ROSE, Mr. SISK, Mr. STUBBLEFIELD, Mr. THONE, Mr. VIGORITO, Mr. YOUNG of South Carolina, and Mr. ZWACH):

H.R. 8860. A bill to extend and amend the Agricultural Act of 1970 for the purpose of

assuring consumers of plentiful supplies of food and fiber at reasonable prices; to the Committee on Agriculture.

By Mrs. BURKE of California:

H.R. 8861. A bill to amend the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963 to expand the definition of "developmental disability" to include autism; to the Committee on Interstate and Foreign Commerce.

By Mr. DENNIS (for himself, Mr. ROUSSELOT, and Mr. BUCHANAN):

H.R. 8862. A bill to make rules governing the use of the Armed Forces of the United States in the absence of a declaration of war by the Congress of the United States or of a military attack upon the United States; to the Committee on Foreign Affairs.

By Mr. FOLEY (for himself, Mrs. HANSEN of Washington, Mr. ADAMS, Mr. HICKS, Mr. MEEDS, Mr. MCCORMACK, and Mr. FRITCHARD):

H.R. 8863. A bill to authorize the President of the United States to allocate crude oil and refined petroleum products to deal with existing or imminent shortages and dislocations in the national distribution system which jeopardize the public health, safety, or welfare; to provide for the delegation of authority to the Secretary of the Interior; and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mrs. GRIFFITHS:

H.R. 8864. A bill to amend the act to incorporate Little League Baseball to provide that the league shall be open to girls as well as to boys; to the Committee on the Judiciary.

By Mr. ICHORD (for himself and Mr. PREYER):

H.R. 8865. A bill to amend the Internal Security Act of 1950 to establish a Central Security Review Office for the coordination of loyalty and security programs administered by Federal executive agencies; to the Committee on Internal Security.

By Mr. PATMAN (for himself, Mr. BROWN of California, Mr. DAVIS of South Carolina, Mr. DRINAN, Mr. EDWARDS of California, Mr. ELBERG, Mr. FAUNTROY, Mr. GONZALEZ, Mr. HAWKINS, Mr. HORTON, Mr. LEHMAN, Mr. MAZZOLI, Mrs. MINK, Mr. MITCHELL of Maryland, Mr. MOLLOHAN, Mr. MONTGOMERY, Mr. PEPPER, Mr. PRICE of Illinois, Mr. RODINO, Mr. RONCALIO of Wyoming, Mr. ROSENTHAL, Mr. SARBANES, Mr. STARK, Mr. WALDIE, and Mr. YATRON):

H.R. 8866. A bill to establish a U.S. Fire Administration and a National Fire Academy in the Department of Housing and Urban Development, to assist State and local governments in reducing the incidence of death, personal injury, and property damage from fire, to increase the effectiveness and coordination of fire prevention and control agencies at all levels of government, and for other purposes; to the Committee on Science and Astronautics.

By Mr. PRICE of Illinois (by request):

H.R. 8867. A bill to amend the EURATOM Cooperation Act of 1958, as amended; to the Joint Committee on Atomic Energy.

By Mr. TIERNAN:

H.R. 8868. A bill to establish an arbitration board to settle disputes between supervisory organizations and the U.S. Postal Service; to the Committee on Post Office and Civil Service.

By Mr. WALDIE:

H.R. 8869. A bill to amend section 5584 of title 5, United States Code, to include claims for overpayments of pay and allowances to employees of the Government Printing Office, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. WINN (for himself, Mr. TEAGUE of Texas, Mr. MOSHER, Mr. SYMINGTON, Mr. ESCH, Mr. BELL, Mr. BERGLAND, Mr. BROWN of California, Mr. CAMP, Mr. CONLAN, Mr. CRONIN, Mr. DAVIS of Georgia, and Mr. DOWNING):

H.R. 8870. A bill to authorize the Administrator of the National Aeronautics and Space Administration to conduct research and development programs to increase knowledge of tornadoes, hurricanes, large thunderstorms, and other types of short-term weather phenomena, and to develop methods for predicting, detecting, and monitoring such atmospheric behavior; to the Committee on Science and Astronautics.

By Mr. WINN (for himself, Mr. FLOWERS, Mr. FREY, Mr. FUQUA, Mr. GUNTER, Mr. HANNA, Mr. HECHLER of West Virginia, Mr. MARTIN of North Carolina, Mr. MILFORD, Mr. PARRIS, Mr. PICKLE, Mr. ROE, Mr. THORNTON, and Mr. WYDLER):

H.R. 8871. A bill to authorize the Administrator of the National Aeronautics and Space Administration to conduct research and development programs to increase knowledge of tornadoes, hurricanes, large thunderstorms, and other types of short-term weather phenomena, and to develop methods for predicting, detecting, and monitoring such atmospheric behavior; to the Committee on Science and Astronautics.

By Mr. DRINAN:

H.J. Res. 630. Joint resolution proposing an amendment to the Constitution of the United States lowering the age requirements for membership in the Houses of Congress; to the Committee on the Judiciary.

By Mrs. GRIFFITHS:

H. Con. Res. 255. Concurrent resolution requesting the President to proclaim August 26, 1973, as "National Women's Suffrage Day"; to the Committee on the Judiciary.

By Mr. HOWARD:

H. Res. 451. Resolution to amend the Rules of the House of Representatives to establish as a standing committee of the House the Committee on Energy, and for other purposes; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII,

258. The SPEAKER presented a memorial of the Legislature of the Commonwealth of Puerto Rico, relative to excluding the Commonwealth of Puerto Rico from the Voter Registration Act; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BARRETT:

H.R. 8872. A bill for the relief of Dionisios Kolaitis; to the Committee on the Judiciary.

By Mrs. HECKLER of Massachusetts:

H.R. 8873. A bill for the relief of Adolfo Henriques and his wife, Almerinda Henriques; to the Committee on the Judiciary.

By Mr. McFALL:

H.R. 8874. A bill for the relief of to confer jurisdiction on the U.S. Court of Claims to reopen and continue case No. 66-55; to the Committee on the Judiciary.

By Mr. STEIGER of Arizona:

H.R. 8875. A bill for the relief of to extend Letters Patent No. 2,322,210, and for other purposes; to the Committee on the Judiciary.