Harrop, Joseph W., xxx-xx-xxxx
Herzog, Otto J., xxx-xx-xxxx
Hirsch, Harvey J., xxx-xx-xxxx
Hollingsworth, Gene I., xxx-xx-xxxx
Hope, Jerry W., xxx-xx-xxxx
Jacobs, Harold L., xxx-xx-xxxx
Kaufman, Stephen M., xxx-xx-xxxx
Kraemer, Karl P., xxx-xx-xxxx
Larson, Carl E., xxx-xx-xxxx
Launikitis, William J., xxx-xx-xxxx
Lovelace, James W., xxx-xx-xxxx
Maddox, Lovic V., Jr., xxx-xx-xxxx
Malone, John D., xxx-xx-xxxx
Marquardt, Alexander A., xxx-xx-xxxx
McClure, John D., Sr., xxx-xx-xxxx
Merz, Ronald L., xxx-xx-xxxx
Mills, John W., xxx-xx-xxxx
Myers, Charles S., xxx-xx-xxxx
Payne, Phillip E., xxx-xx-xxxx
Peake, Robert L., xxx-xx-xxxx
Perry, John C., xxx-xx-xxxx
Pitchford, John J., Jr., xxx-xx-xxxx
Reeves, Don F., xxx-xx-xxxx
Sambold, Albert J., xxx-xx-xxxx
Shidell, Carl H., xxx-xx-xxxx
Shoterf, John W., xxx-xx-xxxx
Simpson, Gus H., xxx-xx-xxxx
Smith, Kenneth H., xxx-xx-xxxx
Soltysiak, Wallace J., xxx-xx-xxxx
Sullivan, Dwight E., xxx-xx-xxxx
Tarantino, Frank P., xxx-xx-xxxx
Thomas, Robert R., xxx-xx-xxxx
Thomas, Stanley R., xxx-xx-xxxx
Vangieson, Henry B., III, xxx-xx-xxxx
Wells, Norman L., xxx-xx-xxxx

CHAPLAINS

Cockburn, Alton D., xxx-xx-xxxx
Hoogasian, Berge A., xxx-xx-xxxx
Knippers, Shural G., xxx-xx-xxxx
Lengel, Stuart H., Jr., xxx-xx-xxxx

DENTAL CORPS

Beutler, Ralph K., xxx-xx-xxxx
Green, Paul F., xxx-xx-xxxx
Idema, William A., xxx-xx-xxxx
Molnar, Georg, xxx-xx-xxxx
Waldbillig, Tom T., xxx-xx-xxxx

MEDICAL CORPS

Corpening, William S., Jr., xxx-xx-xxxx
Freeman, John A., xxx-xx-xxxx
Galindo, Osilio, xxx-xx-xxxx
Goss, Kelly E., xxx-xx-xxxx
Sproles, Elij T., III, xxx-xx-xxxx

NURSE CORPS

Bergeron, Francis R., xxx-xx-xxxx
Black, Raymond E., xxx-xx-xxxx
Freeman, Charles E., xxx-xx-xxxx
Hamberger, Margaret K., xxx-xx-xxxx
Mandot, Barbara R., xxx-xx-xxxx
Withington, Clarence M., xxx-xx-xxxx
Zablocki, Dorothy N., xxx-xx-xxxx

MEDICAL SERVICE CORPS

Dansby, Bradley L., Jr., xxx-xx-xxxx
Dellefield, Douglas M., xxx-xx-xxxx
Gardner, Raymond A., xxx-xx-xxxx

VETERINARY CORPS

Still, Edwin T., xxx-xx-xxxx

The following officer for appointment in the Reserve of the Air Force (line of the Air Force) in the grade as indicated under the provisions of section 593 and the appropriate provisions of chapter 837, title 10, United States Code, and Public Law 92–129.

*To be colonel*

Arnold, James F., Jr., xxx-xx-xxxx

The following persons for appointment as temporary officers in the U.S. Air Force (Medical Corps), in the grades indicated, under the provisions of section 8444 and 8447, title 10, United States Code and Public Law 92–129, with a view to designation as medical officers under the provisions of section 8067, title 10, United States Code:

*To be colonel*

Steinberg, Irwin, xxx-xx-xxxx

*To be lieutenant colonel*

Coolidge, Thomas T., xxx-xx-xxxx
Cox, Benjamin G., Jr., xxx-xx-xxxx
Thomas, Elias A., xxx-xx-xxxx

The following officer for appointment in the Reserve of the Air Force (Medical Corps) in the grade as indicated, under the provisions of section 593 and the appropriate provisions of chapter 837, United States Code, and Public Law 92–129, with a view to designation as a medical officer under the provisions of section 8067, title 10, United States Code:

*To be lieutenant colonel*

Titus, Charles O., xxx-xx-xxxx

The following officer for appointment in the Reserve of the Air Force, in the grade as indicated (line of the Air Force), under the provisions of sections 593 and 1211, title 10, United States Code and Public Law 92–129:

*To be lieutenant colonel*

Whatley, Rupert S., xxx-xx-xxxx

The following officers for appointment in the Reserve of the Air Force, in the grade as indicated (line of the Air Force), under the provisions of section 593, title 10, United States Code, and Public Law 92–129:

*To be lieutenant colonel*

Flanders, Bernard L., Jr., xxx-xx-xxxx
Horton, Quinton F., xxx-xx-xxxx
Walker, Henry A., xxx-xx-xxxx

The following officers for appointment in the Reserve of the Air Force (Medical Corps) in the grade as indicated, under the provisions of section 593, title 10, United States Code, and Public Law 92–129, with a view to designation as a medical officer under the provisions of section 8067, title 10, United States Code:

*To be lieutenant colonel*

Dear, Steven R., xxx-xx-xxxx
Reed, Josiah F., Jr., xxx-xx-xxxx
Steinberg, Irwin, xxx-xx-xxxx
Thomas, Elias A., xxx-xx-xxxx
Young, Frank W., xxx-xx-xxxx

## CONFIRMATIONS

Executive nominations confirmed by the Senate June 22, 1973:

DEPARTMENT OF JUSTICE

Victor R. Ortega, of New Mexico to be U.S. attorney for the district of New Mexico for the term of 4 years.

Mitchell A. Newberger, of Florida, to be U.S. marshall for the middle district of Florida for the term of 4 years.

OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION

Timothy F. Cleary, of Maryland, to be a member of the Occupational Safety and Health Review Commission for a term expiring April 27, 1979.

(The above nominations were approved subject to the nominees' commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

# HOUSE OF REPRESENTATIVES—*Friday, June 22, 1973*

The House met at 11 o'clock a.m.

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

*The Lord is the strength of my life.*—Psalm 27:1.

O God, our Father, whose still small voice calls us to turn away from the worried ways of a weary world to wait upon Thee, make us conscious of Thy presence as we bow before this altar of prayer. Amid the pressures of persistent problems and the demands of daily duties may we find in Thee strength for the day, wisdom for sound decisions, and good will to motivate all our efforts on behalf of our country.

As we live through these days of destiny which cry aloud for integrity, understanding, and good will, make us worthy of the positions we hold and give us courage to work along the ways of truth, honor, and love that we may preserve freedom, promote peace, and produce good will in our Nation and in our world.

In the spirit of Christ we pray. Amen.

## THE JOURNAL

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

Without objection, the Journal stands approved.

There was no objection.

## MESSAGE FROM THE SENATE

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

H.R. 5857. An act to amend the National Visitor Center Facilities Act of 1968, and for other purposes.

The message also announced that the Senate agrees to the amendments of the House to bills of the Senate of the following titles:

S. 1201. An act to amend the act of October 15, 1966 (80 Stat. 915), as amended, establishing a program for the preservation of additional historic properties throughout the Nation, and for other purposes; and

S. 1501. An act to amend the Water Resources Planning Act to authorize appropriations for fiscal year 1974.

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

S. 1385. An act to amend section 2 of the act of June 30, 1954, as amended, providing for the continuance of civil government for the Trust Territory of the Pacific Islands.

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. 1125. An act to amend the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment, and Rehabilitation Act and other related acts to concentrate the resources of the Nation against the problem of alcohol abuse and alcoholism.

## CALL OF THE HOUSE

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

The SPEAKER. Evidently a quorum is not present.

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

A call of the House was ordered.

The call was taken by electronic de-



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vice, and the following Members failed to respond:

[Roll No. 264]

| | | |
|---|---|---|
| Abzug | Flynt | Mathias, Calif. |
| Adams | Ford, | Mathis, Ga. |
| Anderson, Calif. | William D. | Matsunaga |
| Andrews, N.C. | Fountain | Metcalfe |
| Ashbrook | Fraser | Mitchell, Md. |
| Badillo | Frenzel | Mitchell, N.Y. |
| Bafalis | Fuqua | Morgan |
| Beard | Gilman | Murphy, Ill. |
| Blatnik | Gonzalez | Murphy, N.Y. |
| Bolling | Gray | Nedzi |
| Brademas | Green, Pa. | Patman |
| Breaux | Gude | Powell, Ohio |
| Broomfield | Hammer- | Preyer |
| Brown, Ohio | schmidt | Quillen |
| Broyhill, Va. | Hays | Railsback |
| Burke, Calif. | Hébert | Reid |
| Carey, N.Y. | Heinz | Roncalio, Wyo. |
| Chamberlain | Henderson | Rooney, N.Y. |
| Chappell | Hillis | Rooney, Pa. |
| Chisholm | Hinshaw | Rosenthal |
| Clausen, | Hogan | Runnels |
| Don H. | Holtzman | Ruppe |
| Clawson, Del | Hosmer | Ruth |
| Clay | Hudnut | Ryan |
| Cochran | Jarman | St Germain |
| Conlan | Johnson, Calif. | Sandman |
| Conyers | Jones, Tenn. | Satterfield |
| Cronin | Kazen | Saylor |
| Danielson | Kuykendall | Staggers |
| Davis, S.C. | Kyros | Steiger, Wis. |
| Dellums | Landrum | Stratton |
| Denholm | Leggett | Stubblefield |
| Dennis | Lent | Thompson, N.J. |
| Dickinson | Lott | Thomson, Wis. |
| Diggs | Lujan | Tiernan |
| Dingell | McClory | Veysey |
| Eckhardt | McKinney | Waldie |
| Erlenborn | McSpadden | Whitehurst |
| Esch | Macdonald | Widnall |
| Evins, Tenn. | Madigan | Wright |
| Findley | Mailliard | Wyman |
| Fish | Maraziti | Young, Alaska |
| Fisher | Martin, Nebr. | |

The SPEAKER. On this rollcall, 308 Members have recorded their presence by electronic device, a quorum.

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

## PERMISSION FOR COMMITTEE ON APPROPRIATIONS TO FILE A PRIVILEGED REPORT ON DEPARTMENT OF INTERIOR APPROPRIATIONS, 1974

Mrs. HANSEN of Washington. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight tonight to file a privileged report on the bill making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1974, and for other purposes.

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

The SPEAKER. Is there objection to the request of the gentlewoman from Washington?

There was no objection.

## PERMISSION FOR COMMITTEE ON APPROPRIATIONS TO FILE REPORT ON DEPARTMENTS OF STATE, JUSTICE, AND COMMERCE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS, 1974

Mr. SLACK. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight tonight to file a report on the bill making appropriations for the Departments of State, Justice, and Commerce, the Judiciary, and related agencies for the fiscal year ending June 30, 1974, and for other purposes.

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

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

There was no objection.

## AMENDING SECTION 502(a) OF THE MERCHANT MARINE ACT, 1936

Mrs. SULLIVAN. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 6187) to amend section 502(a) of the Merchant Marine Act, 1936.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentlewoman from Missouri?

There was no objection.

The Clerk read the bill, as follows:

H.R. 6187

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the third sentence of section 502(a) of the Merchant Marine Act, 1936 (46 U.S.C. 1152(a)), is amended as follows:

(1) By striking out "June 30, 1973" and inserting in lieu thereof "June 30, 1976".

(2) By striking out the words "and 41 per centum in fiscal 1973" and inserting in lieu thereof the words "41 per centum in fiscal 1973, 39 per centum in fiscal 1974, 37 per centum in fiscal 1975, and 35 per centum in fiscal 1976".

Mrs. SULLIVAN. Mr. Speaker, the Merchant Marine Act of 1970 amended the Merchant Marine Act of 1936 to temporarily authorize the Secretary of Commerce to award construction subsidy where the price of a vessel has been negotiated between the American shipyard and the American ship purchaser. This authority is due to expire on June 30 of this year, and the bill, H.R. 6187, would extend it for another 3 years: From June 30, 1973, to June 30, 1976.

Mr. Speaker, the Merchant Marine and Fisheries Committee is convinced that this is a sound piece of legislation, as negotiated contracting has proven to be very effective. Since the Merchant Marine Act of 1970, contracts have been awarded for the construction of 37 new ships and 16 conversions, with a total value in excess of $1.6 billion, at subsidy levels consistent with the declining scale contemplated by that act. All these contracts were negotiated under the authority to be extended by H.R. 6187.

Some of the advantages of negotiated contracting are as follows:

First. It permits the prospective shipowner to select a yard that will best satisfy his requirements of ability, expertise with a particular type vessel, and delivery date.

Second. It tends to promote ship design by shipyards.

Third. It encourages standardization of vessel design and economies of scale.

For example: The competitive bid price of three so-called Ro/Ro vessels at the Bath Shipyard was $41,697,905, each. Through negotiated contracting, the price of each of these vessels was reduced to $37.8 million. Then, the Bath Shipyard experience with the first three vessels permitted the negotiated price for the fourth vessel to be negotiated down to $35.1 million.

These are substantial savings, and it has been estimated that the use of negotiated contracting during the last 3 years has resulted in savings to the Government of approximately $120 million.

That negotiated contracting is effective is demonstrated by the fact that this method is consistent with the general practice of shipyards throughout the world.

Mr. Speaker, the Merchant Marine and Fisheries Committee has assured itself that the Government, and the American taxpayer, is well protected under the system of negotiated contracting. The bill would require, that before the Secretary of Commerce could award construction subsidy where negotiated contracting was used, all of the following conditions would have to be met:

First. The negotiated price would result in a construction subsidy that is not more than 39 percent in fiscal year 1974; 37 percent in 1975, and 35 percent in 1976. These are the so-called guideline rates now in the statute, but they would be mandatory where negotiated contracting was used.

Second. The proposed ship purchaser and the shipyard must submit back-up cost details to the Maritime Administration that the negotiated price is fair and reasonable.

Third. The Maritime Administration must find that such price is fair and reasonable, and

Fourth. The shipyard must agree that the Comptroller General shall, until 3 years after final payment, have the right to examine any pertinent books, documents or records of the shipyard or its subcontractors related to the negotiation or performance of the contract.

Finally, as an added precaution, the committee limited the bill to a 3-year extension so that we can maintain close surveillance over the practice of negotiated contracting.

I strongly urge the House to support H.R. 6187.

Mr. Speaker, there are other Members on both sides of the aisle who wish to speak in support of the bill. I yield such time as he may consume to the gentleman from Pennsylvania, the Honorable FRANK M. CLARK, chairman of the Merchant Marine Subcommittee.

Mr. CLARK. Mr. Speaker, thank you Madam Chairman.

Mr. Speaker, I rise in strong support of H.R. 6187. As the distinguished chairman of your committee has pointed out, H.R. 6187 is a good bill, that will promote greater efficiencies by American shipyards, thereby resulting in lower cost for the construction of American ships.

What I consider to be one of the most important elements in the bill is the requirement that the negotiated price must result in a construction subsidy that is not more than 39 percent in fiscal year 1974; 37 percent in 1975; and 35 percent in 1976.

Mr. Speaker, as we all know, when the Merchant Marine Act of 1970 was enacted, construction subsidy as high as 55 percent was being awarded. That act provided for the gradual reduction of the subsidy level to 35 percent in fiscal year 1976, and thereafter. For example, on July 1 of this year, the construction subsidy level will be reduced from 41 to 39

percent. These are the so-called guideline rates now in the statute. However, under H.R. 6187, where negotiated contracting is used, they would be mandatory. In other words, the American shipyard and the American shipowner must be able to lower the price to reach these levels of construction subsidy if negotiated contracting is to be used.

As the chairman of your committee has pointed out, there are certain efficiencies associated with negotiated contracting. These efficiencies have assisted American shipyards in meeting the reduced construction subsidy levels. On the other hand, these reduced subsidy levels are mandatory where negotiated contracting is used, and protect the public interest.

After careful inquiry, your committee has concluded that the negotiated contracting authorized by the bill insures that the Government and the American taxpayer, are well protected from the practices competitive bidding are designed to prevent. Your committee further concluded that the past experience with negotiated contracting during the first 3 years of the new maritime program under the Merchant Marine Act of 1970 warrants its extension for another 3 years.

The bill was the subject of an executive communication from the Department of Commerce, and strongly supported by the Maritime Administration and the maritime industry generally. The Comptroller General reported that he had no comments to offer on the bill. In short, there were no adverse comments received on the bill, and much in strong support of it.

I strongly urge the House to support H.R. 6187.

Mr. GROVER. Mr. Speaker, I rise in support of passage of the bill, H.R. 6187, which extends for another 3 years or up to June 30, 1976, the authority of the Secretary of Commerce, under the Merchant Marine Act of 1970, to award subsidy for a ship construction contract, the price of which has been established as a result of direct negotiations between the shipyard and the shipowner. The present authority is due to expire June 30, 1973.

The bill is an administration bill, is supported by the maritime industry, and was unanimously reported out of our committee. As indicated in the committee report and by the gentlewoman from Missour (Mrs. SULLIVAN), chairman of our committee, the ability of the industry to negotiate the price of a vessel under the Merchant Marine Act of 1970 contributes significantly to the actual implementation of the purposes and policies of that act. The various safeguards built into the statutory language and the vigorous oversight of the entire Merchant Marine Act and industry performed by this committee on a frequent basis, provides adequate protection for the Federal and public interests. I know of no opposition to the measure and urge its prompt passage.

Mr. DOWNING. Mr. Speaker, I rise in support of H.R. 6187, which would amend section 502(a) of the Merchant Marine Act, 1936, to extend for 3 years the authority of the Secretary of Commerce to award subsidy for the construction of vessels on which the price has been established by negotiation between the prospective owner and the shipyard.

At the time of the passage of the Merchant Marine Act of 1970, it was the considered judgment of the Congress that the use of a system of direct negotiation would not only permit the prospective owner to select the shipyard he believed would best satisfy his requirements, but would promote the development of new ship designs and the standardization of ship design by shipyards, and thereby make possible series production of vesels and consequent cost saving. The performance of this system during th_ first 3 years of the new maritime program under the 1970 act has validated the wisdom of the Congress.

Negotiated contracting is consistent with the general practice of shipyards througout the world. Information to date indicates that this system has been highly successful and has been a major factor in enabling both the Government and the maritime industry to meet the challenge of the Merchant Marine Act of 1970. Since the enactment of the act, contracts have been awarded for the construction of 37 new ships and 16 conversions, with a total value in excess of $1.6 billion, at subsidy levels at or below the declining CDS scale contemplated by the act. At the time of the passage of the act in 1970, construction differential subsidy was at a level of 55 percent. As of July 1 of this year, CDS will be reduced to 39 percent or below. During the last 3 years, the use of negotiated pricing has resulted in savings to the Government of approximately $121 million.

Moreover, the numerous advantages of direct negotiation have been adequately demonstrated within the context of stringent statutory limitations intended to protect the public interest. H.R. 6187 continues these safeguards: The negotiated price must be within the guideline rates contained in the statute; the proposed ship purchaser and the shipyard must submit back-up cost details to the Maritime Administration that the negotiated price is fair and reasonable; the Maritime Administration must make an independent determination that the price is fair and reasonable; the shipyard must agree that the Comptroller General shall, until 3 years after final payment, have the right to examine pertinent records of the shipyard or its subcontractor.

As an added precaution, the bill is limited to a period of 3 years to enable the Committee on Merchant Marine and Fisheries to continue to maintain close surveillance over the practice of negotiated contracting and to monitor its effectiveness as a cost savings device.

In conclusion, I strongly believe that our experience with the method of direct negotiation under the Merchant Marine Act of 1970 plus the provisions in the bill designed to protect the public interest provide clear and convincing evidence in support of the passage of H.R. 6187.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

## GENERAL LEAVE

Mrs. SULLIVAN. 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. 6187).

The SPEAKER. Is there objection to the request of the gentlewoman from Missouri?

There was no objection.

## RECORD SET BY THREE PROUD ASTRONAUTS

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

Mr. CASEY of Texas. Mr. Speaker, less than 1 hour ago three proud Americans stepped onto the deck of the aircraft carrier, *Ticonderoga,* and saluted our flag. Charles "Pete" Conrad, Jr., Dr. Joseph P. Kerwin, and Paul Weitz, America's first Skylab crew, accomplished what few had dreamed possible a short time ago. They spent 28 days weightless in outer space, longer than anyone heretofore.

These astronauts are proud that they are Americans. They are proud that the American people and this Congress had the confidence in them and in our space team to set another first for our country. The exploration and utilization of outer space will benefit all mankind.

We, the Members of this House, can take pride in our contributions in making this great space program and its accomplishments possible.

It is true that this mission was not without its problems; in fact, it had many difficulties to overcome. But, it is a tribute to the abilities of our space team in Washington, Cape Kennedy, and Houston's L. B. J. Space Center, that they were overcome. The mission is highly successful and the results and benefits will soon be known.

Mr. Speaker, the accomplishments of the American space program have impressed not only the people of this great Nation, but also the nations throughout the world. It is truly the one thing that the peoples throughout the world admire us for and applaud our achievements.

Our space program has been so fantastic that it has literally put out of business the science fiction writers that we used to know. Our accomplishments have far exceeded the imagination of the great Jules Verne and others who used to stir the young and adventurous with their fantastic tales.

Mr. Speaker, I am proud of these three Americans who made history today as I know all Members of the House and America are proud. I know that you join me in saluting their great accomplishments and our great space team on this new and fantastic achievement.

## MAKING IN ORDER CONSIDERATION OF JOINT RESOLUTION FOR CONTINUING APPROPRIATIONS, 1974, AFTER MONDAY NEXT

Mr. MAHON. Mr. Speaker, I ask unanimous consent that it may be in order in the House on any day after Monday next to consider a House joint resolution mak-

ing continuing appropriations for the fiscal year beginning on July 1 next.

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

There was no objection.

## PERSONAL ANNOUNCEMENT

Mr. STUBBLEFIELD. Mr. Speaker, I missed the last quorum call due to the flooding on the George Washington Parkway. I would like to have the RECORD show that I am present.

## FREEZE RAW FARM PRICES NOW

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

Mr. PEYSER. Mr. Speaker, the failure of the current freeze to include a ceiling on raw agriculture is creating a situation which is going to hurt farmers as well as consumers and force hundreds, perhaps thousands of retailers out of business.

I have been notified this morning that General Foods, a major food processer, is stopping the purchase of certain raw agricultural products. This is just the beginning. Markets in the New York City area are being asked to pay more for products than they can sell them for.

Here are some examples: Strawberries cost the retailer 70.8 cents per pint. The ceiling price is 69 cents per pint.

Potatoes, $1.39 per 10 pounds; the ceiling price is $1.35 per 10 pounds.

Green onions, $5.40 for 6 dozen; the ceiling price is $4.50 per 6 dozen.

Mr. Speaker, I call for a freeze now on raw agricultural products for the balance of the current freeze period before the shortages produce the black market we all want to avoid.

## PROVIDING FOR CONSIDERATION OF H.R. 8510, NATIONAL SCIENCE FOUNDATION AUTHORIZATION, 1974

Mr. SISK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 446 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 446

*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. 8510) to authorize appropriations for activities of the National Science Foundation, and for other purposes, and all points of order against section 8 of said bill for failure to comply with the provisions of clause 4, Rule XXI are hereby waived. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Science and Astronautics, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER. The gentleman from California is recognized for 1 hour.

Mr. SISK. Mr. Speaker, I yield 30 minutes to the gentleman from Ohio (Mr. LATTA), pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 446 provides for an open rule with 1 hour of general debate on H.R. 8510, a bill to authorize appropriations to the National Science Foundation for fiscal year 1974.

House Resolution 446 provides that the provisions of clause 4, rule XXI of the Rules of the House—prohibiting appropriations language in a legislative bill—are waived with respect to section 8 of the bill.

The total cost of the bill is the authorization total of $612.9 million. Authorizations made in the bill include those for such programs as the intergovernmental science program, the national research centers for science, and the graduate Student support program.

The $612.9 million total authorization is approximately $91 million less than the 1973 authorization.

Mr. Speaker, research and development have played a major role in the growth of our Nation and in helping to seek solutions to major national problems. I urge adoption of House Resolution 446, in order that we may discuss and debate H.R. 8510.

Mr. LATTA. Mr. Speaker, as I understand it, there is very little controversy in this legislation, with the exception of section 2, which is the impoundment section. I understand the gentleman from New York (Mr. WYDLER) will have an amendment to substitute the language of last year's bill for section 2.

I personally expect to support the gentleman from New York (Mr. WYDLER), because I believe he gave a very good argument for his proposal.

In answer to the question which is just about to be propounded by the gentleman from Iowa (Mr. GROSS), I can point out that the waiver in this bill pertains to section 8, on page 11, which reads as follows:

The amount available for the oceanographic ship construction/conversion program from the sum stipulated (for the purpose of "National and Special Research Programs") in category (2) of section 1 of Public Law 92-372 shall, after the date of the enactment of this Act, be determined without regard to section 2(a) of such Public Law.

That is an appropriation in a legislative matter.

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

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

Mr. GROSS. I wonder if it would not be a good idea to just abolish all of rule XXI?

Mr. LATTA. It might not be a bad idea.

Mr. GROSS. I thank the gentleman.

Mr. LATTA. Mr. Speaker, I have no further requests for time, and I yield back my remaining time.

Mr. SISK. 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.

## GENERAL LEAVE

Mr. TEAGUE of Texas. Mr. Speaker, I ask unanimous consent that all Members have permission to extend their remarks and include extraneous matter in the RECORD, in the next 5 days, on H.R. 8510.

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

There was no objection.

## NATIONAL SCIENCE FOUNDATION AUTHORIZATION, 1974

Mr. TEAGUE of Texas. 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. 8510) to authorize appropriations for activities of the National Science Foundation, and for other purposes.

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

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 8510, with Mr. HANLEY in the chair.

The Clerk read the title of the bill.

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

The CHAIRMAN. Under the rule, the gentleman from Texas (Mr. TEAGUE) will be recognized for 30 minutes, and the gentleman from Ohio (Mr. MOSHER) will be recognized for 30 minutes.

The Chair recognizes the gentleman from Texas.

Mr. TEAGUE of Texas. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, in a moment I will turn the management of this bill over to the chairman of the Subcommittee on Science, Research and Development which worked on it—Mr. DAVIS of Georgia. First, however, there are two aspects of the bill I want to bring to your attention: The budget recommendations and the proportional obligations feature in section 2.

Details of the budget recommendations are given in the table on page 112 of the legislative report which you all have before you. The NSF requested $582.6 million, including $3 million in excess foreign currency. The committee increased this by $30.3 million. Thus the NSF new obligational authority in fiscal year 1974 is $612.9. This is $91 million less than last year's authorization and $32,840,000 less than was actually appropriated in fiscal year 1973.

In fiscal year 1974 total funds available to NSF, if the appropriation is the same as recommended by this committee, will be $671.8 million. This includes $58.9 million in impounded funds which the administration has testified that it plans to release in fiscal year 1974. It does not include an additional $3.5 mil-

lion in fiscal year 1973 funds recommended for release by this committee, but programed for continued impoundment by the administration.

Using almost any comparison with past funding for scientific research in general and the National Science Foundation in particular, this year's budget as reported by the committee is modest. Many on the committee think it is too low. Inflation in scientific research is just as real as inflation in the supermarket. If other agencies should continue to cut back on their research programs and thereby add to the research responsibilities of the Foundation, we will clearly be in a position of short-changing scientific research for our Nation during fiscal year 1974.

I also want to bring to your attention the proportional obligation requirement of section 2. During fiscal years 1973 and 1974 large-scale selective withholdings in specific budget categories were made by NSF. These were made in spite of requirements in both the authorization and appropriation acts designed to assure minimal spending levels for programs of science education improvement, graduate student support, and institutional improvement for science.

I want to emphasize the selective nature of these withholdings; that is, they were implemented not because of a desire to save money in the budget, but because the programs which I just mentioned were out of favor at NSF or the Office of Management and Budget.

The proportional obligation requirement states that the percentage of funds actually obligated for any budget category must not differ by more than 15 percentage points from the percentage of funds actually obligated for any other category. This means that NSF must carry out the relative priorities imposed by congressional action, within a leeway of 15 percent.

Should conditions change during the fiscal year in such a way that larger reprograming actions should be made, the bill also provides for reprograming authority in excess of the allowable 15 percent. In cases where greater selective withholdings or transfer of funds between categories is desirable, the NSF Director can submit an appropriate request to the legislative committees of the House and Senate. The changes will go into effect unless the House approves a resolution of disapproval within 60 legislative days.

Mr. Chairman, I know that others here today are going to emphasize the crucial importance of basic research to the welfare of the nation. Let there be no mistake about it, without this kind of vigorous research activity, our country is going to find itself in trouble—economically, environmentally, and from the standpoint of national defense.

At the same time, I do wish to point out that these strange soundings, sometimes even ridiculous sounding, research projects supported by the National Science Foundation—or other similar-minded institutions or individuals—have a way of turning into some of the most crucial technological advances in modern times.

For example, just recently the Battelle Institute completed a study which showed that the following innovations were developed directly from original efforts in basic research with no particular end in view at the time the research was undertaken:

First. The heart pacemaker.

Second. The hybridization of corn, wheat and other cereal grains leading to the "green revolution."

Third. Electrophotography—the process of copying written and printed material by electrical rather than chemical processes.

Fourth. Input-output economic analysis—a technique for analyzing the makeup or structure of national economies.

Fifth. Organophosphorus insecticides—chemicals that selectively attack insects and have ecological advantages over persistent insecticides.

Sixth. Magnetic ferrites—materials widely used in communications and computer equipment.

Seventh. Video tape recording—a means for putting TV material on tape for delayed broadcasting.

Aside from this sort of thing, the NSF program of Research Applied to National Needs provides extremely important support for work such as that being done by a team of engineers at MIT in describing and measuring the processes through which the major air pollutants are formed inside the automobile engine. It may surprise you to know that while these pollutants have long been known, the method of their formation and its relation to variations in engine operation and design is far from understood; yet it must be understood if we are to solve the air pollution problem associated with auto emission.

The Foundation has also mounted an experimental R. & D. Incentives Program to identify ways and means of promoting the necessary incentives to get promising new research into actual use. It has evolved a program of using Federal laboratories to verify the performance of technical innovations aimed at the civil sector.

A good example of NSF's wide-ranging support is the recent establishment of an educational experiment involving the restructuring of an entire institution to make college education more responsive to student needs. This program, inaugurated at Austin College, a small private liberal arts institution at Sherman, Tex., gives science a new role in liberal arts education. One of the keys to the new program is interdisciplinary study. For example, each student at the Austin College will participate in programs designed to develop verbal and written skills, study the past in relation to the present and examine the future of Western man, and develop alternative policy solutions to contemporary social issues.

These are only a few examples of the types of activities being undertaken or supported by NSF. I hope they are useful in providing to my colleagues a feel for the varied programs of the National Science Foundation.

Mr. Chairman, H.R. 8510 is a good bill. It provides a balanced program of support for sciences. At the same time it contains a tight budget, one that is almost $100 million less than last year's authorization. Furthermore, it contains a proportional obligation requirement, section 2, which will maintain congressional priorities so carefully arrived at. I should like to emphasize that this requirement is directed at the internal National Science Foundation budget allocation and should in no way be construed as general impoundment legislation.

H.R. 8510 is worthy of the support of every Member of this body. I urge each Member here today to vote in favor of these important National Science Foundation programs.

Mr. Chairman, I yield such time as he may consume to the chairman of the subcommittee that handled this bill, the gentleman from Georgia (Mr. DAVIS).

Mr. DAVIS of Georgia. I thank the gentleman for yielding.

Mr. Chairman, the bill H.R. 8510 authorizes $612,900,000 for the National Science Foundation in fiscal year 1974, including $3,000,000 in excess foreign currencies. This new obligational authority is $30,300,000 more than the administration requested. Even with these additional funds, however, the total is 13 percent below last year's NSF authorization contained in Public Law 92–372.

The total funds available to NSF in fiscal year 1974 will be $671,800,000. This consists of the new obligational authority plus $58,900,000 of impounded fiscal year 1973 funds which are programed for release next year. There is an additional $3,500,000 in such impounded funds, which at present the NSF does not plan to obligate. The committee has, however, recommended in its legislative report that these funds be obligated for the purpose for which they were authorized and appropriated; namely, postdoctoral fellowships.

It is worthwhile to note at this point that the NSF appropriation has traditionally been available until expended. The fact that it has had "no year funds" means that money impounded during one fiscal year can be released and obligated during later fiscal years. Because of this, keeping track of NSF funds can, on occasion, become complex.

H.R. 8510 is a clean bill and represents a number of changes by the committee. It supersedes the administration bill, H.R. 3731, and two other bills, H.R. 3610 and H.R. 7782.

The Science and Astronautics Committee's Science, Research, and Development Subcommittee held 6 days of open hearings on the legislation before us today. In addition to agency witnesses who described the programs of the Foundation in great detail, we heard from witnesses from associations representing almost all institutions of higher education in this country.

As I stated earlier, the committee increased the NSF budget $30,300,000 over the administration request. There were a number of changes involving several budget categories, and the details of these actions are outlined in the table on page 112 of the legislative report. I should like to call this table to your attention and ask that it be inserted in the RECORD at this point.

COMPARISON OF FISCAL YEAR 1973 ACT WITH THE FISCAL YEAR 1974 NSF REQUEST AND COMMITTEE ACTIONS

[In millions of dollars]

| Budget category | Fiscal year 1973 authorization[1] Public Law 92-372 | Fiscal year 1974 NSF request (I) | Committee change (II) | Fiscal year 1974 authorizations under H.R. 8510 (III) | Fiscal year 1973 carryover funds to be released (IV) | Total fiscal year 1974 NSF obligational authority[2] under H.R. 8510 (V) |
|---|---|---|---|---|---|---|
| 1. Scientific research project support | 269.01 | 275.0 | +10.0 | 285.0 | ---------- | 285.0 |
| 2. National and special research programs | 125.04 | 99.6 | +3.0 | 102.6 | ---------- | 102.6 |
| 3. National research centers | 41.70 | 46.0 | ---------- | 46.0 | 2.0 | 48.0 |
| 4. Computing activities | 11.70 | 9.1 | −.9 | 8.2 | .9 | 9.1 |
| 5. Science information activities | 10.50 | 8.3 | ---------- | 8.3 | ---------- | 8.3 |
| 6. International cooperative scientific activities | 4.70 | 6.2 | ---------- | 6.2 | ---------- | 6.2 |
| 7. Research applied to national needs (RANN) | 80.00 | 70.5 | +.8 | 71.3 | 8.7 | 80.0 |
| 8. Intergovernmental science programs | 1.70 | 1.0 | ---------- | 1.0 | ---------- | 1.0 |
| 9. Institutional improvement for science | 18.50 | ---------- | +2.0 | 2.0 | 9.0 | 11.0 |
| 10. Graduate student support | 21.20 | 6.7 | +4.8 | 11.5 | [3] 2.5 | [3] 14.0 |
| 11. Science education improvement | 80.80 | 26.2 | +9.0 | 35.2 | 33.8 | 69.0 |
| 12. Planning and policy studies | 2.75 | 2.0 | +.6 | 2.6 | ---------- | 2.6 |
| 13. Program development and management | 29.30 | 29.0 | +1.0 | 30.0 | ---------- | 30.0 |
| Subtotal | 696.90 | 579.6 | 30.3 | 609.9 | 56.9 | 666.8 |
| Foreign currency program | 7.00 | 3.0 | ---------- | 3.0 | 2.0 | 5.0 |
| Total | 703.90 | 582.6 | 30.3 | 612.9 | 58.9 | 671.8 |

[1] Includes reprograming actions.

[2] Does not include the $3,500,000 in fiscal year 1973 funds earmarked for Post-Doctoral Fellowships in the Committee Views, p. 122.

[3] An additional $3,500,000 in fiscal year 1973 funds for Post-Doctoral Fellowships is not planned for release in fiscal year 1974 by NSF.

As we have done for the last 2 years, the committee approved a line item budget rather than a lump sum authorization. There are a total of 14 budget categories which represent the programmatic activities associated with scientific research and education in the sciences supported by NSF. All but two of these budget categories are included in section 1 of the bill. The category program development and management appears in section 4 and the foreign currency program is included in section 5 of this bill.

The largest single budget category is scientific research project support. The $285,000,000 in this category provides support of research projects competitively selected on the basis of scientific merit. This research augments our Nation's storehouse of knowledge and understanding of the laws of nature. It supports a broad national capability in all fields of science by funding the activities of individual researchers on the forefront of scientific discovery. It supports the more narrowly defined mission-oriented R. & D. programs of the NSF and various other Federal agencies by generating the scientific facts and the detailed knowledge that undergirds all advances in technology.

The committee increased funding for science research project support by $10,000,000 over the administration's $275,000,000. Although this increase is a modest one, the committee felt strongly that more adequate support for basic research is necessary for the attainment of national objectives related to science and technology. The 6,000 projects funded under this category represents an important portion of the total national basic research effort.

The committee recommends $102,600,000 for national and special research programs, an increase of $3,000,000 over the NSF request. These programs represent major research efforts relating to specific geographical areas, or they are of such a magnitude that centralized funding and logistic support are necessary. They include international as well as interagency efforts, and the results are often utilized by Federal agencies, industrial groups, and others seeking solutions to problems such as those which arise in the environmental area.

The $3,000,000 increase will permit the research ship, *Eltanin,* to be placed back in service again. It was taken out of operation earlier this year because of the lack of operating funds, although this unique oceanographic research facility was within 2 weeks of finishing the most thorough, circumpolar survey in history. I should like to insert a recent Science magazine account of the *Eltanin* activities and its retirement from active service.

The NSF supports five national research centers for which we are recommending $46,000,000 in fiscal year 1974. The addition of $2,000,000 in prior year funds will bring the total funds available for this budget category to $48,000,000. These centers are managed by nonprofit organizations and universities, and make available specialized instrumentation and support which are beyond the capabilities of individual universities or research institutions. A large new project presently under construction by one of the centers, the National Radio Astronomy Observatory, is the Very Large Array. This radio astronomy facility is one of the most important new projects in American science, and will employ 17 individual antennas along its three 13-mile long arms. The total cost of the Very Large Array, which will be constructed on the plains of San Augustine, Socorro, N. Mex., will be about $76,000,000.

The sum of $8,200,000 is authorized for computer activities in education and research. This will be augmented by $900,000 in prior year funds. These funds support basic research in the computer sciences, activities concerned with improving the Nation's research productivity, and computer networking for science. The committee reduced the administration's request in this category by $900,000, but believes the NSF will be able to carry out its activities at substantially the same level as last year in spite of the cutback.

The authorization for scientific information activities totals $8,300,000 in fiscal year 1974. The primary purpose of the programs in this category is to develop improved information systems and services related to science and technology, and to store and retrieve new scientific knowledge in order to more adequately exploit that knowledge in meeting national needs.

The sum of $6,200,000 is authorized for international cooperative scientific activities. The bulk of these funds are for cooperative science programs with 12 countries, including our programs of scientific cooperation with the Soviet Union. It also helps support various international scientific organizations such as the International Institute for applied systems analysis. It also contains a modest program to help U.S. scientists participate in international conferences.

Research applied to national needs—RANN—was increased by $800,000 to a total authorized level of $71,300,000. The sum of $8,700,000 in prior year funds brings RANN to $80,000,000 in fiscal year 1974. This will permit steady progress in the NSF's relatively new applied research activities, including a significant increase in energy R. & D. Total NSF funds for energy in fiscal year 1974 are estimated at over $21,000,000 including $13,000,000 for R. & D. on utilizing solar energy.

One million dollars is authorized for the intergovernmental science program. This will support research relevant to the needs of our State and local governments. It will also advance the capability of State and local governments to better understand and cope with the scientific and technological aspects of the complex issues and problems which they face.

Funds for institutional improvement for science total $2,000,000. These funds, together with $9,000,000 in prior year funds scheduled for release, will provide flexible resources for colleges and universities to help sustain quality and provide balance in the academic sciences. It will also help universities and other research institutions improve the effectiveness with which they utilize the research resources which are available to them. The committee increase of $2,000,000 for this category will permit

these objectives to be attained on a wider scale.

The graduate student support authorization of $11,500,000 includes a committee increase of $4,800,000. The sum of $2,500,000 in prior year funds brings the total to $14,000,000. The graduate student support programs in the past have helped give the United States the highest caliber scientific manpower in the world today. More highly trained individuals are needed if we are to solve the pressing national problems which face us, and which contain a high technological content. The committee again approved the designated graduate training program which would permit recipient institutions to select specific fields of study for establishing graduate traineeships. It is expected that the fields so selected would be those in which a close need exists for additional scientific manpower. Our legislative report also calls for an additional $3,500,000 in fiscal year 1973 funds, earmarked for postdoctoral fellowships, to be released for that purpose in fiscal year 1974.

The science education improvement budget category is one of the most important at the Foundation. The committee increased the administration request by $9,000,000, approving a total of $35,200,000 in new obligational authority. Coupled with $33,800,000 in prior year funds, this will permit a total obligation of $69,000,000 in fiscal year 1974.

The $9,000,000 increase is for the support of programs in: Technician/technologist science education projects; science faculty fellowships and research participation; undergraduate student projects, and undergraduate scientific institutional equipment program.

The technician/technologist science education projects will train workers in certain technical fields where shortages occur, and will utilize services of 2-year colleges wherever feasible.

The science faculty fellowship and research participation program will permit advanced training and research experience for faculty members in small 4-year colleges and junior colleges. The undergraduate student projects provide research opportunities for the ablest undergraduate students.

The undergraduate scientific institutional equipment program assists institutions in making improvements in the subject matter content of their undergraduate science programs.

The $2,600,000 authorized for planning and policy studies permits the analysis of our Nation's science resources. It also provides for the support of science planning and evaluation studies in support of the NSF Director's new responsibilities for coordinating Federal R. & D. activities. The $600,000 increase voted by the committee is specifically for the support of activities to aid the Director in the responsibilities transferred to him under the Reorganization Plan No. 1 of 1973.

The committee recommendation of $30,000,000 for program development and management contains a $1,000,000 increase. This will permit the additional staff resources needed to carry out the requirements of the reorganization plan which I just mentioned, without crippling the NSF staff capability needed to administer its ongoing programs in scientific research and science education.

The special foreign currency program, authorized at $3,000,000 for fiscal year 1974, uses U.S.-owned nonconvertible foreign currency generated through agricultural assistance programs in eight less developed countries. It builds long term cooperative relationships between U.S. and foreign scientists, and supports scientific research and the translation of important foreign scientific and technical literature.

Mr. Chairman, section 2 of H.R. 8510, contains a proportional obligational requirement. Very simply, this section requires that the congressionally established priorities for the NSF programs contained in the various budget categories be implemented. It is aimed at preventing undue changes in the thrust of the NSF programs, either in one or more budget categories, or by the transfer of funds from one budget category to another. It requires an even-handed treatment of the congressional priorities for NSF activities.

Let me illustrate what I mean. Suppose I had five children and each of them has an allowance of $1 a week. This means I would have a total outlay of $5 weekly. Should I someday find myself in the position of having to cut back their allowances, in order to meet the total funds I had available for the purpose—say, $4 instead of $5—the proportional obligational requirement would mandate an allowance of 80 cents for each child. In other words, I could not cut off one child completely in order to maintain a level of $1 for the other four children.

During past years large amounts of funds have been authorized and appropriated for NSF only to be selectively withheld by the executive branch. In fiscal 1972, $21,000,000 was withheld in the following budget categories:

| | |
|---|---|
| Institutional improvement for science | $5,000,000 |
| Graduate student support | 4,800,000 |
| Science education improvement | 11,200,000 |

In fiscal year 1973, $48.8 million was selectively withheld in the same categories:

| | |
|---|---|
| Institutional improvement for science | $9,000,000 |
| Graduate student support | 6,000,000 |
| Science education improvement | 33,800,000 |

Programs in these budget categories have received high priorities from Congress in the past. For example, in fiscal year 1973 both the authorization and appropriation acts outlined minimum funding levels for all three budget categories. This selective withholding by the administration was aimed at specific programs assigned high priority by Congress, but out of favor at the National Science Foundation and the Office of Management and Budget.

Annual authorization bills are a logical vehicle for imposing congressional spending priorities on the complex, detailed programs of an individual agency. This procedure assures that the programs and the spending restrictions are reviewed on a periodic basis, so that necessary changes in the legislative characteristics can be made if they arise.

Mr. Chairman, I should describe in some detail exactly what the proportional obligational requirement of section 2 does. Although the wording in the bill may seem complex, it is logical and straightforward in its structure—falling into four parts.

The first part, section 2(a) states the requirement for proportional obligation within allowable reprograming authority. It requires that the percentage of fund outlay obligated for any budget category must not differ by more than 15 percentage points—referred to as the "allowable reprograming authority"—from the percentage of funds actually obligated for any other category.

Compliance is required at two points in time: 3 months after the close of the fiscal year, and the time specified in the appropriations act after which funds appropriated for NSF can no longer be obligated.

The second part, section 2(b), states the rules for determining the amounts appropriated for each category. Section 2(b)(1) defines the amount appropriated for each category as the amount authorized for that category multiplied by a fraction which is the ratio of the total appropriation to the total authorization.

Section 2(b)(2) states that the section shall not apply if the act making appropriations does so by categories which are the same as in the authorization act.

Sections 2(b) (3), (4), (5), and (6) apply to special cases which may arise in connection with the appropriation act. These include the setting of minimum and maximum amounts for specific categories in the appropriation act. When such appropriations for some—but not all—categories are made, a formula is given in section 2(b)(6) for redefining the fraction used to calculate the amounts appropriated for each category.

The third part defines the two ways in which changes in excess of the allowable program authority can be made in the congressionally established priorities. These changes can be made by "selective withholding" and "transfer."

"Selective withholding" means withholding, delaying, or not releasing funds appropriated for any budget category, or in any other manner precluding the obligation of such funds for their intended purpose. "Transfer" means the use of funds appropriated for one budget category for purposes of obligation under another category.

The fourth part—the remainder of section 2—describes the reprograming authority in excess of the allowable 15 percent. This is designed to permit the Foundation to meet changed conditions after enactment of the authorization act.

If the Director of the NSF desires to withhold funds selectively in one or more budget categories in excess of the allowable reprograming authority, section 2(d) requires that he submit a special message to the Committee on Science and Astronautics of the House and the Committee on Labor and Public Welfare of the Senate outlining the reasons for and

the effects of such an action. A selective withholding in excess of such allowable reprograming authority shall go into effect unless either House of Congress approves a resolution disapproving the selective withholding action within 60 legislative days.

The Director may also transfer funds from one category to another, and as I note earlier this would also change priorities between the NSF programs. A special message requesting such a transfer in excess of the allowable reprograming authority must also be submitted to the House and Senate, the procedure being the same as described for selective withholding actions. The procedure for handling a resolution of disapproval is the same as that provided by the executive reorganization statutes.

Mr. Chairman, I should like to emphasize that the proportional requirement is limited in what it seeks to do. It is designed to see that congressional priorities are carried out in implementing the various programs of one agency—the National Science Foundation. It in no way addresses the more general impoundment question which the Congress has dealt with in the past. Furthermore, it does not recognize any authority for the executive branch to impound funds appropriated by the Congress.

There is one other item in the bill which I should mention, and that is section 8. This section provides that the $4.5 million earmarked in last year's authorization act—Public Law 92-372—for the oceanographic ship construction/conversion program be made available for other purposes. The reason for this action is that the National Science Foundation presently does not have adequate funds for operating the oceanographic ships already in service. They are tying up such research ships in port, and canceling valuable research activities planned for many years. This type of activity was reported in the Science magazine article I referred to earlier.

Mr. Chairman, I believe that H.R. 8510 as reported by the Committee on Science and Astronautics is a sound bill. It provides important support for American science and technology. It is not lavish in the funds which it provides, but it does provide important resources to help assure the continued leadership of our Nation in fields of science and technology. The bill also, through very carefully drafted provisions, requires adherence to congressionally established priorities in the NSF programs of scientific research and science education. I strongly urge my colleagues to support H.R. 8510.

The article follows:

[From the Science magazine, Feb. 16, 1973]

BUDGET CUTS SCUTTLE NSF'S "ELTANIN"

It was Christmas day 1972, and the National Science Foundation's research ship *Eltanin*, operating off the southern coast of Australia, had just received a radiogram bearing President Nixon's holiday greetings to all the government's ships at sea.

Then came a second radiogram from Washington, bearing a different kind of greeting. The gist of the message from the National Science Foundation (NSF), as one scientist aboard the ship recalls, was that "our research program was terminated immediately and we were fired."

Thus did the long arm of the federal budget cutters reach out swift and sure to the Indian Ocean in pursuit of the President's goal to hold down federal spending in the current fiscal year. And thus also ended the 11-year career of a vessel the NSF describes as the only ship in the world devoted to full-time research in the oceans surrounding Antarctica. The *Eltain's* sudden recall spurred 15 of the 50 or so scientists involved in the ship's research program to fire off a telegram of protest to H. Guyford Stever, the NSF's director, but the ship's fate seems sealed. Although NSF officials say they haven't given up all hope of finding money to keep it running, the ship will probably be mothballed once it reaches home port at Oakland, California.

As it happens, the *Eltain's* demise was not entirely unexpected by the 28 scientists and 49 crewmen aboard the vessel. Early in December a radio conversation back to the United States brought rumors of wholesale impoundments of federal R & D money by the Nixon Administration. And indeed, in October, Philip S. Smith, the NSF deputy director of polar research, had told a meeting of scientists whose research depended on the ship that budget stringencies might force a "downward adjustment" of some of their grants and termination of others. A subsequent memo to the scientists indicated that this was a "foundation-wide" problem that stemmed from the President's command to hold federal spending below $250 billion for the current fiscal year.

The *Eltanin* was built in 1957 as an arctic cargo ship for the Navy. As such, it was especially designed for cruising in ice-clogged polar waters. The NSF acquired the ship in 1961 and converted it to a floating laboratory that soon began the first of 55 research cruises around the southern oceans, most of them running for 2 months at a time.

In the intervening years, the ship systematically criss-crossed the southern Atlantic, Pacific, and Indian oceans in a 280° band around Antarctica—amassing geophysical, chemical, atmospheric, and biological data and samples from 2000 separate stations. The vessel was within 2 years of rounding out this most thorough of all circumpolar surveys when the *Eltain's* last $1.5 million was impounded.

To be sure, the *Eltanin* was not without its problems. It suffered from academic rivalries between on-board scientists, and, according to Bruce Heezen of the Lamont-Doherty observatory, who served as the ship's chief scientist on its 55th and final voyage, it also suffered an "appalling" quality of maintenance by Australian government shipyards. Nevertheless, Heezen maintains, no other polar research ship in the world could match the *Eltanin* for its range (10,000 miles) and endurance (up to 275 days a year at sea). "You could cancel the work of practically any other research ship in the world," he told *Science*, "and it would be less of a disaster."

Meanwhile, the *Eltanin's* departure leaves the NSF's *Hero*, a 125-foot trawler, as the only other American research vessel in near-Antarctic waters. And if it ventures very near the polar ice pack, it surely will have earned its name. Although of recent vintage, the *Hero* is built of wood, a material the NSF describes as "cost-effective."—R.G.

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

Mr. Chairman, I join with Chairman DAVIS in full support of this fiscal year 1974 authorization bill for the National Science Foundation. I would also like to compliment our chairman for the outstanding leadership be provided during the course of this year's authorization hearings. The going was not easy.

Mr. Chairman, I submit it is impossible to overemphasize the significance of the role of the National Science Foundation in contributing to our Nation's future well-being. NSF is the single agency in our Government whose function it is to maintain the health and vigor of this Nation's basic scientific research and science education.

The strength and accomplishments of the Foundation, however, can be no greater than the financial support which we provide. I am seriously concerned therefore at the budget cuts NSF continues to suffer. This year's authorization, in fact, is reduced by $91 million or almost 15 percent from last year's House authorization of $704 million. Therefore, I assert that the nominal additions made by this committee are not only well justified, but imperative, if basic research and science education is to continue to flourish in this Nation.

Because the substance of the NSF bill has been outlined by the chairman, I will limit my comments only to a few particular areas.

First, I do not necessarily see the NSF budget cuts and the dismantling of the Office of Science and Technology as a "downgrading of science" by the administration. I recognize that science and science-related activities must compete with other critical national programs for an increasingly limited Federal budget. However, I am troubled at the great clamor to emphasize applied research—often at the expense of basic research.

I feel this thinking to be naive. If there is any clear lesson in the history of scientific research, it is that the future uses of basic discoveries are unpredictable. I certainly cannot argue with the goal of applying science to national needs, but the idea of doing so at the expense of basic research is self-defeating: It means building a house without the foundation.

I therefore welcome the emphasis this committee has placed upon the basic research activities of NSF, and in particular the addition of funding by the committee for the science research project support program.

A second item upon which I will briefly touch relates to NSF efforts in science education. Last year, this committee took the leadership in Congress in attempting to "protect" several academic programs of high priority—high priority not only for academic science but also for the national interest. In spite of our best intentions, almost half of the funds mandated by the Congress for these programs were impounded.

Again, this year, the Science Committee feels strongly that these areas are essential. But the issue is even more significant since in some areas these same programs were actually deleted from the budget request. The question, therefore, is more basic than mere strengthening, it is a matter of retaining science education programs that have proved their

worth, it is a matter of keeping them alive.

The concern I am expressing is for such activities as institutional improvement for science; graduate student support; and science education improvement.

There is no question but that effective undergraduate and graduate science education is a crucial link in the continuing supply of scientifically trained persons. We must therefore continue to provide support for science education if we are to be assured of an even flow of well-trained persons into basic research, the various technological fields, and science education. Failure to do so would result in the "feast or famine" situations which characterize the scientific manpower situation we have experienced during the past 25 years.

Let me cite just one example of the worthwhile type of effort in which NSF is engaged in science education. The undergraduate research participation program, URP, has been judged to be one of the most effective science programs at the undergraduate level. By allowing students and teachers to work together in significant research, it contributes to both the quality of science learning of undergraduates and to the continuing updating of faculty. Participation in URP also helps a student to make a career decision about science which is based on a direct involvement in research.

Unfortunately, URP appears to have been evaluated by NSF only in terms of its original aim of increasing the scientific manpower pool. In contrast, our committee feels that the improvement of the effectiveness of undergraduate science education, the continued research involvement of faculty, and clarifying student career choices are the criteria by which URP should be judged today. Accordingly, we view URP as a top priority program with respect to science education.

There are other specific programs which, like URP, play an equally significant role in NSF's science education effort, but I cite that one activity as typical. All are of proved value in maintaining a viable program in general science education.

The final point I would like to touch upon relates to section 2 of the bill. This section is the result of lengthy and careful consideration by the Science Committee concerning the means by which the Congress can more carefully control funding obligations for NSF, can more effectively maintain congressional priorities.

In past years, the NSF budget has been the subject of a number of major cuts under the guise of "selective withholding." Money has been selectively withheld from individual budget categories contrary to both congressional intent and direction.

Section 2 merely requires the NSF Director to maintain relative priorities between the major NSF budget categories as reflected in the authorization if, in fact, less than the full authorization or appropriation is made available. The focus of the language is not upon the amount withheld; rather, the bill seeks only to assure that all budget categories are decreased proportionally so as better to distribute the reduction imposed.

I feel that this provision is a valid means by which to enforce congressionally mandated priorities and I compliment the chairman for his foresight and industry in including such a measure in this year's bill.

Mr. Chairman, I believe the bill before us today deserves the full support of every Member of the House. The NSF, in its role of maintaining the health of our basic scientific research and science education, is of vital importance to this Nation. This bill has received overwhelming bipartisan endorsement of the members of the Committee on Science and Astronautics.

Mr. GROSS. Mr. Chairman, will the gentleman from Ohio (Mr. MOSHER) yield?

Mr. MOSHER. Yes, I yield to the gentleman from Iowa (Mr. GROSS).

Mr. GROSS. Mr. Chairman, may I ask the gentleman if there is any money in this bill for the SST?

Mr. MOSHER. The gentleman from Iowa (Mr. GROSS) asks if there is any money here for the SST.

The answer is "No." There is authorization in this bill for research and development; there is in the NASA legislation authorization for some supersonic and hypersonic research and development, but so far as I am aware, the National Science Foundation is not involved in that type of research and development.

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

Mr. ANDERSON of California. Mr. Chairman, the Environmental Protection Agency has proposed a new transportation control plan which could result in banning all automobiles from the streets of Los Angeles by 1977.

The EPA states that—

> Beginning on May 31, 1977, the State of California shall implement regulations limiting total gallonage of gasoline and diesel fuel delivered to retail outlets to that amount which, when combusted, will not result in ambient air quality standards being exceeded.

The Environmental Protection Agency claims the proposed regulation is the only way Los Angeles could possibly comply with clean air goals mandated by the 1970 amendments to the Clean Air Act.

I believe there has to be a better alternative than banning automobiles from our streets.

Mr. Chairman, as you know, $22,500,000 has been proposed in this bill under the category of environmental systems and resources to be used for research focused on environmental problems.

Do you feel it would be appropriate if a portion of this money were used to fund an investigation by the National Science Foundation as to alternatives to the EPA's proposed regulations—an alternative which would both clean up the air and allow the use of automobiles?

Mr. TEAGUE of Texas. In response to the gentleman's question, this kind of research activity is well within the jurisdiction and responsibilities of the National Science Foundation. There would be the issue, of course, of how this research should be coordinated with that of the Environmental Protection Agency and the Department of Transportation. However, it makes sense to me that the National Science Foundation research in regional environmental systems, funded under the environmental systems and resources activities of the RANN program, is closely related to your concern. I feel confident that NSF will give serious consideration to funding research activities in this area of concern.

Mr. Chairman, I yield such time as he may require to the gentleman from Missouri (Mr. SYMINGTON).

Mr. SYMINGTON. Mr. Chairman, I thank the chairman of the committee for yielding this time to me.

I want to congratulate Chairman TEAGUE for his assistance and help on this bill and also the chairman of the subcommittee, Mr. DAVIS of Georgia, and the minority leadership. In fact, I think the whole committee did a fine job on this bill.

I would like to discuss for the benefit of the Members here section 2, which is not really a complicated section. Some of the formulas involved in determining proportional obligations are complicated, but there are reasons behind every single facet of those rules.

All section 2 really does is meet a problem that has faced this committee and this Congress over the years, that is, the problem of incorporating congressional insight into a bill and interpreting the needs of the scientific community in this case and the need of the public for scientific progress. To date we have witnessed time and again congressional resolve that certain moneys ought to be spent in certain ways, negated by the executive branch which would prefer not to carry out the particular priorities we establish.

For example, in fiscal year 1972 we had hoped, based on the testimony we received and the emphasis we thought ought to be placed on these programs, that $5 million should be spent for institutional improvement for science and that a rough equal amount would go to graduate student support and roughly $11 million to science education improvement.

Those are three items, and we came to those conclusions not out of thin air or speculative hope but because the witnesses who appeared before us, versed in the scientific skills and disciplines, teachers in the schools and administrators, said this is what we need to carry out a program in science education. That meets the Nation's needs.

What are they? Of course, protecting the environment, improving the quality of life, and remaining competitive with the rising powers in Europe and Japan; to name three.

When the funds duly authorized and appropriated were not obligated by the administration there were ramifications felt throughout the scientific community of this country. Students had to quit. They could not keep up with their education. And institutions could not continue their programs. The agencies of the Government and industry in the private sec-

tor could no longer count on that flow of scientific skills.

If that was done for the purpose of saving money, certainly a legitimate objective for the Government. The reason why we placed section 2 in this bill was so that if the Government decided to save some money and not spend what we authorized or what might be appropriated, it would make this decision in an appropriate way by spreading it across the spectrum of the programs we authorized, observing at least within reason the priorities we established. Surely, we should take such a reasonable step to protect the integrity of the legislative process.

We realized that they could not do this with precision and could not be expected in some absolutely precise way with a slide rule to cut each program back a certain level. So we gave them a 15-percentage point leeway. We felt that was reasonable, and we were encouraged to believe from Dr. Guy Stever of NSF that he felt it was reasonable, also.

That is all section 2 really does. It provided a formula for assisting the Government in cutting the funds, if it wishes to, for the National Science Foundation without disturbing the basic priorities we established in the committee for those operations.

Thank you very much.

Mr. WYLIE. Mr. Chairman, will the gentleman yield for a question?

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

Mr. WYLIE. Mr. Chairman, I have received some letters to the effect that some National Science Foundation programs are being destroyed or harmed by budget and appropriation cuts. I wonder if the gentleman from Missouri can tell me what the fiscal year 1973 appropriation level was. I cannot find it in this report.

Mr. SYMINGTON. That would be $645,740,000.

Mr. WYLIE. That was the amount that was appropriated?

Mr. SYMINGTON. That was the 1973 appropriation.

Mr. WYLIE. For fiscal year 1973?

Mr. SYMINGTON. Yes.

Mr. WYLIE. What is the authorization request for fiscal year 1974?

Mr. SYMINGTON. For fiscal year 1974 the authorization request was $582,600,000; considerably less.

Mr. WYLIE. Is that amount above or below the administration's request?

Mr. SYMINGTON. That was the administration's request. The committee recommended a slightly higher figure of $612.9 million; that is the total authorization that we recommend for fiscal year 1974.

Mr. WYLIE. That is the authorization amount requested in this bill?

Mr. SYMINGTON. In this bill; that is correct.

Mr. WYLIE. I thank the gentleman.

Mr. DAVIS of Georgia. Mr. Chairman, will the gentleman yield?

Mr. SYMINGTON. I yield to my colleague, the gentleman from Georgia.

Mr. DAVIS of Georgia. The question that was just asked was if the appropriations for the National Science Foundation had not been cut. Actually, it was not a matter of having appropriations cut so much as it was a matter of impoundment, because after both Houses of the Congress passed the authorization and appropriations bills and the President had signed them into law, we found that some $60 million were impounded. So that has been our problem, and that forms the basis of our including the wordage of section 2 in this bill.

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

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

Mr. WYLIE. Mr. Chairman, I would ask the gentleman from Missouri if the gentleman will include in his remarks for just what programs have funds been impounded?

Mr. SYMINGTON. That appears on page 112 of the report.

Mr. WYLIE. I thank the gentleman.

Mr. MOSHER. Mr. Chairman, I want to join in associating myself enthusiastically with the comments of the gentleman from Missouri (Mr. SYMINGTON) concerning the science education programs of the National Science Foundation, and the necessity for section 2.

Mr. Chairman, I yield such time as he may consume to the gentleman from California (Mr. BELL).

Mr. BELL. Mr. Chairman, I rise in support of H.R. 8510.

The National Science Foundation is the only agency in our Government where nonmilitary basic research is being conducted.

The basic research presently being conducted by the National Science Foundation is advancing the frontiers of knowledge in all the basic sciences, atmospheric research, astronomy, and oceanography, among others.

The sole function of the National Science Foundation is not just to perform basic research and to conduct educational programs.

One of the most important programs within the National Science Foundation is RANN, research applied to national needs.

RANN applies scientific knowledge and problem-solving techniques to practical national problem areas which hold promise of technological, environmental, or socioeconomic payoff or solutions.

In a very real sense, RANN serves to bridge the gap between the basic research programs supported by the National Science Foundation and the research, development, and operations programs of the mission agencies.

In other words, through RANN we will find solutions to many of our societal problems, as a result of our years of basic research.

Areas of special national concern which will receive increased emphasis through RANN this next year include the following:

Terrestrial application of solar power research is being planned which will hopefully allow us to use in the future solar energy to heat our buildings, convert organic materials to fuels or energy, and use solar thermal conversion for electric power generation.

This major increase in emphasis on solar energy is in direct response to a clear national need to accelerate energy research technology for new and clean energy sources.

Earthquake engineering is of national concern today.

The NSF is exploring the development of economical design and construction methods for building earthquake-resistant structures.

Effort will also be devoted to developing the basis for a large-scale earthquake simulator, and to support the development of an effective national earthquake monitoring system.

The growing national demand for technology assessment is also being addressed by RANN.

Prime objectives for fiscal year 1974 are to support the executive and legislative branches in technology assessments and to develop the methods and techniques needed for the actual technology assessment itself.

Other areas being addressed by the National Science Foundation include everything from fire ignition to synthetic enzymes technology, to tunneling technology, to social systems and human resources.

The activities of the RANN program, and the National Science Foundation, span the entire gamut of issues of interest and concern to us as a nation.

Mr. Chairman, the authorization bill before us today is one which supports an important institution within our Government.

The projects which it funds will help to alleviate many of the problems which face us today.

The funding levels included are approximately $90 million less than last year's authorization.

As such, it can hardly be called extravagant.

I would hope my colleagues will join me in support of this measure.

Mr. MOSHER. Mr. Chairman, I yield 5 minutes to the gentleman from New York (Mr. WYDLER).

Mr. WYDLER. Mr. Chairman, I rise in support of this bill, and I very much want to see it passed and enacted into law. That is one of the reasons, and probably the main reason, that I am going to oppose the language that appears in section 2 of this bill and offer a substitute amendment for it. The language in the bill speaks of selective withholding of funds, but actually it is in the form of an anti-impoundment piece of legislation. As such, it clearly runs a very substantial risk of being vetoed by the President.

No matter how any one of us may feel about the impoundment issue, I think every Member of this House is going to have to consider most seriously whether we should endanger the National Science Foundation program over this issue. We know that anti-impoundment legislation of one type or another is going to come before this House, be debated, and voted on during the course of this session, but that will be general language which will be applicable to the entire Federal Government and its operations.

But if we send forth this legislation with this particular language, we are going to run a very substantial risk of having this bill vetoed and having this particular program come to an end. I think it is a risk that we should avoid since we can do that. What I am going to do in the time that I have during this debate is try to give the Members some of the problems that I think are there and the present section 2 of the bill.

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

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

Mr. TEAGUE of Texas. I should like to state to the Committee that in no way will a veto endanger the National Science Foundation. The committee considered this whole situation. This is the route which it chose to take. If the President vetoes it, we will immediately take it up again, and it will not endanger the National Science Foundation program. I do not care if the President vetoes it or not. If he wants to do it, that is his prerogative, but if he does, the committee will consider it again, and we will have an authorization for the National Science Foundation.

Mr. WYDLER. I think it is something the Members have to consider. It could develop into a very serious problem. I do not think it is a risk we need to run. Therefore, I do not think it is a risk we should run.

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

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

Mr. BELL. At the expense of having to disagree myself with the chairman of the committee, I want to associate myself with the comments of the gentleman in the well. I want also to state that I think this particular bill is the wrong way to attack impoundment. I think impoundment, if we wish to attack it, should be through an across-the-board method and not trying to piecemeal it in a National Science Foundation bill. I think the committee has made a mistake in trying to attack impoundment through that method. That means other committees can attack it another way, and we end up with a shattering attack that really does not amount to getting at the nub of the problem.

If we want to attack impoundment, it should be attacked, I believe, on an across-the-board governmental basis. I just want to make that comment.

I again want to congratulate the gentleman for his very fine statement.

Mr. WYDLER. I thank the gentleman.

What I am going to try to do during this time I have in debate is give this Committee some idea of the administrative difficulties we would create for the National Science Foundation if we were to adopt this language.

They are very serious difficulties and very important difficulties for the administrators of that program, and I think it is something all of us should take into account very seriously when we consider our vote on this matter.

I have asked the administrators, the people who will be in charge of running this program under the rigid rules and within the rigid rules that are being proposed in section 2, what would happen if that were to go into effect, and this is what they tell me. They tell me on the whole the bill would not allow the efficient and effective administration of the programs of the National Science Foundation. Financial and program administrators would not be so much concerned about the effectiveness of the dollars spent or the value of the goods and services received as they would be with adhering to the established level of spending required.

In the past it has been assumed the administrators will use discretion in the letting of contracts and hiring of personnel and other actions which result in spending, subject, of course, to the laws which govern the manner of doing so. It has been generally assumed the officers of the executive branch should use such discretion to effect efficiencies and to increase the effectiveness of programs. The bill here would take the 13 different and sometimes unrelated activities and so intertwine them as to starve some and require overspending in others. This is to say nothing of the administrative burden imposed to assure adherence to the requirements of the bill.

Section 2 provides that amounts obligated and expended for the 13 activities listed in section 1 must be within a fixed ratio throughout the year. Even if obligations for the different categories at the end of the year amounted to the same ratios as established under section (b), it would be almost impossible to maintain the same ratio throughout the year, as would appear to be required by the bill. This is because different programs operate on different cycles.

Grant programs often have higher obligations during one period of the year than another. On the other hand, salaries for personnel require a more steady obligation rate throughout the year. The bill would require the obligations for each category to be in the established ratio for every period during the year and thus make orderly scheduling of programs impossible. In fact, the bill would require obligating at a level commensurate with the program having the highest obligation level, clearly an invitation to waste.

An even more serious problem is the requirement that 1974 outlays for these categories be in the same proportion as the amounts authorized. In an account such as that with which we are dealing, which has an estimated obligated balance for 1974 of even more than the estimated 1974 program level, such a requirement would not only be extremely disruptive but would also be contrary to recognized and proven financial management practices.

In the case of salaries for personnel, 1974 appropriations are expended shortly after the obligation. In the case of grant programs, however, the expenditure is not necessary—in fact the work is not performed—until in some cases over a year after the obligation is made. To require the expenditure of 1974 appropriations in each such case, as this bill would do, would require grant payments at the same time commitments were made, not allow the agency to assure performance from grantees, and lead to higher borrowing requirements on the part of the Treasury—and thus lead to higher interest payments on the part of the Government as a whole—and possibly conflict with other laws regarding advances.

The definition of impoundment provided in paragraph 2(c) also leads to problems. This definition, when applied to the pro rata requirements of paragraph 2(a) could lead to a situation where supplemental or deficiency appropriations would be required to provide additional funds for those activities which had been earlier in the year forced to spend funds unnecessarily. It would also make modern and logical management techniques almost impossible. In addition, the 60 days of continuous session needed to pass before an "unequal" impoundment could take place might be sufficient time to frustrate the savings intended by the Reserve action.

In short, the enactment of section 2 of H.R. 8510 would be likely to cause chaos for the financial management of the Governments' funds. It would also be an open invitation to waste, to spend appropriations, wisely or not, fast enough so that an officer would not be accused of having money left over at year end.

Thus, the bill is a bill to promote waste, as written.

Members of the committee, I highly recommend and suggest that we take these facts into consideration from those who are going to have to manage this program if this bill is enacted.

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

Mr. WYDLER. I yield to the gentleman from Kansas (Mr. WINN).

Mr. WINN. Mr. Chairman, I appreciate the gentleman yielding to me. I wish to associate myself at this time with the remarks of the gentleman from New York.

Is it not true that in response to the subject of selective withholding or impoundment or whatever subject matter we might refer to, that general legislation has been introduced in Congress which attempts to prevent this type of thing, an across-the-board subject, as we have done in the past, by this administration and by previous administrations?

Mr. WYDLER. Yes, and of course those proposals are pending before the Committee on Rules, and of course those also refer to action that is going to be taken on appropriations bills. This present procedure is a procedure that is going to apply to one specific committee of the Congress only. It is going to set up a special rule of the way that particular agency has to be run. It will hamstring administrators of that agency, which is an important agency, and will do it in a way no other agency of the Federal Government is going to have to live with.

Mr. TEAGUE of Texas. Mr. Chairman, I yield such time as he may require to the gentleman from Washington (Mr. MCCORMACK).

Mr. McCORMACK. Mr. Chairman, I rise in support of H.R. 8510. I wish to congratulate Chairman TEAGUE, and Congressman DAVIS of the Science Research and Development Subcommittee for devising the method to establish that the Congress has a voice in setting spending priorities. I feel the budget recommended by the Committee on Science and Astronautics for the support of NSF programs of research and education in the sciences is a constructive one. Frankly, it does not contain the funding levels which I believe are desirable for some programs. On balance, however, it will allow steady progress in basic and applied research even though there may be some inadequacies in focusing science and technology on important problems of national concern.

Mr. Chairman, I should like to point out to my colleagues some of the changes in program emphasis that have occurred in the National Science Foundation during the past few years. Before 1968 NSF was limited to the support of programs of basic research and science education. The 1958 Amendments Act, however, permitted applied research to be funded also.

As a result of that act, the program of Interdisciplinary Research Relevant to Problems of our Society—IRPOS—was initiated in fiscal year 1979. This evolved into the present program Research Applied to National Needs—RANN—which was authorized at a level of $80 million in fiscal year 1973.

The RANN program has the potential of reducing lead times which are required to solve national problems with high technological content. It can make this contribution through funding of important and sharply focused research programs, with both basic and applied components.

The funding level for RANN as recommended in H.R. 8510 is $80 million for fiscal year 1974. This includes $71.3 million in new obligational authority and $8.7 million of fiscal year 1973 carryover funds programed for release in fiscal year 1974. This total represents an increase of $800,900 above the request of the National Science Foundation.

The RANN budget category contains four major programs. One, environmental systems and resources, supports research focused on environmental problems. It attempts to identify and develop alternative solutions to regional environmental problems. It also contains programs of weather modification, and research to measure and assess the effects of trace contaminants in the biosphere.

The program social systems and human resources has as its principal objectives to analyze and develop solutions to important municipal problems, and to analyze and develop more effective ways of delivering human services.

The program of exploratory research and problem assessment has major elements devoted to technology assessment, institutional innovation, the relationships between technology and the economy, and other societal problems.

The largest RANN program is advanced technology applications, with a total budget of $38,500,000. Of this total, $21,500,000 is devoted to energy research and technology. Because of the importance of energy research and development in finding viable solutions to the present energy crisis which our Nation faces, I should like to briefly describe the major research objectives included under energy research and technology.

Major studies of energy demand are being conducted in the energy systems area. The objective here is to apply the principles of systems analysis to our complex, interrelated energy economy, and to develop inputs for national energy policies related to energy conservation, regional energy needs, national security, environmental impact of energy use, and other parameters.

The energy resources area concentrates on increasing the supply of energy in order to correct the developing imbalance between energy consumption and proven energy reserves. It is concentrating on such important new energy sources as geothermal energy, and waste effluents from industrial plants. It is also considering the feasibility of agro-power concepts, techniques for gasifying coal using advanced fluidization technology, and basic studies on coal liquefaction.

The area of energy conversion research recognizes the need for increasing the efficiency of converting energy from one form to another. The greatest emphasis here is on more efficient cycles for central power stations, utilizing topping cycles at very high temperatures and improving bottoming cycles to capture some of the heat which is now rejected into our Nation's waterways and atmosphere. Also included is research on improved cooling towers and new energy storage systems for potential use in meeting peak power requirements.

The largest area of energy research, totaling nearly $13 million, is devoted to solar energy. The National Science Foundation has been designated as the Federal agency with overall responsibility for terrestrial application of solar energy.

This NSF solar research has increased from $1,200,000 in fiscal year 1971 to about $4 million in fiscal year 1973. The budget before us today triples last year's level, although it still falls short of the requirements for solar energy research which were recently made by a panel of the Federal Council for Science and Technology.

Mr. Chairman, solar energy is an inexhaustible and environmentally desirable energy source. It does not inject carbon dioxide or radiation into the atmosphere or ocean; it does not require strip mining and there is no danger of spills from tankers.

My Subcommittee on Energy has devoted considerable attention to the field of solar energy and is optimistic about its potential impact in helping fulfill our Nation's energy requirements. Research on methods of utilizing sunshine for generating electric power is worthwhile, and should be pursued. However it seems clear that the technical and economic problems are such that implementation is far in the future, at least the end of the century.

On the other hand, heating and cooling with solar energy are almost competitive with alternative methods at the present time. Furthermore this is not an insignificant area for saving energy, since about one-fourth of the total energy which our nation consumes ends up in heating or cooling our buildings or heating our hot water. The opportunity is great; the technology is, to a large extent, already available; and moderate further increases in fuel prices will make solar heating and cooling economically competitive.

What we need to do now is aggressively pursue further research and development in solar heating and cooling in order to lay a firm basis for a new industry to design, produce, install, and maintain solar heating and cooling equipment. At the same time, the concomitant architectural and construction aspect must be adequately emphasized.

Mr. Chairman, the NSF program research applied to national needs lies at the forefront of science and technology. At the same time it has important responsibilities for coupling that technology to pressing national problems. Adequate support for RANN is indispensable, and the bill before us today is a constructive step in that direction.

Mr. TEAGUE of Texas. Mr. Chairman, I have no further requests for time.

Mr. MOSHER. Mr. Chairman, I yield such time as he may consume to the gentleman from North Carolina (Mr. MARTIN).

Mr. MARTIN of North Carolina. Mr. Chairman, I rise in support of H.R. 8510, including the disputed section 2.

Mr. Chairman, I would particularly like to indicate my support for the increase recommended by the committee in general science education, an area of critical importance in meeting long-term requirements for basic, as well as applied, science personnel.

The Science Committee has endeavored to emphasize to the Foundation and the administration that funding for science education should be maintained at a level commensurate with the past NSF effort. All of us are aware of the critical need for maintaining a high state of excellence in science education and I, therefore, commend the Committee in particular for the increases voted in the categories of institutional improvement for science, graduate student support, and science education improvement.

Looking at each one of these programs in brief, the institutional improvement for science program has as its primary purpose providing funds for discretionary use by colleges and universities for science activities. Flexibility is the primary virtue of the program with the money permitted to be applied in a manner considered proper and appropriate to the institution's educational program.

The second science education budget category to which the committee added funding is the graduate student support program. This activity is designed to insure that the most talented graduate students in the sciences obtain the edu-

cation necessary to become outstanding scholars and researchers. This effort plays a very positive role in assuring that an adequate number of highly trained students will be available to work in science fields of national interest and importance.

The final science education category which was increased by the Science Committee is science education improvement and it is to that category I wish to pay particular attention. My motivation is based in large part upon the sharp reduction in funding this program has suffered over the past few years. Over the past 3 years the authorization for science education improvement has fallen from $100 million to $72 million to $35 million for fiscal year 1974.

This program, reorganized for the coming fiscal year, encompasses a broad range of activities designed to: First, assure the Nation the appropriate number, variety, and flexibility of scientific and technical manpower; second, improve science education for a broad range of students; and, third, improve the effectiveness of science education through the use of improved programs and modern educational technology.

NSF stresses that this effort is presently in a state of flux. This is the result of a number of factors including the desire to make science education available to a much broader segment of the population plus the need to provide education more responsive to the Nation's need for both basic and applied scientific manpower.

The undergraduate student projects program is designed to stimulate colleges and universities to incorporate research opportunities for undergraduates into their normal curriculum patterns. This program provides the ablest undergraduates the chance to get involved in research through the mechanism of an apprenticeship to a college or university scientist. This has led to major revisions in undergraduate science curriculums, formerly consisting of only course and laboratory work, toward much more open-ended instructional patterns, with stress on student initiative and development of the student's independence. I feel strongly, therefore, that the committee's increase in this area is merited and I am in agreement with the addition.

In the subcommittee we heard considerable testimony from representatives of independent undergraduate colleges concerning their programs. It was well pointed out that a rather high percentage of American Ph. D. candidates received their undergraduate training in the sciences at these independent colleges. Considering this, these programs in the NSF authorization for undergraduate science education and training are of critical importance if we are to maintain an uninterrupted flow of scientific personnel.

These basically undergraduate institutions do not have, in and of themselves, the general access to graduate research programs, and related equipment and facilities, that would be available to the undergraduate divisions of universities.

The original budget proposals submitted by NSF would have eliminated many grant programs that have sustained college science programs. The committee felt this to be unacceptable, and, therefore, reinstated funding under the undergraduate scientific projects and undergradute scientific instructional equipment programs.

I strongly urge that my colleagues provide these needed programs their full support.

In addition to the NSF programs themselves, I would like to indicate my support for section 2 of this bill, H.R. 8510. The language of section 2 as recommended by the committee is the result of long and serious deliberation and represents the distillation of the views of Members representing a broad spectrum of political and philosophical views.

It is an approach I should like to commend to others. The limitation on the agency's discretion is not obligating appropriated funds strikes a moderate balance and would make a good precedent to be applied in the cases of other departments and agencies. In essence, what the committee has done is to say that the Foundation may reprogram, transfer, or otherwise reduce funding by as much as 15 percent, and that it can go even further along these lines unless one House or the other disapproves.

Section 2 is not a measure to prohibit impoundments arbitrarily or rigidly. It is a provision that says to the Executive that, within certain rather reasonable and generous limits, funds may be reprogramed, transferred, or selectively withheld in the interest of sound and responsible management, but that there are limits to that authority beyond which the Executive may not go without at least the tacit approval of the Congress. It is not a final answer—but it is a firm step toward an answer to the grave question of the impoundment of appropriated funds. I urge its acceptance.

Mr. MOSHER. Mr. Chairman, I yield 2 minutes to the gentleman from Ohio (Mr. WYLIE).

Mr. WYLIE. Mr. Chairman, I thank the gentleman from Ohio for yielding to me.

Mr. Chairman, I have asked for this time so that I can follow up on a couple of questions I had asked earlier, if I might have the attention of the gentleman from Texas (Mr. TEAGUE) and the gentleman from Georgia (Mr. DAVIS).

Mr. Chairman, I asked about how much money was appropriated for fiscal year 1973, and how much money is being authorized in this bill. Then I was referred to page 112 with respect to my question about how much in funds was impounded during fiscal year 1973. I do not see any impoundment figure in the table. I wonder if the gentleman from Texas could explain where I might find the amount of funds impounded in fiscal year 1973.

Mr. TEAGUE of Texas. Mr. Chairman, on page 112 of the legislative report, under the heading, "Fiscal Year 1973 Carryover Funds To Be Released," $58.9 million. In addition to that, $3.5 million is not programed for release.

Mr. Chairman, I think the gentleman should know that these funds have been withheld, and they were withheld not on the basis of the worthiness of the projects. Rather, there was a time certain after they were told to withhold the money and not judge whether the project was good or bad.

Mr. WYLIE. It says in here in the report accompanying this bill on page 112, "carryover funds to be released." That is not my idea of the meaning of impoundment. Are these carryover funds included in this fiscal year 1974 authorization, or will they be automatically released after July 1? That is funny language. If funds are impounded, why does not the heading say "funds impounded during fiscal year 1973?"

Mr. TEAGUE of Texas. These funds are not in this bill. They have already been authorized, and we have had a no-year appropriation up to now.

Mr. WYLIE. So these moneys are available to the National Science Foundation and will be after July 1.

Mr. TEAGUE of Texas. They have told us they will spend a part of them.

Mr. WYLIE. The money is available for the rest of this calendar year and during all of fiscal year 1974?

Mr. TEAGUE of Texas. Some of it is, that is correct.

Mr. MOSHER. Mr. Chairman, I yield such time as he may consume to the gentleman from California (Mr. MOORHEAD).

Mr. MOORHEAD of California. Mr. Chairman, I rise in support of H.R. 8510. The work which is done by the National Science Foundation is some of the greatest work we in the Congress authorize during the course of the year. While most expenditures we authorize are consumed during the year and are no longer beneficial to our people after that year has gone by, the work of this Foundation will be used for many years to come to improve our society and our civilization.

I ask support of this bill.

Mr. SYMINGTON. Mr. Chairman, I should like to comment on some of the specific comments made by Mr. WYDLER on section 2 of H.R. 8510.

First, the proportional obligation requirement does not demand that obligations be in continuous compliance. Rather, compliance must exist 3 months after the end of the fiscal year, and at the time appropriations are no longer available for obligation.

Second, salaries of NSF employees are not in section 1 of the bill, and are therefore not covered by section 2.

Third, expenditures are not covered—only obligations.

Finally, I should like to emphasize that this is not an anti-impoundment bill, as stated by Mr. WYDLER. How can it be, since it in no way prevents or permits it? It merely enjoins the NSF to carry out congressional priorties.

Mr. Chairman, I should like to explain in some detail relevant aspects of the NSF programs authorized by this bill.

The Federal Government will spend over $16 billion for research and development during the next fiscal year. Half of that is related to defense, and almost one-

fifth is in support of our Nation's space program. About 10 percent is connected with health, and 5 percent is devoted to energy. Compared to the R. & D. expenditures of some agencies, the National Science Foundation budget may seem small, since it comprises only 3 or 4 percent of the total Federal R. & D. expenditures.

I would maintain, however, that this is an extremely important part of our Nation's investment in science and technology. The National Science Foundation furnished over 20 percent of support for R. & D. in colleges and universities, almost twice as much as the Department of Defense. The Foundation funds a large proportion of our Nation's basic research—those programs which the mission oriented agencies and private industry find difficult to justify, because the return is often far in the future.

National Science Foundation research grants, awarded on the basis of scientific excellence, set the standard for scientific research in this Nation and around the world.

Mr. Chairman, because of the importance of the varied National Science Foundation programs and the Foundation's wide-ranging responsibilities, the Committee on Science and Astronautics devoted much attention to them throughout the spring. Not only did we make a careful scrutiny of the Foundation's programs and budget, but we also made significant and important changes in program priorities.

Over all, the committee increased funds for eight budget categories, a total increase of $31,200,000; it decreased one budget category by $900,000. The details of these changes have been discussed already, and I shall not take time to go into them again.

I support these changes and believe that they are important to this country's long-range position of leadership in science and technology.

I would like to comment on an innovation in the bill, carefully worked out by the committee, which is designed to preserve these priorities throughout the administrative decisionmaking which follows an enactment of legislation.

The concept is quite simple, and I should like to outline its salient points:

First, each budget category must be funded approximately in the same proportion as every other budget category, with a permissible leeway of 15 percent.

Second, rules are outlined for determining the amount appropriated for each budget category. Since authorization and appropriation may differ, either or both acts may have maximum spending levels for specific programs or budget categories, the bill sets forth a reasonable set of rules for making these determinations. These rules are fashioned to deal with the different circumstances that might arise.

Third, the proportional obligation requirement defines the two ways in which budget priorities can be reordered; namely, the selective withholding or transfer of funds between budget categories. These are, if you like, ways of reprograming appropriated funds in order to meet new conditions which may arise after the enactment of legislation.

Fourth, the bill provides a method for reprograming in excess of the allowable 15 percent. The process is simple: if such reprograming—that is, a selective withholding or transfer—is deemed necessary, the Director of the National Science Foundation sends a message to that effect to the Congress. The legislative committees responsible for the National Science Foundation in the House and Senate receive the message; and reprograming action goes into effect unless either House passes a resolution of disapproval within 60 legislative days. The details of those procedures are the same as those outlined by the Executive Reorganization Act, a procedure of proven constitutionality.

Mr. Chairman, I believe the National Science Foundation budget as reported by this committee strikes an important balance between the demands of varied programs of scientific research and science education. Further, the proportional obligation requirement is clearly necessary to preserve this balance. The Office of Management and Budget has displayed a tendency to disregard congressional priorities for NSF in the past. This section gives it reasonable room to express that tendency without rendering meaningless the original congressional intent.

This innovative legislative approach has already been endorsed by groups representing essentially all institutions of higher learning in the United States. It has also received widespread attention—worldwide—in the scientific and technological press. For example, one of the foremost research journals, Nature, published in Great Britain an article on the proportional obligation requirement in its April 27 issue. I should like to insert that article in the RECORD at this point.

There is one final comment I would like to make about the proportional obligational requirement. There has been much controversy recently over actions of the President in impounding appropriations funds. A number of bills have been introduced to attempt to bring under control this propensity to impound money for congressionally approved programs. Section 2 of H.R. 8510 does not deal with the broad impoundment issue; rather, it orders the internal priorities associated with the programs of an individual agency, and provides reprograming authority consistent with constitutional precedent.

Mr. Chairman, I strongly support H.R. 8510 with the budget priorities that have been determined. The proportional obligation requirement merely provides some guarantee that our determinations will be honored.

The article follows:

NSF: CONGRESS PRIORITIES

Congress has consistently voted in the past few years to give the National Science Foundation large increases in its budget for education and graduate student support programmes. But the White House has been equally consistent in refusing to spend the extra money. That particular pantomime will not occur again if the House subcommittee on Science, Research and Development gets its way, however, for the subcommittee last week passed a bill which, among other things, would severely restrict President Nixon's power to impound funds voted for the NSF.

The measure, which is tucked away in the annual authorizations bill for the National Science Foundation, would allow President Nixon to withhold funds from the NSF only if each of the foundation's programmes is reduced by the same proportion. In other words, if the measures survives the rest of the Congressional mill intact, the White House would no longer be able to withhold money from specific NSF programmes.

The full committee on Science and Astronautics will consider the subcommittee's proposal early in May, after the Easter recess, and is expected to pass it. But the prospects in the Senate are less certain. For one thing, the authorizations bill will be dealt with by Senator Kennedy's NSF subcommittee, and Kennedy may not be willing to agree with a measure which would still allow President Nixon to impound money without first having to get Congressional approval.

In the continuing battle between Congress and the White House over who has final control over the Federal government's purse-strings, the Senate has agreed on an approach, spearheaded by Senator Sam Ervin, which would force Nixon to get Congressional approval each time he impounds any money. Kennedy would thus probably want a stronger anti-impoundment measure than one which tacitly assumes that the President has the right to impound money, even though it places considerable restrictions on how the money could be impounded.

Kennedy's subcommittee will probably hold hearings on the NSF budget early in May. During hearings before John Davis' Science, Research and Development subcommittee earlier this year, Dr. H. Guyford Stever, director of the NSF, took exception to the anti-impoundment proposal because its inflexibility would prevent the foundation from altering its spending patterns as conditions change. But spokesmen from education associations welcomed the move.

Mr. MURPHY of Illinois. Mr. Chairman, I rise in support of the Roncallo amendment forbidding the National Science Foundation to use appropriated funds to conduct or support live fetus research.

This is not a complicated amendment. Its intent is clear. I merely wish legislation was not necessary to prevent experimentation on fetuses with beating hearts. We have received numerous assurances from Government agencies that such experimentation is not "policy"; however, I believe some guarantee is in order.

I realize the advantages for medical research if fetal experimentation is encouraged or merely sanctioned. Authorities assure us that tests run on fetuses will provide valuable data on cell development and the likelihood of birth defects.

Each of us have seen and some of us have personally known the heartbreak of birth defects. We are, therefore, tempted to opt for answers to these problems which threaten normal infant growth. It would be so easy to close our collective eyes to experimentation behind closed doors of operating rooms and research centers.

I would only remind my fellow colleagues of the high price we would pay for our ignorance. What guidelines for performing the tests would be followed? Would the guidelines be realistic and, above all, humane?

If we provide Federal dollars to experiment on human fetuses, are we then will-

ing to accept responsibility for prolonging the life of the human fetus several days until conclusive results can be gained from the testing. And if scientific studies on human fetuses are condoned, how soon before we approve such studies in other helpless members of our society?

The Roncallo amendment gives us an opportunity to confront the issue of fetal experimentation and accept our responsibilities to those unable to speak for themselves. I, therefore, urge its acceptance by this body.

Mr. CRONIN. Mr. Chairman, I rise in support of H.R. 8510, the bill to authorize appropriations for activities of the National Science Foundation. The National Science Foundation is responsible for most of the important "nonmission oriented" scientific research and development that is an essential part of our country's scientific progress, both long and short range. It also plays an important part in the liaison between the academic community and the Government. It is an existing vehicle for the coordination of what might otherwise become countervailing forces. Under the auspices of NSF comes graduate student support and traineeship programs which are essential to maintaining high standards in our academic community necessary to continue with vital research programs. The funding for NSF will also include maintenance of National Research Centers, Science Information Activities, and the International Scientific Activities.

For example, the Haystack Observatory, which is part of the Northeast Radio Observatory Corp., is located in Westford, Mass., which is part of my district. The Observatory Corp. is a nonprofit corporation of educational and research institutions for the continuation of an advanced radio and radar research facility. Some of the educational institutions involved in the corporation include Massachusetts Institute of Technology, the University of Massachusetts, the Smithsonian Astrophysical Observatory, and Harvard University. The work done at the observatory is funded through grants from NSF, along with supplementary funds from NASA. The observatory, an important scientific resource, is comprised, among other things, of an advanced computer-centered radio telescope, two medium-sized digital computers, and a 120′ diameter radome enclosed precision antenna. The observatory provides radio observing programs and conducts radar measurements involving the Moon, Mars, Venus, and Mercury. The observatory became a NSF funded facility when the Air Force withdrew funding under the Mansfield amendment in 1970. The availability of NSF funds allowed the continuation of this important installation under the direction of MIT and in conjunction with the Federal Government and NROC.

There are any number of additional facilities throughout the country that operate under similar agreements and conditions. It is necessary to at least extend the support of these important parts of the scientific system through NSF grants.

Mr. FRENZEL. Mr. Chairman, I rise today to congratulate the Committee on Science and Astronautics on the fine job they have done on the National Science Foundation Authorization Act of 1974. I found their report most complete and hope that their work will be an example to all other committees in the future.

I particularly like to point out that the amount of money authorized has broad support. The National Science Foundation and the Office of Management and Budget have both expressed support of the funding figure and I hope that the Appropriation Committee will soon follow suit.

Section 2 of this bill does make me a bit nervous. I must express my deep concern, like those on the committee, that impoundment seems to hit programs like the National Science Foundation first and hardest. There is reason to believe that section 2 will lead to a Presidential veto. Nevertheless, I will not support any attempt to delete this section of the bill. I believe that section 2 is far superior to the anti-impoundment legislation now before the Rules Committee. Although I do not and will not support a separate anti-impoundment provision to be included in every authorization, I do believe that section 2 of this bill serves as an example of what general anti-impoundment legislation should be.

My opposition to the attempt to delete the anti-impoundment provision of this bill shows support for the concept of anti-impoundment legislation envisioned in this bill, but I do not favor having a separate anti-impoundment provision in every authorization bill.

Mr. HANNA. Mr. Chairman, I rise in support of H.R. 8510 the National Science Foundation authorization bill for fiscal year 1974.

As chairman of the Subcommittee on International Cooperation in Science and Space, the activities of the National Science Foundation on the international scene are of special interest to me. I am pleased to report that the Foundation has an active and growing role in such activities.

One of the most interesting phenomena of modern times is that scientific cooperation has been one of the few activities of mankind which seems to transcend the political difficulties that are so widespread in our troubled world. The fact that scientists of our country have been able to maintain friendly relations over the years with those of other nations whose governments belong to a competitive political alliance speaks well for the potential of science to alleviate tensions and promote peaceful relations.

Last year, an Agreement for Cooperation in Science and Technology between the United States and the U.S.S.R. was entered into in Moscow. Based upon that agreement, cooperative research projects are now under development between American and Soviet scientists in such fields as energy, computers, chemical catalysis, microbiology, agriculture, and water resources. The Director of the National Science Foundation, Dr. Guy Stever, is the U.S. Chairman of the Joint Commission for Science and Technology under which these important investigations are being undertaken.

The nations of Eastern Europe are also engaged in a new cooperative science program with the United States. Included in these agreements are Bulgaria, Czechoslovakia, Hungary, and Romania. The Polish Academy of Science has also expressed an interest in establishing a similar relationship.

Mr. Chairman, all this bodes well for the future. American men of science have a long and fruitful history of cooperation with their counterparts from friendly nations—those countries with which we share a political and ideological tradition. I find it especially encouraging that we are now making greater efforts to establish warmer relations with the scientific communities in countries that have not always been considered our friends.

Let me add that many of the Foundation's programs are a great bargain. Cooperative projects are supported by excess currencies in several countries, funds generated in the past by agricultural exports under Public Law 480. For example, during fiscal year 1972, 23 research projects were undertaken in cooperation with scientists in Egypt, India, Morocco, Poland, Tunisia, and Yugoslavia. The equivalent value of this work was approximately $2 million, but because excess currencies were available, the Foundation was able to extend its international scientific activities in these countries with a minimum outflow of U.S. dollars.

The Foundation also uses special foreign currencies to obtain translations of scientific and technical literature, abstracts, patents, and other information products for distribution to U.S. scientists. In fiscal year 1972, about 70,000 pages of foreign scientific and technical literature were translated into English by contractors in several excess currency countries.

Mr. Chairman, the program of the National Science Foundation benefits American science no less than other nations. International programs have an even more important contribution to make: Science is clearly one avenue to a more peaceful world. We should all applaud and support the initiatives undertaken by the National Science Foundation.

Mr. MILFORD. Mr. Chairman, the bill we are discussing here today represents the only consolidated effort in the Federal Government to see that basic research is kept alive and reasonably well.

For the most part—but by no means entirely—this is what the National Science Foundation is all about: basic research. Its function is to stimulate such research through a variety of programs and educational methods, for without basic research our well of new knowledge soon runs dry and we are unable to develop the new technology so badly needed to help us meet the enormous problems facing us.

Basic research, in a sense, might be described as research without a goal other than understanding what our world is all about and what makes it tick. It may involve research into the microcosmic world of nuclear physics or insect behavior or into the macrocosmic world of the continents, oceans, planets or gal-

axies. It goes wherever the curiosity of the investigator leads—and without thought of any short-term payoff.

Yet pay off it does.

Without basic research there would not be nuclear energy, polio vaccine, lasers, transistors, pest control, hybrid corn, the wonders of electronics or any of the other technological advances which have permitted man to reach his present standard of living. And the process is a never-ending one. There must be a consistent incoming flow of fundamental new knowledge or our reservoir of technological nourishment will disappear. This we cannot afford—nor can any developed nation.

Mr. Chairman, the National Science Foundation's effort represents about 20 percent or so of the total Federal outlay for basic research—this year estimated in the area of $2.6 billion. But two important points must be made here. One is that it is a very important 20 percent since the balance comes from the so-called mission-oriented agencies and is devoted mainly to specified scientific disciplines—while the NSF's share is distributed throughout all disciplines. Second, the $2.6 billion actually represents a diminishing effort on the part of the Nation to stay in the forefront of basic research when measured against our gross national product. It is less than we were doing a decade ago and a smaller comparative effort than that being made by our competitors in the world of international trade.

I submit that the difference is beginning to show. It was basic research which put America on top—economically as well as in other ways—during the 1940's, 1950's, and 1960's. We are not doing so well in basic research now, in terms of overall effort, and one need only read the papers to see the proof. Other countries are surpassing us in many technological fields and hence in the marketplace.

We cannot afford to do less than this bill provides. We should be doing much more.

Mr. HOGAN. Mr. Chairman, I rise in support of the amendment being offered by my esteemed colleague from New York (Mr. RONCALLO,) which would prohibit authorization of funds for testing on a living infant outside of the mother's womb.

All of us have been making, I think, a serious mistake when we refer to "experimentation on live fetuses." We are trapping ourselves in the same "semantic gymnastics" that the antilife movement has used so successfully in the past.

Dorland's medical dictionary defines "fetus" as, "The unborn offspring—the developing young in the uterus—which becomes an infant when it is completely outside the body of the mother, even before the cord is cut." The Latin word, "fetus" simply does not connote to the general public the same humanity as does the word "infant." It is medically correct, I am told, to refer to this kind of experimentation, therefore, as "experimentation on live infants," rather than on live fetuses.

I commend the gentleman from New York for his efforts to stop this kind of experimentation. I was extremely pleased 3 weeks ago when the House approved a similar amendment offered by the gentleman from New York to the Biomedical Research Fellowship, Traineeship, and Training Act by a vote of 354 to 9.

I firmly believe that it is imperative that Congress take every opportunity to express its conviction that human life, before and after birth, has value and must be protected. I am hopeful that Congress will eventually approve my constitutional amendment to overturn the Supreme Court's decision that legalized abortion everywhere in the country up to the day of birth. Meanwhile, we must take every opportunity to stop the attack on the value and dignity of each human being.

The House has overwhelmingly denied the National Institutes of Health any funds for research of this type. It seems only reasonable that we approve this amendment today to make sure that no Federal funds are used by or through the National Science Foundation for that purpose.

Now that the Supreme Court has singled out one group of human beings as having no value, it is not hard to imagine what the future might hold in store if we do not stand up and reassert the right of every human being to life.

I support this amendment and I urge my colleagues to adopt it.

Mr. PICKLE. Mr. Chairman, earlier I had stated that I had intended to offer an amendment to this bill in order that the National Science Foundation, through our colleges and universities, might more directly address the energy problems facing the country. This amendment, which is without additional cost to the Government, would have permitted the National Science Foundation to designate private and public institutions of higher education as National Energy Research Centers.

The proposal is important because it provides a designation which can be sought and obtained by universities wishing to make a major commitment to energy research. The National Science Foundation will set guidelines for the designation in a way that will promote better energy utilization nationwide and not benefit one region over another.

Another benefit offered by this approach is that the designation of national energy centers by the National Science Foundation will permit universities to seek funds more effectively from the private sector. In a time when the profits from the energy industries have been setting records, it makes sense to promote more ways for these industries to channel funds into wide ranging research on energy alternatives.

Mr. Chairman, the key guidelines mentioned in the proposed bill is that a university must have major programs in the energy field. Consequently, the bill would have the effect of stimulating higher education institutions to make greater commitments to energy and seek this designation.

At present, there is a slight tendency in energy research to scatter the public and private resources among a great many institutions and not to have a concentration in levels which would be similar to a "critical mass" in nuclear terminology. In other words we have built a great many half bridges in energy research which do not quite span the gap.

Finally, I feel that this bill would stimulate universities to look among their existing programs and activities for those disciplines with energy fallout and side effects. Fields such as economics, pollution control, public affairs, regional planning and many others can be pursued and developed along lines which will promote better production and utilization of energy. This approach is a broad framework for the National Science Foundation to use in promoting research on better energy efficiency for the entire economy.

Nine of the members of the Science and Astronautics Committee have indicated their support of my amendment or bill, and would be a cosponsor if this amendment were offered as a separate bill. I sincerely appreciate their support and interest in this step toward better programs of energy research. I am glad to observe that section 9 of S. 1977 provides that "NSF shall—by statute—establish a Division of Energy, Research, and Technology which shall carry out the Foundation's energy research and technology programs." This division then would be expected to concern itself with making such designations. We need to establish National Energy Research centers at appropriate universities.

Mr. BROWN of California. Mr. Chairman, I rise in support of H.R. 8510, the annual authorization bill for the National Science Foundation.

The NSF is the basic research agency of the Federal Government. Since its establishment in 1950, it has compiled an outstanding record of supporting the type of fundamental research which is the lifeblood of American technology, and American biomedical advances. By the standards of most Government agencies, the funds for this agency are modest, but by the standards of achievement in science, its record is superb. I am privileged to join my colleagues on the Committee on Science and Astronautics in recommending that the House pass this bill.

The Foundation has a number of programs through which it provides support for science. The project Grants program is the largest and oldest of these and provides support for individual investigators who are pursuing particular scientific research projects.

In most cases, the facilities and equipment needed for these research projects are available wherever the scientist is working. However, in certain fields research can only be done with the aid of very large and expensive research instruments. The most prominent of these fields is astronomy, where large telescopes are needed to pursue observations of the heavens. The NSF supports four important astronomical observatories, and is in the process of establishing a fifth to explore the new and existing field of radio astronomy.

At Kitt Peak in Arizona, the Foundation supports the national observatory facility consisting of six different instru-

ments. Just this week a seventh telescope, a 158-inch reflector, second in size only to the 200-inch telescope on Mount Polomar, is being dedicated. This instrument was built with NSF funds and promises to make a major contribution to American astronomy.

The Kitt Peak Observatory, like the other NSF supported observatories, operates on the principle that a part of the available observing time is made available to visiting astronomers from universities who do not have their own observatories. This permits scientists from all over the country to have access to superb telescopes located in a region of the country which offers the best observing weather, to do their research.

The Kitt Peak Observatory is managed by the Association of Universities for Research in Astronomy which also operates the Cerro Tololo Inter-American Observatory in Chile. At this observatory a telescope, which is a copy of the new Kitt Peak reflector, is now nearing completion. This telescope is being funded partially by the NSF and partially by the Ford Foundation.

In the hearings on this bill, our committee made inquiries into the question of whether the political situation in Chile was having any impact on the operation of the observatory. We were assured by the Foundation officials that cooperation with Chilean officials was very satisfactory and was expected to pose no problems for the future.

The National Astronomy and Ionospheric Center at Arecibo, P.R., provides American astronomers with a large facility for research in radar astronomy, radio astronomy, and ionospheric physics. The instrument is a fixed position, spherical reflector and it is supported over a natural bowl in the Earth. Like the Kitt Peak and the Cerro Tololo Observatories, this facility supports a substantial number of visiting astronomers from all parts of the United States.

Additional radio astronomy facilities are provided at the National Radio Astronomy Observatory located at Green Bank, W. Va. This facility is the largest of the four NSF supported national astronomy centers and it has five large instruments available for the use of visiting and resident astronomers.

Last year the Congress approved the start of a new large radio astronomy facility known as the Very Large Array, or VLA. This will be the largest in the world and is to be constructed at Sorroco, N. Mex. Land for this facility has been acquired and design work is proceeding. The bill before us includes an estimated $10 million for this purpose.

In addition to the four astronomy facilities, the Foundation supports the National Center for Atmospheric Research located at Boulder, Colo. The research program at Boulder is aimed at gaining the basic, underlying knowledge of the actions of the Earth's atmosphere which can be expected to yield results useful in weather forecasting.

Mr. Chairman, the bill before us includes $46 million for the operation and management of the five National Research Centers. There is also $2 million in prior year funds, bringing the total to $48 million in fiscal year 1974. This represents an increase of $8.5 million over last year, and most of that increase is for the very large array.

I am convinced of the value to the Nation of the research which the National Science Foundation is supporting at the National Research Centers and throughout its other programs. I, therefore, commend H.R. 8510 to my colleagues for their favorable consideration.

Mr. FUQUA. Mr. Chairman, I rise in support of H.R. 8510, the National Science Foundation authorization bill for fiscal year 1974.

The bill before us this afternoon provides a modest increase in funds available to the National Science Foundation for next year, compared to the administration request. Its total is significantly less than the amount authorized and appropriated last year, but I feel that we have struck a reasonable balance between identified national needs in science and technology, on the one hand, and a responsible fiscal position, on the other.

All of the National Science Foundation programs are important for the future of our country, but none are more important than those funded in the budget category on which I should like to focus particular attention, graduate student support.

America's strength in science and technology rests on our progress in basic research. In turn, our accomplishments in basic research depend upon the quality of our scientists, especially our young creative scientists.

As we look toward the end of this decade, and indeed toward the remaining years of this century, it is clear that the role which science and technology play in our society will be an increasingly important one. Not only is our domestic development closely coupled to science, but science and technology are also an important aspect in our relations with other countries. As many of you are well aware, our international trade deficits are increasing most rapidly in the category of high technology products, products which depend upon the output of talented scientists and engineers. In order to maintain our position of world leadership, we must continue to attract our most capable students into the various fields of science, and we must assure that the brightest and best scientific minds encounter no financial barriers as they receive the training necessary to take up their careers.

Mr. Chairman, I have noted with alarm that over the past few years the trend has been going the other way. Federal funds for graduate fellowships and traineeships have been cut back drastically. Subsequently, young people have been entering graduate science programs in our universities in smaller numbers. This effect has been especially noticeable in the highest quality graduate schools, where the lack of financial support for students has been most acute.

It is my firm belief that these trends are the precursor of serious troubles in the future. Science departments in our universities and scientific research laboratories in Government and industry cannot make adequate progress without injecting young scientists with vigorous ideas on a continuing basis. Our scientific research activity nationwide faces the treat of intellectual stagnation if we do not continually replenish the supply of young, well-trained scientists.

In the years since World War II American scientists have dominated the list of those awarded the Nobel Prize, the foremost mark of excellence in the world. American physicists, chemists, biologists, and economists winning these prizes have demontrated the high level of excellence achieved in American science.

But we must recognize that these accomplishments were the result of a strong national emphasis on training high quality scientific manpower. This did not come free; NIH training grants, NSF fellowships and traineeships and similar support from many other Federal agencies all contributed to maintaining a high level of excellence for Ph. D. scientists and engineers.

Someone has observed that the situation that has developed is not unlike that of a champion baseball team with a superior line of starters, a sparsely filled bench and a decaying farm system. Unless the pipeline of young talent is kept open, a drastic decrease in quality in a few years is the inevitable result.

We must act now to insure that our pipeline of young scientists remains filled. It is for this reason that I took the lead in increasing graduate student support in the authorization bill before us. The addition of $4,800,000, although not adequate as measured by our efforts a decade ago, is nevertheless a step in the right direction. The $14 million available for obligation in fiscal year 1974 will support a $10 million graduate fellowship program. These are nationally competitive awards which support about 500 new fellows each year. Because of the national competition and extremely high standards which this program sets, the National Science Foundation graduate fellowship has historically been the benchmark by which all other measures of scientific achievement and promise have been compared.

The committee has also called for the establishment of a new designated graduate traineeship in the amount of $4 million. This program is tailored to the needs of specific scientific fields which have a clear requirement for trained manpower at the doctoral level.

There is one other program which I should like to mention although it does not appear in the bill. This is the previously authorized postdoctoral fellowship program, which would permit the retraining of competent young scientists and engineers in areas of research which are especially important to our country as it attempts to solve many of our pressing problems. This program was authorized last year and funds were appropriated for it. At the present time the administration has indicated that it will not release these funds in the amount of $3,500,000, which are now impounded. I join with the other members of the committee in calling for the release of these funds for this important purpose.

Mr. Chairman, I am thoroughly convinced that money spent for science edu-

cation, especially at the graduate level, is a sound investment for the future. The payoff will not come next year. Perhaps it will not come even within the next 5 years, but it will surely come. Furthermore, if we do not make the necessary investment today, time and intellectual resources will be irretrievably lost to the Nation. We must not make this mistake.

I urge all of my colleagues to support H.R. 8510.

Mr. VANIK. Mr. Chairman, I rise in support of H.R. 8510, authorizing appropriations for the National Science Foundation. Although the Foundation has always performed a useful function providing funds for a wide range of research needs, within the past few years, new developments have occurred within the agency which are particlarly heartening. I refer specifically to the establishment in 1971 of the research applied to national needs program. With this program, the Foundation brought together under one management research which focused on selected societal, environmental, and technological problems of national importance. The objective of this research effort is to make positive contributions and practical solutions for the very real, serious problems of today.

I focus on the NSF's RANN program, because it symbolizes the pragmatic approach to research that must be taken if we are to solve our pressing social problems. A primary example of the type of research is in the field of energy development and conservation. Already the largest single component of RANN's budget in the field of advanced technology applications, energy research can and should occupy more of the program's resources.

In this regard, a particularly healthy criticism of RANN was made by the National Academy of Engineers in an interim study of the new program. The NAE report concluded that the RANN program should focus more of its resources toward investigating the "demand" side of our energy shortages. It is indicative of the petroleum industries tremendous power that the most popular proposals to the solution of our energy dilemma deal with ways in which we can increase the supply of our fossil fuels—increased tax incentives for drilling, accelerated leasing on the Outer Continental Shelf, immediate construction of the Alaskan pipeline, and so on. But important studies can and must be done in the areas of energy conservation.

We are well aware of the tremendous savings in energy that conservation can bring. A staff study released last year by the Office of Emergency Preparedness estimates that by 1980, our Nation can save the equivalent of 7.3 million barrels of crude oil a day through a comprehensive program of conservation. Clearly what is needed is not more broad studies. What is needed is research geared specifically to developing technologies of energy production, transmission, and use which promise significant savings with a minimum of social and economic disruption. RANN is the perfect instrument to guide such an effort. In this regard, it is significant, I think, that the NAE report endorsed a level of funding for RANN of more than twice its current expenditures.

Already an important area of concern for RANN is solar energy. The potential of this limitless, clean source of energy has long been ignored in Federal energy research efforts. It was estimated by the Office of Science and Technology that if only 2 percent of the land was used for solar energy recovery and if the average efficiency of converting solar energy to heat and power were 10 percent, energy from solar energy could, by itself, permit nearly a fivefold increase in the Nation's energy use. Unfortunately, underfunding in this area has led to a serious lag in adopting existing solar energy technology as well as to the development of new technologies.

For example, a report by the National Bureau of Standards on the application of solar energy to space heating, air conditioning and water heating in buildings maintains that—

> The technological feasibility of using solar energy for space heating and water heating is well established.

The obstacles to the widespread implementation of solar energy technology are not—as is the case with nuclear power—essentially scientific. The primary obstacle is the development of economic production procedures by which the benefits of solar energy can be marketed. We need to apply research to the fundamental problems of design and mass production. In this effort, the lack of Federal money has been particularly devastating. According to the NBS report—

> The principle obstacle to application of solar energy for building services is the fact that no significant solar-equipment industry exists today.

There are, of course, many difficulties in moving to solar power. But it is important to emphasize that our knowledge of solar power is vastly superior to that of atomic power. We must now learn to apply our knowledge of solar power effectively in meeting our expanding demand for energy.

In light of the RANN program's central role in solar energy research we must take care not to jeopardize this effort with careless budget cuts. According to Dr. Alfred J. Eggars, Assistant Director for Research Applications at NSF, the Office of Management and Budget impounded $8.7 million of RANN's total budget last year. Of this total, $6.8 million was destined to energy research. This callous disregard for the national needs must not be allowed to happen again. The Congress owes the American people a balanced and vigorous program of energy research and development. For this reason I support the passage of H.R. 8510.

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

Mr. TEAGUE of Texas. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there is hereby authorized to be appropriated to the National Science Foundation for the fiscal year ending June 30, 1974, for the following categories:

(1) Scientific Research Project Support, $285,000,000.

(2) National and Special Research Programs, $102,600,000.

(3) National Research Centers, $46,000,000.

(4) Computing Activities in Education and Research, $8,200,000.

(5) Science Information Activities, $8,300,000.

(6) International Cooperative Scientific Activities, $6,200,000.

(7) Research Applied to National Needs, $71,300,000.

(8) Intergovernmental Science Program, $1,000,000.

(9) Institutional Improvement for Science, $2,000,000.

(10) Graduate Student Support, $11,500,000.

(11) Science Education Improvement, $35,200,000.

(12) Planning and Policy Studies, $2,600,000.

SEC. 2. (a) Except as provided in the succeeding provisions of this section—

(1) the percentage of the total funds appropriated pursuant to this Act for the purpose specified in any category listed in the first section of this Act which has been actually obligated for such purpose prior to the end of the third month following the close of the fiscal year shall not exceed by more than 15 percentage points the percentage of the total funds appropriated pursuant to this Act for the purpose specified in any other category so listed which has been actually obligated for such purpose prior to the end of such third month; and

(2) the percentage of the total funds appropriated pursuant to this Act for the purpose specified in any category so listed which has been actually obligated for such purpose prior to the end of the period during which such funds remain available for obligation (as provided under section 6) shall not exceed by more than 15 percentage points the percentage of the total funds appropriated pursuant to this Act for the purpose specified in any other category so listed which has been actually obligated for such purpose prior to the end of such period.

(b) (1) For purposes of subsections (a) and (d) (1) (subject to paragraphs (2), (3), (4), (5), and (6) of this subsection), the amount appropriated for the purpose specified in any category listed in the first section of this Act shall be deemed to be the amount authorized for such purpose in the category so listed multiplied by a fraction the numerator of which is the total amount actually appropriated for all of the purposes specified in the various categories listed in such section and the denominator of which is the sum of the amounts authorized in all the categories so listed.

(2) If the appropriations authorized by the first section of this Act are made separately by categories which are the same as those listed in such section, this subsection shall not apply.

(3) If the minimum amount which is to be available for the purpose specified in any category listed in the first section of this Act (from the total amount appropriated for all of the purposes specified in the various categories listed in such section) is fixed by the Act making the appropriation (and neither paragraph (2) nor paragraph (4) applies), the amount appropriated for the purpose specified in such category shall be deemed to be the amount determined under paragraph (1) or the minimum so fixed, whichever is greater.

(4) If the maximum amount which is to be available for the purpose specified in any category listed in the first section of this Act (from the total amount appropriated for all of the purposes specified in the various categories listed in such section) is fixed by

the Act making the appropriation (and paragraph (2) does not apply), the amount appropriated for the purpose specified in such category shall be deemed to be the amount determined under paragraph (1) or the maximum amount so fixed, whichever is less.

(5) If a specific dollar amount is appropriated or made available for the purpose specified in any category listed in the first section of this Act without being expressed in terms of a minimum or maximum (but paragraph (2) does not apply), such amount shall be considered the minimum amount which is to be available for such purpose as fixed by the Act making the appropriation and paragraph (3) rather than paragraph (4) shall apply.

(6) If a minimum or maximum amount is fixed by the Act making the appropriation for the purpose specified in any category listed in the first section of this Act (or a specific dollar amount appropriated or made available by such Act is treated under paragraph (5) as the minimum amount fixed for such purpose), and the amount so fixed (or treated as fixed) is deemed under paragraph (3) or (4) to be the amount appropriated for the purpose specified in such category, then (A) the amount so fixed (or treated as fixed) shall be subtracted from the numerator of the fraction to be applied under paragraph (1) to all of the categories so listed to which this paragraph does not apply, and (B) the amount authorized for such purpose in the first section of this Act shall be subtracted from the denominator of such fraction.

(c) For purposes of this section, with respect to funds appropriated for the purpose specified in any category listed in the first section of this Act—

(1) the term "selective withholding" means withholding, delaying, not releasing, or in any manner (other than transfer) precluding the obligation of such funds for that purpose; and

(2) the term "transfer" means the obligation of such funds for the purpose specified in another category so listed.

(d)(1) In any case where the Director of the National Science Foundation determines that the selective withholding or transfer of any part of the total funds appropriated for the purpose specified in any category listed in the first section of this Act is necessary in the national interest, but would result under subsection (a) of this section in an unnecessary or undesirable limitation upon the obligation of funds appropriated for any other category or categories so listed, the Director shall (before he makes any obligations in excess of the limitation which would thus result under such other category or categories) transmit to the Senate and the House of Representatives a special message specifying—

(A) the amount of the funds to be selectively withheld or transferred,

(B) the specific projects or governmental functions to be affected thereby,

(C) the reasons for the selective withholding or transfer, and

(D) to the maximum extent practicable, the estimated fiscal, economic, and budgetary effect of the selective withholding or transfer;

and in any such case the funds selectively withheld or transferred shall be treated in the application of subsection (a) as having been obligated for the purpose for which they were appropriated unless within sixty calendar days of continuous session of the Congress after the date on which the message is received such selective withholding or transfer shall have been disapproved by either House of Congress by passage of a resolution stating in substance that that House does not favor the selective withholding or transfer.

(2) The provisions of the first sentence of section 903(b) of title 5, United States Code, and the provisions of sections 906(b), 908, and 909 through 913 of such title, shall apply with respect to any special message transmitted to the Congress under paragraph (1) of this subsection, and any resolution relating thereto, in the same manner and to the same extent as such provisions apply (or would but for section 905(b) of such title apply) in the case of a reorganization plan, substituting "special message" for "reorganization plan" and "Director of the National Science Foundation" for "President" wherever appropriate and requiring that any resolution relating to such message be referred only to the Committee on Labor and Public Welfare of the Senate and the Committee on Science and Astronautics of the House of Representatives.

SEC. 3. Appropriations made pursuant to this Act may be used, but not to exceed $5,000, for official consultation, representation, or other extraordinary expenses upon the approval or authority of the Director of the National Science Foundation, and his determination shall be final and conclusive upon the accounting officers of the Government.

SEC. 4. In addition to such sums as are authorized by section 1 of this Act, the sum of $30,000,000 is authorized to be appropriated to the National Science Foundation for the fiscal years ending June 30, 1974, for program development and management.

SEC. 5. In addition to such sums as are authorized by the preceding provisions of this Act, not to exceed $3,000,000 is authorized to be appropriated for the fiscal year ending June 30, 1974, for expenses of the National Science Foundation incurred outside the United States to be paid in foreign currencies which the Treasury Department determines to be excess to the normal requirements of the United States.

SEC. 6. Appropriations made pursuant to authority provided in section 1, 3, 4, and 5 shall remain available for obligation, for expenditure, or for obligation and expenditure, for such period or periods as may be specified in Acts making such appropriations.

SEC. 7. (a) If an institution of higher education determines, after affording notice and opportunity for hearing to an individual attending, or employed by, such institution, that such individual has been convicted by any court of record of any crime which was committed after the date of enactment of this Act and which involved the use of (or assistance to others in the use of) force, disruption, or the seizure of property under control of any institution of higher education to prevent officials or students in such institutions from engaging in their duties or pursuing their studies, and that such crime was of a serious nature and contributed to a substantial disruption of the administration of the institution with respect to which such crime was committed, then the institution which such individual attends, or is employed by, shall deny for a period of two years any further payment to, or for the direct benefit of, such individual under any of the programs specified in subsection (c). If an institution denies an individual assistance under the authority of the preceding sentence of this subsection, then any institution which such individual subsequently attends shall deny for the remainder of the two-year period any further payment to, or for the direct benefit of, such individual under any of the programs specified in subsection (c).

(b) If an institution of higher education determines, after affording notice and opportunity for hearing to an individual attending, or employed by, such institution, that such individual has willfully refused to obey a lawful regulation or order of such institution after the date of enactment of this Act, and that such refusal was of a serious nature and contributed to a substantial disruption of the administration of such institution, then such institution shall deny, for a period of two years, any further payment to, or for the direct benefit of, such individual under any of the programs specified in subsection (c).

(c) The programs referred to in subsections (a) and (b) are as follows:

(1) The programs authorized by the National Science Foundation Act of 1950; and

(2) The programs authorized under title IX of the National Defense Education Act of 1958 relating to establishing the Science Information Service.

(d)(1) Nothing in this Act, or any Act amended by this Act, shall be construed to prohibit any institution of higher education from refusing to award, continue, or extend any financial assistance under any such Act to any individual because of any misconduct which in its judgment bears adversely on his fitness for such assistance.

(2) Nothing in this section shall be construed as limiting or prejudicing the rights and prerogatives of any institution of higher education to institute and carry out an independent, disciplinary proceeding pursuant to existing authority, practice, and law.

(3) Nothing in this section shall be construed to limit the freedom of any student to verbal expression of individual views or opinions.

SEC. 8. The amount available for the oceanographic ship construction/conversion program from the sum stipulated (for the purposes of "National and Special Research Programs") in category (2) of section 1 of Public Law 92-372 shall, after the date of the enactment of this Act, be determined without regard to section 2(a) of such Public Law.

SEC. 9. This Act may be cited as the "National Science Foundation Authorization Act, 1974".

Mr. TEAGUE of Texas (during the reading). Mr. Chairman, I ask unanimous consent that the bill be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

AMENDMENT OFFERED BY MR. WYDLER

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

The Clerk read as follows:

Amendment offered by Mr. WYDLER: Strike out section 2, beginning on page 2, line 17, and ending on page 8, line 2, and insert in lieu thereof the following:

SEC. 2. No funds may be transferred from any particular category listed in the first section of this Act to any other category or categories listed in such section if the total of the funds so transferred from that particular category would exceed 10 per centum thereof, and no funds may be transferred to any particular category listed in the first section of this Act from any other category or categories listed in such section if the total of the funds so transferred to that particular category would exceed 10 per centum thereof, and no funds may be selectively withheld from any particular category listed in the first section of this Act if the total of the funds so withheld from that particular category would exceed 10 per centum thereof, unless—

(A) a period of thirty legislative days (or forty-five calendar days, when Congress is in adjournment sine die) has passed after the Director or his designee has transmitted to the Speaker of the House of Representatives and the President of the Senate and to the Committee on Science and Astronautics of the House of Representatives and to the Committee on Labor and Public Welfare of the Senate a written report containing a full and complete statement concerning the na-

ture of the transfer and the reason therefor, or

(B) each such committee before the expiration of such period has transmitted to the Director written notice to the effect that such committee has no objection to the proposed action.

Mr. WYDLER. Mr. Chairman, the purpose of my amendment is to try to avoid the great danger—I feel it is a great danger—to the National Science Foundation bill. I also wish to avoid the administrative morass which I explained during the period of debate on this bill.

The amendment I am offering is essentially in the same language as was in the bill last year, but it is improved. There is new language in this section to make it broader and make it meet the objections and the problems that we face on the committee. I have added to the usual provisions of the notification language provisions requiring that where funds are selectively withheld from any particular category listed in the first section of the act, there would be notification to the Congress as well, and the committee would be in a position to act on that or have hearings or do what they considered was right in the circumstances.

Now, Mr. Chairman, I believe my proposal in this amendment is a sound proposal, but I am very much convinced that the proposal that we have in the bill at the present time is a wholly unsound proposal, for a number of reasons. The first, of course, is the one I alluded to during debate on the bill, and that is that we are running the risk of having our National Science Foundation legislation vetoed, held up and tied up over this issue.

Mr. Chairman, I realize that the Congress must act independently and strongly, and there are places in which we can act independently and strongly, but I doubt very much the wisdom of making this a major issue in a bill which is vitally needed and in which very little may be accomplished in that manner as far as the overall issue itself is concerned.

I believe its inclusion was poor judgment on the part of the committee, and I believe it would be poor judgment on the part of the House to reaffirm it and insist on fighting this issue on this bill. I understand why we have the language. I do not know how many Members are aware of what the language is, but let me tell the Members how this all came about.

Certain members of the subcommittee on the National Science Foundation had their favorite programs slashed by the administration; funds were withheld and payments put over until the next fiscal year. They became angered at this, and I can understand that. I have been angered myself when some of my favorite programs have been so treated.

Mr. Chairman, in an attempt to get at the problem, what we have tried to set up in section 2 is a system whereby in the 13 specific categories in section 1 of the bill—and these categories are really artificial creations of the makers—within these 13 categories you cannot cut one part of the program without cutting all the other parts of the program by about the same percentage.

The level of action that is created is program reduction of 15 percent. At one point it was 10 percent. We actually passed the bill out of the committee with the 10 percent level, but then on reconsideration we adjusted that figure up to 15 percent.

Mr. DAVIS of Georgia. Mr. Chairman, will the gentleman from New York (Mr. WYDLER) yield?

Mr. WYDLER. I yield to the gentleman from Georgia (Mr. DAVIS).

Mr. DAVIS of Georgia. Mr. Chairman, it was my understanding there are 12 categories involved.

The gentleman has stated there are 13 categories which were found.

Mr. WYDLER. Mr. Chairman, I understand that. I tried to determine myself what the 13th category was, and I understood it was foreign transactions.

I believe 13 categories is correct.

Mr. TEAGUE of Texas. Mr. Chairman, will the gentleman from New York (Mr. WYDLER) yield?

Mr. WYDLER. I yield to the gentleman from Texas (Mr. TEAGUE).

Mr. TEAGUE of Texas. Mr. Chairman, I think it is not quite right to intimate that the committee took this step because pet projects were cut. The truth of the matter is that the money was withheld based on the time which programs came up for renewal, and not on a project basis. I believe I would feel differently if the National Science Foundation had been the one to designate the projects where the money was withheld.

Actually the Bureau of Budget and Management withheld it, and it is not quite fair to say or intimate that this money was withheld or the committee took it out because of pet projects.

Mr. WYDLER. Well, I do not know whether the word should be "pet" projects. They were favorite programs, and I can only tell the gentleman that I do not consider that as any criticism on the part of other Members, because I have experienced that same treatment on other bills that have gone through the Congress. No one likes to see his favorite programs, those in which he has any special or unique interest, treated in this manner.

Mr. Chairman, I did not mean that as a criticism. I was trying to use the expression as an explanation of how I believe we got into the situation we find ourselves in today.

The CHAIRMAN. The time of the gentleman has expired.

(By unanimous consent, Mr. WYDLER was allowed to proceed for 5 additional minutes.)

Mr. WYDLER. I think it is a fair statement, because there are particular problems involved. What we are going to face here later today was brought about by this situation. You are going to find you will have an appropriation bill immediately following this bill with the appropriations in it for the National Science Foundation. Those figures will be somewhat different than those we have in the bill before us. But you will also find out in that appropriating legislation there are in particular programs minimum levels of funding spelled out by the Committee on Appropriations. That is going to mean, if you pass both bills in the form in which they are now, you are in effect setting minimum levels of spending in every category, because the agency will be required to spend certain amounts at minimum levels in one program, by the operation of section 2 every other category in the bill is required to come within certain guidelines as a result.

The interaction of these two bills operating in this fashion is going to distort completely the proper management and administration of this program.

Section 2 works on the wrong assumption. It says that every dollar in the bill has the same priority. I doubt and dispute that. You have to leave to an administrator of a program the discretion, when he has to make reductions in overall spending, to cut the programs where he thinks the least harm will be done to his program.

Mr. HANNA. Will the gentleman yield?

Mr. WYDLER. Yes. I yield to the gentleman.

Mr. HANNA. I think the gentleman wants to keep the House informed correctly. The restraint in the spending was not made by the NSF Director but was made by the OMB. It does seem to me that the principle involved here is who sets priorities and what programs are considered important, and whether that is going to be the OMB or the NSF Director working with the Congress.

Mr. WYDLER. If the gentleman would like to know, I have talked to the administrator of the program himself, and he does not want this provision in this bill enacted into law. He has told me so. If you are trying to protect him and help him, which I think is the thrust of your comment, again I think you should support my amendment and allow us to get away from the language in section 2.

Mr. HANNA. I think it is only fair to indicate that the Director was told by the OMB. He is reflecting, I think, the OMB desires. We had this conversation with the members of the committee. He is reflecting the desire to get along with the OMB, because if he does not, it is like fighting city hall. I know the gentleman is reporting that correctly, but I think it is only fair to make it completely clear.

Mr. WYDLER. The trouble I find with the gentleman's statement is this: He is trying to imply somehow section 2 will allow the Congress to get even with or get at the OMB. I will tell the gentleman what you are really getting at is the administrator of the program who will have to try to live within the rigid guidelines you are creating for him.

Mr. BELL. Will the gentleman yield?

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

Mr. BELL. Is it not likely, too, with regard to the National Science Foundation, which is really known for its scientific knowledge, to get them into a political battle of this kind on impoundments between the Congress and the ad-

ministration? Is it not likely to have some damaging effects on the Foundation?

Mr. WYDLER. I suspect it would, and you are seeing the beginning of it here.

Mr. BELL. And it is an attempt to scatter the shots and have the authorizing committees do the same thing with their own little impoundment programs, and that is not likely to get at the problem, is it?

Mr. WYDLER. I would like to point out to the gentleman and those in the Chamber opposed to Presidential impoundment, at least by the present President, under the provisions of section 2 that impoundment is made perfectly proper and legal. As a matter of fact, it is sanctioned by this bill, if you read it. Under this bill, as long as the Administrator and the OMB want to withhold 100 percent of every category, it would be perfectly proper. I think from every point of reasoning and judgment here, the House and the committee would be well advised to substitute the language I am proposing.

I ask for a yea vote on the amendment.

Mr. PARRIS. Mr. Chairman, I move to strike the last word, and I rise in opposition to the amendment offered by the gentleman from New York (Mr. WYDLER).

Mr. Chairman, the funds authorized by this bill will permit the National Science Foundation to continue a vigorous and diversified program in basic research activities. That is really all we are talking about here. But the amendment offered by the gentleman from New York (Mr. WYDLER) for whom I have the highest regard, not only as an individual but as an active and dedicated member of this committee, has I think confused somewhat the issue. This provision and this issue is very simple. Clearly, one of the most noteworthy aspects of this year's National Science Foundation authorization bill is the language contained in section 2, which will prohibit the Office of Management and Budget from selective withholding of portions of that budget.

In very simple terms, if any funds are to be withheld by the executive branch of this Government they must be withheld in an across-the-board fashion, not in a selective manner.

For instance, in fiscal year 1973, $62.4 million was withheld by the executive branch from the National Science Foundation's budget. Over $45 million of that amount, some two-thirds or more, was withheld from three budget categories. I might add that these were three categories that had previously received high priorities from both the Congress and from the committee.

This type of selective withholding is in clear disregard of congressional intent and priority.

This year's language will simply constrain the executive branch to a more equitable withholding logic and system. If one budget category is cut, then all the other budget categories must be cut by essentially the same percentage within reasonable and responsible limits.

Provision is made for large legislative reprograming actions through notification of the committee and the Congress, followed by a 60-day period during which the Congress may disapprove the action.

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

Mr. PARRIS. I am happy to yield to the gentleman from New York.

Mr. WYDLER. Mr. Chairman, the logic of the gentleman from Virginia (Mr. PARRIS) is good so long as the assumption that the gentleman is making at the end of the line comes out the way he expects. The gentleman's assumption is that if you tell the administrator that he has to cut all of the programs that then the administrator will not cut any of them, or will not cut any of them very deeply, but the fact is that the administrator might cut all of them deeply.

As a matter of fact, the amendment as written in the committee bill says that we are actually forcing him to cut all categories under certain circumstances. Is that a fact?

Mr. PARRIS. No, I do not believe it is. I heard the gentleman from New York argue the possibility of the executive branch vetoing this bill based on this provision, and that it is sanctioning impoundment. I would point out to the gentleman from New York that the recognition of the existence of the fact of impoundment of funds by the executive branch does not carry with it a concomitant recognition of the right of impoundment or the authority to impound.

Mr. WYDLER. If the gentleman from Virginia will yield further, if the administrator cuts one category of these 12 categories 20 percent, then he has to cut all of the categories 20 percent. Is that a correct statement?

Mr. PARRIS. I think that is right.

Mr. WYDLER. So we are forcing, I believe the gentleman from Virginia will have to admit, we are forcing the administrator under those circumstances to cut every category 20 percent.

Mr. PARRIS. I do not think that necessarily follows.

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

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

Mr. MOSHER. Mr. Chairman, concerning the question asked by the gentleman from New York, what he is saying would happen would happen only if the Congress consented to it under this amendment.

The administration would have to notify the Members of Congress, and we would have the opportunity to either approve or disapprove.

Mr. WYDLER. If the gentleman will yield, they do not have to notify Congress at all. So long as they cut all the programs the same amount, they have the absolute right to do so under this bill; is that not so?

Mr. PARRIS. I think what the gentleman is trying to say is that if the OMB in its infinite wisdom determines that $x$ millions of dollars must be cut from this authorization, then they must cut it based upon the proportionate percentage of these categories as determined by this Congress and as authorized by this bill.

Mr. DAVIS of Georgia. Mr. Chairman, will the gentleman yield?

Mr. PARRIS. I yield to the gentleman from Georgia.

Mr. DAVIS of Georgia. There is one mathematical problem, and that is that under the bill that is pending before us they can reprogram up to 15 percent of the program activity, so that if they were to try to reprogram 20 percent, that would affect the other programs only to the extent of 5 percent, because this bill gives them the right to transfer 15 percent.

Mr. GERALD R. FORD. Mr. Chairman, will the gentleman yield?

Mr. PARRIS. I yield to the distinguished gentleman from Michigan.

Mr. GERALD R. FORD. Let me ask this question. Supposing the Committee on Appropriations makes a reduction in one of these 12 categories of 20 percent, and the Congress confirms that action, what happens?

Mr. PARRIS. My understanding is that that is precisely what has happened in the NASA appropriation bill. There is $28 million in supersonic technology that has been adjusted in that legislation and, in my opinion and from my interpretation of the language of this bill, the same principle would apply in terms of proportionate reduction if it were the subject of this legislation or covered under this authorization.

Mr. DAVIS of Georgia. Mr. Chairman, will the gentleman yield?

Mr. PARRIS. I yield to the gentleman from Georgia.

Mr. DAVIS of Georgia. I would point out that the SST and the supersonic technology is under NASA.

The CHAIRMAN. The time of the gentleman has expired.

(By unanimous consent, Mr. PARRIS was allowed to proceed for 3 additional minutes.)

Mr. GERALD R. FORD. I am not clear either from the comment of the gentleman from Virginia or the comment of the gentleman from Georgia on the answer to my question.

Mr. PARRIS. If I might try to clarify the situation, I think what Mr. DAVIS was trying to point out is that these programs I referred to are part of the NASA program to be dealt with separately. Were they to be subjected to the same restrictions of this program under NSF, it would be cut in exactly the same way, so that the reduction would be on those funds ultimately appropriated.

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

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

Mr. HANNA. I think the answer to the gentleman's question is that the language of the bill says that the money is appropriated so that when the money is appropriated in a form, whatever that form might be—whether it was appropriated as authorized, or whatever—this legislation would not apply at all until after the appropriation procedure has been followed. So the answer to the gentleman is there is no effect of this

legislation to the situation the gentleman described.

Mr. GERALD R. FORD. In other words, if Congress in its wisdom in appropriations cut one of these 12 programs 100 percent, then——

Mr. HANNA. Then no other program would be cut by operation of this particular section in this bill.

Mr. DAVIS of Georgia. Mr. Chairman, will the gentleman yield?

Mr. PARRIS. I yield to the gentleman from Georgia.

Mr. DAVIS of Georgia. I think our committee report will answer the question of the distinguished minority leader precisely. On page 115, the fourth paragraph says this:

> Sections 2(b) (3), (4), (5), and (6) apply to special cases which may arise in connection with the appropriation Act. These include the setting of minimum and maximum amounts for specific categories in the appropriation Act. When such appropriations for some (but not all) categories are made, a formula is given in Section 2(b)(6) for redefining the fraction used to calculate the amounts appropriated for each category.

For that formula, I will admit, one might need a slide rule, but it is simply a matter of computation. It was worked out at great length by the Legislative Reference Service and by our staff. They spent several weeks working that formula out, but I have seen a demonstration of it and it will work.

Mr. GERALD R. FORD. Mr. Chairman, will the gentleman yield for an observation?

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

Mr. GERALD R. FORD. I think it is fortunate that this very complicated formula is in reference to the National Science Foundation.

Mr. DAVIS of Georgia. That is right.

Mr. GERALD R. FORD. I assume the National Science Foundation would have personnel uniquely capable and qualified to utilize a slide rule or new math, or sophisticated computers, to come to the kind of conclusions that the committee is trying to foist on the Congress and the executive branch. Some very mundane department in the Government, I am sure, would not be quite qualified to work out this formula in the method that is prescribed in this authorization bill.

Mr. DAVIS of Georgia. I would say to the gentleman from Michigan that is precisely the reason that we had the temerity to include that formula in this bill.

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

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

Mr. WYLIE. So that I might better understand, and maybe we need to get more mundane and get down to figures——

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

(By unanimous consent, Mr. PARRIS was allowed to proceed for 3 additional minutes.)

Mr. WYLIE. Mr. Chairman, if the gentleman will yield, I referred earlier to the fact that $58.9 million was selectively withheld during fiscal year 1973. Is that amount included in the budget request of $612.9 million for fiscal year 1974?

Mr. DAVIS of Georgia. It is not.

Mr. WYLIE. It is not. So that $58.9 million will be available in addition to the $612.9 million for fiscal year 1974?

Mr. DAVIS of Georgia. Yes, that amount that was selectively withheld has already been appropriated. It was authorized and appropriated and simply was not expended.

Mr. PARRIS. I suggest to my friend, the gentleman from Ohio, we are debating currently section 2 of the bill. His question addresses itself to the total authorization.

Mr. WYLIE. I understand that, but the point I want to make is that even though there was selective withholding last year, the money is still available as a part of the total budget even under the present language of the law and will be available for fiscal year 1974 making available $671.8 million. Is that correct?

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

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

Mr. TEAGUE of Texas. Mr. Chairman, I would point out the authorization for this year is $91 million less than last year.

Mr. WYLIE. But the amount of money spent last year was $645 million, the gentleman told me earlier, for 1973 and we will be this year making available $671.8 million for 1974, a part of which is this carryover amount which was partially withheld.

Mr. TEAGUE of Texas. That was the amount of money that was appropriated by the Congress but it was not used by the National Science Foundation because of action taken by the Office of Management and Budget.

Mr. WYLIE. It is still available.

Mr. PARRIS. The amount authorized here is almost $33 million less than was actually appropriated last year. I think that answers the gentleman's question.

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

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

Mr. WYLIE. Mr. Chairman, I wanted to make the point that the money that was selectively withheld is not lost to the National Science Foundation or to potential recipients. It is part of the obligational funding authority available right now for the operation of the NSF for various programs, and money totaling $671.8 million will be available for the coming year. It is expected that it will be spent. I think that is a fair statement. The sum of $28.6 million more will be available next year than was appropriated for fiscal year 1973, and $85.7 million more will actually be available than was spent in fiscal year 1973.

Mr. TEAGUE of Texas. Mr. Chairman, will the gentleman yield for one more comment?

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

Mr. TEAGUE of Texas. What the gentleman from New York says is exactly true for this year, but if it is not expended this year the appropriation comes on a 1-year basis and it would be lost to the National Science Foundation.

Mr. PARRIS. Mr. Chairman, the committee was extremely careful in drafting and considering section 2 of this bill. The language was very carefully chosen, I suggest to my friend, the gentleman from New York, and it does not acknowledge the power of the executive branch of the Government to impound and could in no reasonable way be so construed.

The issue of Presidential impoundment must be addressed on a much broader scale and in other independent legislation. The only intent of this legislation is to provide for an equitable distribution of the funds released for obligation by the National Science Foundation. We merely want to avoid drastic selective budget cuts in programs which may be assigned a high priority by the Congress but which may be out of favor within the NSF or the OMB.

H.R. 8510 expresses the intent of the Congress to determine spending priorities within the Federal budget. I urge its passage as reported and hope the committee will reject this amendment.

Mr. ESCH. Mr. Chairman, I rise in opposition to the amendment. It may well be, Mr. Chairman, that our minds are already made up as to how we may vote on this particular amendment. I think it very important that we understand the issue, however. I am very pleased that the maker of the amendment has stated explicitly that this is not an issue of impoundment. That issue remains for this Congress and this body to debate and to decide at a later date. So let us make certain that we understand this is not an issue of impoundment.

Section 2 is designed to prevent the foundation from selectively withholding or transferring appropriated funds in a manner which disregards the intent and priorities of Congress as evidenced by the authorizations contained in section 1. The dialog which was just held between the distinguished chairman of the full committee and the maker of the amendment emphasizes the problem. That is that in the past 3 years funds have been withheld selectively and not proportionately by the Office of Management and Budget.

Those funds were not spent even though the Congress of the United States and the committee made the determination that those funds should be spent year after year. Therefore the question is this: Is it the Congress of the United States that will make the determination as to what priorities the county will have in its science policy as reflected in expenditures utilized by the National Science Foundation?

Now, what this amendment is not: Does it hamstring the administrator, as has been suggested? No, because there are two ways that administrator can move. First of all, he has a 15 percent transferability, and that in most cases will be more than adequate flexibility.

So he is not hamstrung.

Second, if he desires to selectively withhold more than 15 percent, he need just come back to this Congress for concurrence with 60 days' notice; and then he can transfer those funds.

Now, is this a new concept? Is this a new challenge in terms of Presidential impoundment? No, because this concept

is explicitly contained in the NASA authorization of the previous years. This House, in previous years, has had language in the NASA authorization that states that when there has been major transferability needed on the part of the NASA administration; NASA must come back to Congress and give us an opportunity to review with NASA those decisions.

I would suggest to this House that the question of the impoundment should be debated and discussed fully on this floor at a later date. What we are saying in opposing this amendment today—and why I ask the members to reject ths amendment—is that this body, should collectively, with the National Science Foundation, make decisions affecting the science policy in this country. This is the issue at hand.

Does it hamstring the administrator? No. Can he live with it? Yes. Is it an impoundment bill? No. Does it provide the decisionmaking process be left with the administrator? Yes, within certain limits.

My fellow members, as representatives elected by the people, we have the responsibility for policymaking in this country. Let us not fail to hold that responsibility and trust sacred.

Mr. Chairman, I strongly urge the members to reject this amendment.

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

Mr. Chairman, I wonder if I might have the attention of the gentleman from Michigan (Mr. ESCH) who just spoke in opposition to the amendment.

Could the gentleman tell me the difference between selective withholding and impoundment?

Mr. ESCH. Mr. Chairman, it is my understanding that selective withholding refers to the expenditure of funds in the year following authorization. In contrast, impoundment generally embodies a broader concept, such as occurs in the case of the highway trust fund and the other trust funds.

Mr. WYLIE. Mr. Chairman, if the gentleman will pardon me, it is all money and this sounds like a fancy phrase for an otherwise easily understood word.

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

Mr. WYLIE. I yield to the gentleman from New York (Mr. WYDLER).

Mr. WYDLER. Mr. Chairman, I thank the gentleman for his courtesy.

I would like to point out to the gentleman from Ohio and to the Members of the House that his point is really very well taken, because the original language in this bill did call it impoundment. But the committee decided, after recognition that they were making impoundment legal and authorizing it, to change the term to "selective withholding."

Mr. Chairman, I suggest that a rose is still a rose by any other name.

Mr. DAVIS of Georgia. Mr. Chairman, will the gentleman yield?

Mr. WYLIE. I yield to the gentleman from Georgia.

Mr. DAVIS of Georgia. I want to admit that there is only a semantic difference, but I should like to point out that up to this year we have been dealing with no-year appropriated funds. If they put them in the safe, they stayed there and they could spend them in the next year, in 1980, or whatever. This year the appropriation bill is expected to have and will have 1-year funds, so if they are not spent they will be gone. There is a difference.

In most agencies of the Government if they do not spend the money the year it is appropriated they lose it and it goes back to the Treasury. This is an agency, the National Science Foundation, which up to this year has been enjoying no-year funds. That makes a difference.

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

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

Mr. ESCH. I believe that reemphasizes the point of carryover. In the future there will not be carryover funds and they will be lost.

Mr. WYLIE. I do not understand what the gentleman means when he says that the carryover funds are lost. Carryover funds are always included in appropriations for the next fiscal year, are they not? The gentleman just made the observation that the carryover funds are lost. I do not believe that is accurate.

Mr. DAVIS of Georgia. It has been true heretofore that carryover funds were not lost, but from this year forward, fiscal year 1974, they will be lost, due to the wording of the appropriation bill which will be considered by this body later today.

Mr. WYLIE. Oh, I see. This is something new in procedure; something in the future.

Mr. DAVIS of Georgia. It is not very far in the future.

Mr. WYLIE. I thank the gentleman.

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

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 109, noes 238, not voting 86, as follows:

[Roll No. 265]

AYES—109

| | | |
|---|---|---|
| Archer | Duncan | King |
| Arends | Eshleman | Kuykendall |
| Armstrong | Findley | Landgrebe |
| Baker | Fish | Latta |
| Beard | Ford, Gerald R. | Lent |
| Bell | Frelinghuysen | Lott |
| Blackburn | Frey | McCollister |
| Bray | Froehlich | McEwen |
| Brown, Mich. | Goodling | Madigan |
| Broyhill, N.C. | Gross | Michel |
| Broyhill, Va. | Gubser | Miller |
| Burgener | Guyer | Minshall, Ohio |
| Burke, Fla. | Hanrahan | Mitchell, N.Y. |
| Camp | Hansen, Idaho | Mizell |
| Carter | Harsha | Moorhead, Calif. |
| Clancy | Heinz | Myers |
| Cleveland | Hillis | O'Brien |
| Collier | Hogan | Peyser |
| Collins, Tex. | Holt | Powell, Ohio |
| Conlan | Huber | Quillen |
| Crane | Hudnut | Rarick |
| Daniel, Robert W., Jr. | Hunt | Robinson, Va. |
| Davis, Wis. | Jarman | Roncallo, N.Y. |
| Dennis | Johnson, Pa. | Rousselot |
| Derwinski | Keating | Ruth |
| Dickinson | Kemp | Scherle |
| | Ketchum | |
| Schneebeli | Steiger, Wis. | Walsh |
| Sebelius | Symms | Ware |
| Shoup | Talcott | Wiggins |
| Shriver | Taylor, Mo. | Williams |
| Shuster | Teague, Calif. | Winn |
| Skubitz | Thone | Wydler |
| Smith, N.Y. | Towell, Nev. | Wylie |
| Snyder | Treen | Young, Fla. |
| Spence | Vander Jagt | Young, S.C. |
| Steiger, Ariz. | Veysey | Zion |

NOES—238

| | | |
|---|---|---|
| Abdnor | Fulton | Parris |
| Abzug | Gaydos | Passman |
| Adams | Gettys | Patten |
| Addabbo | Giaimo | Perkins |
| Alexander | Gibbons | Pettis |
| Andrews, N.C. | Ginn | Pickle |
| Andrews, N. Dak. | Goldwater | Pike |
| Annunzio | Grasso | Podell |
| Ashley | Green, Oreg. | Price, Ill. |
| Aspin | Green, Pa. | Pritchard |
| Barrett | Griffiths | Randall |
| Bennett | Gude | Rangel |
| Bergland | Gunter | Rees |
| Bevill | Haley | Regula |
| Biaggi | Hamilton | Reuss |
| Biester | Hanley | Riegle |
| Bingham | Hanna | Rinaldo |
| Boggs | Harrington | Roberts |
| Boland | Harvey | Robison, N.Y. |
| Bolling | Hastings | Roe |
| Bowen | Hawkins | Rogers |
| Brademas | Hechler, W. Va. | Rose |
| Brasco | Helstoski | Rosenthal |
| Breckinridge | Henderson | Rostenkowski |
| Brinkley | Hicks | Roush |
| Brooks | Holifield | Roy |
| Brotzman | Howard | Roybal |
| Brown, Calif. | Hungate | Ryan |
| Buchanan | Johnson, Colo. | St Germain |
| Burke, Calif. | Jones, Ala. | Sarasin |
| Burke, Mass. | Jones, N.C. | Sarbanes |
| Burleson, Tex. | Jones, Okla. | Satterfield |
| Burlison, Mo. | Jones, Tenn. | Schroeder |
| Burton | Jordan | Seiberling |
| Butler | Karth | Shipley |
| Byron | Kastenmeier | Sisk |
| Carey, N.Y. | Kluczynski | Slack |
| Carney, Ohio | Koch | Smith, Iowa |
| Casey, Tex. | Kyros | Stanton, J. William |
| Chisholm | Lehman | Stanton, James V. |
| Clark | Litton | Stark |
| Clay | Long, La. | Steed |
| Cohen | Long, Md. | Steele |
| Collins, Ill. | McCloskey | Stephens |
| Conte | McCormack | Stokes |
| Corman | McDade | Stubblefield |
| Cotter | McFall | Stuckey |
| Coughlin | McKay | Studds |
| Culver | McSpadden | Sullivan |
| Daniel, Dan | Macdonald | Symington |
| Daniels, Dominick V. | Madden | Taylor, N.C. |
| Davis, Ga. | Mahon | Teague, Tex. |
| de la Garza | Mallary | Thornton |
| Delaney | Mann | Tiernan |
| Dellenback | Martin, N.C. | Udall |
| Dellums | Mathias, Calif. | Ullman |
| Denholm | Matsunaga | Van Deerlin |
| Dent | Mayne | Vanik |
| Diggs | Mazzoli | Vigorito |
| Dingell | Meeds | Waggonner |
| Donohue | Melcher | Wampler |
| Downing | Mezvinsky | Whalen |
| Drinan | Milford | White |
| Dulski | Mills, Ark. | Whitten |
| du Pont | Minish | Wilson, Bob |
| Eckhardt | Mink | Wilson, Charles H., Calif. |
| Edwards, Calif. | Mitchell, Md. | Wilson, Charles, Tex. |
| Eilberg | Moakley | Wolff |
| Esch | Mollohan | Wyatt |
| Evans, Colo. | Montgomery | Yates |
| Evins, Tenn. | Moorhead, Pa. | Yatron |
| Fascell | Mosher | Young, Alaska |
| Flood | Moss | Young, Ga. |
| Flowers | Murphy, Ill. | Young, Ill. |
| Foley | Natcher | Young, Tex. |
| Ford, William D. | Nedzi | Zablocki |
| Forsythe | Nichols | Zwach |
| Fountain | Nix | |
| Fraser | Obey | |
| | O'Hara | |
| | O'Neill | |
| | Owens | |

NOT VOTING—86

| | | |
|---|---|---|
| Anderson, Calif. | Broomfield | Cochran |
| Anderson, Ill. | Brown, Ohio | Conable |
| Ashbrook | Cederberg | Conyers |
| Badillo | Chamberlain | Cronin |
| Bafalis | Chappell | Danielson |
| Blatnik | Clausen, Don H. | Davis, S.C. |
| Breaux | Clawson, Del | Devine |
| | | Dorn |

| | | |
|---|---|---|
| Edwards, Ala. | Johnson, Calif. | Reid |
| Erlenborn | Kazen | Rhodes |
| Fisher | Landrum | Rodino |
| Flynt | Leggett | Roncallo, Wyo. |
| Frenzel | Lujan | Rooney, N.Y. |
| Fuqua | McClory | Rooney, Pa. |
| Gilman | McKinney | Runnels |
| Gonzalez | Mailliard | Ruppe |
| Gray | Maraziti | Sandman |
| Grover | Martin, Nebr. | Saylor |
| Hammer-schmidt | Mathis, Ga. | Sikes |
| | Metcalfe | Staggers |
| Hansen, Wash. | Morgan | Steelman |
| Hays | Murphy, N.Y. | Stratton |
| Hébert | Nelsen | Thompson, N.J. |
| Heckler, Mass. | Patman | Thomson, Wis. |
| Hinshaw | Pepper | Waldie |
| Holtzman | Poage | Whitehurst |
| Horton | Preyer | Widnall |
| Hosmer | Price, Tex. | Wright |
| Hutchinson | Quie | Wyman |
| Ichord | Railsback | |

So the amendment was rejected.

The result of the vote was announced as above recorded.

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

Mr. Chairman, I had intended to offer an amendment to this bill in order that the National Science Foundation through our colleges and universities might more directly address the energy problem which faces our country. The amendment, which would have been without any cost, because it would not have been funded, would have committed the National Science Foundation to designate private and public institutions of higher education as national energy research centers.

The National Science Foundation has suggested that they would prefer that we hold hearings on the measure. Already I have some 8 or 10 people on the committee who would favor this amendment, but, because of the request of the National Science Foundation and because the leaders on both sides of the aisle have agreed we might have hearings within the month of July, I will therefore not offer the amendment, but will expect that we will advance this matter as best we can through hearings on it later on, or in the other body.

I am pleased to say that the other body has a provision in the measure pending before them which actually sets up the office by statute, that would permit the handling of technological matters, and I think that is a proper vehicle around which we can advance this idea.

I think that is an acceptable approach, so in view of this development, I will not offer the amendment and will ask the committee to hold hearings on it next month, if it is at all possible.

I yield back the balance of my time.

AMENDMENT OFFERED BY MR. RONCALLO OF NEW YORK

Mr. RONCALLO of New York. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. RONCALLO of New York: Page 11, insert after line 14 the following new section:

SEC. 9. No funds—

(1) authorized to be appropriated under this Act to the National Science Foundation for the fiscal year ending June 30, 1974, or

(2) heretofore appropriated to the National Science Foundation and remaining available to it for obligation and expenditure,

may be used to conduct or support research in the United States or abroad on a human fetus which is outside the womb of its mother and which has a beating heart.

Redesignate the succeeding section accordingly.

POINT OF ORDER

Ms. ABZUG. Mr. Chairman, I reserve a point of order.

The CHAIRMAN. The gentlewoman from New York reserves a point of order.

Ms. ABZUG. Mr. Chairman, I make the point of order that the amendment of the gentleman is not in order, since the language involved is language which essentially deals with reappropriating. Making available, or diverting an appropriation, or a portion of an appropriation already made for one purpose to another is not in order under rule VII, 2146, March 29, 1933, page 988.

This is an authorization bill and not an appropriation bill, and I believe that this amendment is, therefore, not in order.

The CHAIRMAN. Does the gentleman from New York wish to be heard on the point of order?

Mr. RONCALLO of New York. Yes, Mr. Chairman.

Mr. Chairman, the amendment addresses itself to the funds which have not been already expended, which are appropriated in the funds for the future which will be appropriated. I believe, therefore, it is in order and it is a correct amendment.

The CHAIRMAN (Mr. HANLEY). The point of order is purely one of germaneness, in the opinion of the Chair, and cannot be sustained. The amendment is a restriction on the use of funds available to the Science Foundation. The amendment does not appropriate any such funds. The Chair overrules the point of order.

The Chair recognizes the gentleman from New York.

Mr. RONCALLO of New York. Mr. Chairman, once again I rise to ask my colleagues to insure that appropriated funds will not be used to perform vivisection on live human fetuses. Just 3 weeks ago, the House declared unequivocally its opposition to this sort of activity by passing a similar amendment to the Biomedical Research Bill by a 354–9 vote. That amendment applied only to HEW. The National Science Foundation is another of the Government agencies which is intimately concerned with research on human beings.

One of their publications shows estimated fiscal year 1973 obligations for basic and applied research in the life sciences totaling over $90 million. Any of these funds could be used for live fetus research in the absence of statutory restrictions.

The breakdown in the report on the bill before the House today is not sufficiently detailed to indicate just how much will be used in the next year for research on human beings, but let us take a look at what we do find; $61 million are authorized for biological sciences. Among other objectives of this program we find the following:

Advancing our understanding of biological structures, functions . . . , etc.

Fostering research in selected areas of biology which seems especially ripe for development. . . ."

Maintenance and care of certain biological research resources—primarily organizations caring for stocks of certain living or preserved organisms—and also research facilities, that serve a nationwide clientele.

One of the objectives of the $9.5 million International Biological program is "Advancing our knowledge of genetic, physiological and behavioral adaptation of human beings." The Cooperative Science program provides $3.8 million for bilateral research and exchange programs with 16 foreign countries. The authorization for fiscal year 1974 plus prior year funds still available allows for a $5 million special foreign currency program with eight more countries.

Let me dwell for a minute on why I am so concerned with our overseas programs. A few week ago I told you the story of a British doctor coming here to do live fetus research in Washington, D.C. It was claimed on the floor that NIH was not funding this type of research. I can state here categorically that this claim is not true. Just last summer Dr. Peter A. J. Adam of Case Western Reserve University in Cleveland went to Helsinki. Supported by NIH funds, he and three Finnish researchers performed some of the most abominable experiments on live human fetuses that I have ever heard of.

Let me quote to you the description printed in the June 8 Medical World News:

To produce those data, the investigators severed the heads of 12 previable fetuses obtained by abdominal hysterotomy at 12 to 20 weeks' gestation. The heads were then perfused through the internal carotid arteries.

Can you believe this, Mr. Chairman? It is the making of a new Frankenstein. These people cut the heads off living human fetuses while they still had a heartbeat and stuck them up on tubes. All this to find out if some sugar substitute called BOHB could serve as a human energy source.

Dr. Adam says that legal considerations and the principles of informed consent are irrelevant. He asks, and I quote:

Whose right are we going to protect when we've already decided the fetus won't live?

He has already answered his own question. If the fetus won't live, then it is living now. I am not talking about abortion, I am not here concerned with how they got this fetus. What I am concerned with is that we have a human life, existing independently with a beating heart, worthy of our protection. Whose right are we going to protect? The short life of this independent human being and also the right of society to be free from vivisection of its own living kind.

I would like to emphasize to my colleagues, as I did the last time, that this amendment will in no way restrict experimental theraputic procedures designed with the hope of preserving and protecting the individual human life involved. I commend this type of experi-

mentation and note that much of the same sort of data can be obtained by this means, rather than by vivisection on those unfortunate lives which cannot be saved without a shadow of a doubt, because if we allow the latter, it can only follow that we will soon see vivisection of our terminally ill, vivisection of our mental defectives, and vivisection of our severely handicapped.

I look forward to the day when the Commerce and Judiciary Committees will hold hearings and report out legislation I have introduced banning all Government agencies from conducting live fetus research and providing for criminal penalties for researchers who refuse to follow congressional policy. These bills now have about 35 cosponsors apiece and will soon be introduced in the Senate. When they are enacted, agency-by-agency amendments such as this, will no longer be necessary. Until then, the legislative business of this body must go on, and I intend to see that we have a chance to stop this sort of appalling research every time funds which could be subverted for that purpose are authorized or appropriated.

NIH was funding live fetus research, despite their claims to the contrary. That is why I am not interested in what National Science Foundation's policy is, either past, present, or future. I am concerned about what congressional policy is. I am concerned about the stocks of living or preserved organisms maintained with NSF funds. I am concerned about overseas programs conducted where human life is held less dearly than here in the United States, and I am concerned about the ethical future of the human race. I hope that the House will pass this amendment and once again go overwhelmingly on record against live fetus research.

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

Mr. RONCALLO of New York. I yield to the gentleman from Texas.

Mr. TEAGUE of Texas. Mr. Chairman, so far as this side of the aisle is concerned we accept the amendment offered by the gentleman.

Mr. RONCALLO of New York. Mr. Chairman, I thank the gentleman from Texas.

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

Mr. RONCALLO of New York. I yield to the gentleman from Ohio.

Mr. GUYER. Mr. Chairman, I respectfully join my colleague, Mr. RONCALLO of New York in his splendid second-effort to further reverence, esteem and protect the sanctity and dignity of human life.

There are few things more degrading than the crass cheapening and callous mistreatment of that divine endowment which only God can give, and only God should take away—precious, human life.

In these days of unparalleled change, unbelievable exploration of land, seas, and space in days of war and peace, plenty and want, rise and fall of powers, ascension of new science and technology, and copious innovations into every avenue and path of human endeavor—there is one thing we must ever guard—life itself.

It is serious enough to devalue the dollar—but we must never devalue human life.

My only lament today is that the gentleman's amendment cannot go all the way, to protect the unborn.

Perhaps after these little steps are consummated and secured, we will have the moral courage to take together that giant step to also safeguard the right of life.

Almighty God has created us with intimate, wonderful, and personal treasures and established us "a little lower than the angels." Each life has been endowed with the promise of the articulate speech, the creative mind, the enduring personality, and the imperishable soul.

Our Creator will indeed be glorified and mankind magnified by what we do here in the measure by which we edify and reverence His gifts of human's life.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. GUYER. Mr. Chairman, I ask unanimous consent that the gentleman be allowed to proceed for 1 additional minute.

Ms. ABZUG and Mr. ECKHARDT objected.

Ms. ABZUG. Mr. Chairman, I move to strike the last word.

We as Members of Congress obviously have differences of opinion but I find it very difficult as a woman to stand in this House and find that every time we seek to put through important legislation, amendments which are not really germane, though they may have been ruled to be so, are brought into bills which most Members of the House support. If we really want to discuss this particular issue, I will address myself to one aspect which is entirely different from that which has been projected.

There are in this country millions of women who have had and continue to have miscarriages. Perhaps, if we are able to look at another side of the issue, we can investigate how we can really preserve life so there would not be miscarriages and there would not be fetuses outside the womb of the mother. Then perhaps we could really be able to deal with the question of the "right to life" in proper terms.

All that this amendment does is to shackle scientific progress.

The mention of the word "fetus" is somehow or other a signal or a code word for everybody to stand up, every man and some women in this House, to say that we must vote in the way an emotional appeal indicates rather than on the basis of a rational analysis and a legislative approach. To me, this is very disheartening.

I have no objection to people expressing their own personal views, be they social, political, religious, or moral; and I respect them. But, I make an appeal to this House now, having witnessed the emotionalism last night which will deprive poor people of their fundamental constitutional right to legal services without discrimination—I make an appeal that if we want to discuss this particular issue in itself, a way should be found to have a rational discussion at a rational time. We should not abuse the legislative process by seeking to attach to this piece of legislation an issue which is really irrelevant and nongermane. We should not seek merely to inflame and impassion people instead of seeking to enact legislation of benefit to all humanity and mankind.

Mr. TEAGUE of Texas. Mr. Chairman, will the gentlewoman yield?

Ms. ABZUG. I yield to the chairman of the committee, the gentleman from Texas.

Mr. TEAGUE of Texas. Mr. Chairman, as far as we know, this amendment has no application to the National Science Foundation. Perhaps it does to the National Institutes of Health, but as far as we know in the committee, it has no application to the National Science Foundation.

That was the reason we agreed to accept the amendment.

Mr. ECKHARDT. Mr. Chairman, will the gentlewoman yield?

Ms. ABZUG. I yield to the gentleman from Texas (Mr. ECKHARDT).

Mr. ECKHARDT. Mr. Chairman, the gentlewoman's remarks are very well taken. It seems to me that we are getting an attitude that all our scientists are devoted to some mad experiments such as are described here on the floor and attributed to some foreign scientists. American scientists are depicted as so many Frankensteins busily engaged in vivisection and monstermaking.

Mr. Chairman, it seems to me that when we deny any experimentation, even on a nonviable fetus, we are not respecting human life; we are depriving ourselves of medical research which does not endanger any human being and may well save the lives of many mothers and their babies in the future.

Mr. Chairman, it strikes me that this type of amendment at this point and without further committee consideration is, as the gentlewoman from New York says, completely inadequate treatment of a serious question. It is to demagogue upon an issue which is extremely important and should be considered fully and separately and apart from a bill of the type now before this House.

Mr. Chairman, I compliment the gentlewoman from New York on her statement.

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

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

Mr. O'BRIEN. I yield to the gentleman from New York (Mr. RONCALLO).

Mr. RONCALLO of New York. Mr. Chairman, I want to thank the chairman of this committee for accepting the amendment.

The reason why I put the amendment in was because the National Institutes of Health used the precise language that the chairman did, saying that "insofar as we know" no funds were being used for experimentation on live fetuses. As I said a few minutes ago, they didn't know quite enough about their own operations,

because an American researcher using NIH funds in Finland was cutting the heads off of live fetuses in Finland as late as last summer.

In addition to any active research which might be supported by National Science Foundation funds without our knowledge, I question the source of the stockpiles of living and preserved organisms, organs, and tissues funded by NSF. If any of these stocks came from live human fetuses, I believe my amendment would apply, as such stockpiles would certainly be in "support" of the research we would prohibit.

I am sure that the chairman has good intentions and probably knows of no occasion where NSF funds are used for experimentation on live fetuses. I would like to preclude the possibility of such use by the passage of this amendment.

Mr. O'BRIEN. Mr. Chairman, I wish to add my voice to those of my colleagues who support this amendment to H.R. 8510 to forbid the use of National Science Foundation funds to conduct or support live fetus research either in the United States or overseas.

A recent front-page article in the Washington Post pointed out that as things now stand American scientists can and do utilize Federal funds to conduct research on live fetuses both at home and abroad.

This is an activity that is repugnant to millions of Americans and one which I feel should not be supported with taxpayers' dollars.

The House recently acted to prohibit the use of Federal funds appropriated to HEW to support research on human fetuses existing outside their mother with a beating heart.

The amendment now offered would extend that ban to research supported by the National Science Foundation.

In light of the Supreme Court decision earlier this year striking down State limitations on abortions and greatly increasing this practice in the United States, I believe it is of the utmost importance that we act quickly to assure that live human fetuses not be used as "guinea pigs" for scientific experimentation.

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

Mr. Chairman, I have two points. First of all, unusual as it may sound, I would like to associate myself with the remarks of the gentlewoman from New York (Ms. ABZUG).

I take it as an insult to me, in a way as a member of this subcommittee and as a member of this committee, that an amendment such as this would be offered to this legislation. We had extensive hearings.

Our subcommittee chairman, the gentleman from Georgia (Mr. DAVIS); the full committee chairman, the gentleman from Texas, (Mr. TEAGUE); and every member of our subcommittee and committee that I have any knowledge of, as to their philosophy of government and of life itself, would feel sympathetic on the issue of life or death and human rights, to the general thrust of the amendment.

But, Mr. Chairman, we had extensive hearings on this legislation. Nowhere in any of our hearings, at any time, was any thought given or any suggestion of a thought made that anything like this was going on with National Science Foundation grants. The gentleman who offered the amendment to my knowledge was never present in our committee room. There was never anyone who ever suggested, by innuendo or direct testimony, that there was any kind of experimentation of the sort mentioned in his statement under the auspices of the NSF.

We might as well pass an amendment, Mr. Chairman, that would preclude experimental activity on human life itself, not just on the human fetus, as something of the nature of this amendment.

I know it is purely argumentative for me to make these statements. This amendment will probably carry overwhelmingly, and that is all right, for I do not object to it but there is absolutely no point in it. I believe we should be more careful as we legislate here in the House.

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

Mr. FLOWERS. I yield to my friend from Texas.

Mr. PICKLE. I thank the gentleman for yielding.

I believe the gentlewoman from New York has made a timely and appropriate observation. There will come a time when we will debate this issue. It ought not be on legislation of this kind.

During the past 2 weeks, there seems to be some sort of fetus fad developing. Everybody wants to trot out one of these amendments on whatever legislation is up. This is not the time for it. Whatever the merits might be on either side of the issue, here is one voice which says we ought to be more careful as we approach this matter, and we ought to put a stop to this kind of advocacy. All of us have already voted on this issue several times. There is no need for this amendment here.

Mr. FLOWERS. I thank the gentleman.

Mr. MILFORD. Mr. Chairman, will the gentleman yield.

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

Mr. MILFORD. I thank the gentleman for yielding.

I should like to say, along with the gentleman, that I wish to associate myself with the gentlewoman from New York.

Last night a statement was made on this floor by an attorney who said that those who are not attorneys should not deal with attorney matters. I do not exactly agree with the gentleman, but I certainly would respect his expertise. I am a scientist. I spent my adult life as a scientist. Until 2 years ago, when I announced for this office, I was actively working as a scientist.

Let me assure every Member here that our ethics in the field of science and scientific research are every bit as good as those in law or in any other profession. Furthermore, the sole purpose of the scientist is to seek truth. It is done under careful supervision, under careful Federal and State laws. Research must go on in this field. This demagogic amendment is an insult to the scientist and could be extremely damaging to scientific research. Any destructive research on a live fetus, capable of surviving until birth, is clearly illegal in any State. Every Member of this House knows that is a fact. Therefore, every Member knows full well that this amendment is purely and simply a demagogic move. On behalf of the scientists of this Nation, I ask this body to reject this amendment.

Mr. FLOWERS. I thank the gentleman.

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

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

Mr. SYMINGTON. I thank the gentleman for yielding.

I do not suppose the gentleman is a doctor?

Mr. FLOWERS. Not this one.

Mr. SYMINGTON. This gentleman is not. I suspect there are a good many ladies and gentlemen here who are not.

As a lawyer, I do not feel qualified remotely to know what kinds of tests might be made on a living fetus with respect to heart beat, weight, size, the flow of blood, the presence of a malignancy, or any other examinations, however cursory, that might portend some new breakthrough in the fight against infant death, illness, or disease.

I am wondering if the proponents of this amendment are suggesting that in no way should the medical profession concern itself, for purposes of learning more about living things and the manner in which life itself can be protected, by dealing in a sensitive, tender and decent fashion with an emergent fetus. It seems to me this amendment on its face betrays a disregard for life. And if its author has such reverence for life why would he write into any law that the only thing one can do with a fetus is to ignore or dispose of it, absolutely prohibiting treatment which might be interpreted as "research." Can the proponents of this amendment reassure me that this is not so?

Mr. FLOWERS. I thank the gentleman and concur in his statement.

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

(By unanimous consent, Mr. FLOWERS was allowed to proceed for 1 additional minute.)

Mr. FLOWERS. Mr. Chairman, I have one other point that I wish to make, and this is really the reason I was standing here when this other question arose.

I support this legislation very strongly, Mr. Chairman. However, as one Member from the provinces, some might say, I want to serve notice on the National Science Foundation that when future requests come before this committee on which I serve, I am going to expect more national application in the grants that they make to oversee.

I am concerned, Mr. Chairman, that we are becoming a nation of specialists in only certain areas of this country, and that the National Science Foundation, in directing these grants to colleges and universities and experts in whatever field

it might be around the Nation, have not used a sufficient amount of geographical dispersion, we might say, so that we will have in the United States a widespread opportunity in these important research and development programs.

To be specific, Mr. Chairman, I want to see more grants and contracts made to colleges and universities and individuals located in the South and Southwest of our great Nation.

AMENDMENT OFFERED BY MR. MALLARY TO THE AMENDMENT OFFERED BY MR. RONCALLO OF NEW YORK

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

The Clerk read as follows:

Amendment offered by Mr. MALLARY to the amendment offered by Mr. RONCALLO of New York: At the end of the amendment strike out the following language "on a human fetus which is outside the womb of its mother and which has a beating heart."

And insert in lieu thereof the following: "on a living human being which research is in any way prejudical to its health or survival".

Mr. MALLARY. Mr. Chairman, in looking at this amendment, I find that it is in approximately the same terms as the amendment offered last week when we voted upon it. I think the Members will find that the definition of a "fetus" is unborn mammalian young. Therefore, we have a contradiction in terms which exists in the wording of the amendment which has been offered. We are talking about a fetus which is outside the uterus and, therefore, the amendment is not in concord with the definition of "fetus."

Therefore, we get into a question where, I believe, the courts would have a great deal of difficulty in construing the legislative intent, whether we are dealing with viable fetuses or whether we are dealing with human beings of any particular age.

Furthermore, Mr. Chairman, the amendment does not deal with the subject of whether, in fact, the research we are prohibiting is in any way harmful or prejudicial to the life or health of that particular human being.

I have no desire to support or encourage any kind of prejudicial, damaging experimentation on any human being, and I think the purposes which the gentleman from New York (Mr. RONCALLO) is attempting to serve in this amendment are desirable. All I am attempting to do in this amendment is to clean it up and make sure that no prejudicial experiments or research will occur. I also wish to make sure that there is nothing in it that would in any way restrain appropriate experimentation that would be desirable and perhaps assist in the development of life saving or life extending drugs or procedures.

Mr. FROEHLICH. Mr. Chairman, will the gentleman from Vermont (Mr. MALLARY) yield?

Mr. MALLARY. I yield to the gentleman from Wisconsin (Mr. FROEHLICH).

Mr. FROEHLICH. Mr. Chairman, most fetuses that are available today for experimentation are outside the womb because of abortion. The fetus may live for a number of days and will not live beyond a number of days. Under the amendment of the gentleman from Vermont could they be experimented on?

Mr. MALLARY. No, they could not. They are living human beings, and therefore under that amendment, experimentation could not occur on them.

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

Mr. Chairman, I believe the position we find ourselves in at this moment illustrates a lack of wisdom in attempting to legislate in this fashion on an issue which is certainly emotional, because I believe that the amendment to the amendment erects a very effective bar to almost any kind of new application of medical knowledge.

I believe it could stop some of the most promising methods of treating illnesses: malignancies, strokes, and heart disease. I believe it is the absolute ultimate of the ridiculous. I think it is shocking and offensive that thoughtful Members of a body as great as this should so idly and unknowingly propose language which could create such great and grave mischief. I think it is time that we start looking at what we are doing and stop worrying about every last vote in every last precinct at home, because that is the motivation. This is not the place to conduct your campaign; this is not the place for pure, unmitigated demagoguery, and that is precisely what we are seeing committed here this afternoon. Stop and think.

Well, the gentleman says there is a demagogue here, but let me say to the gentleman that in my district there will be many who take violent exception to what I say. At least my conscience does not revolt against what I do, and I would rather have mine than his.

Mr. YATES. Will the gentleman yield?

Mr. MOSS. I yield to the gentleman.

Mr. YATES. I read in a magazine recently about a series of experiments being done on certain prisoners with their consent. They were being injected with germs for the purpose of ascertaining new truths about a certain disease which would be helpful to future generations of human beings. Would not that kind of experiment be barred under the terms of the amendment of the gentleman from Vermont?

Mr. MOSS. Let me make it more personal. In 1967 I suffered an arterial occlusion and had medicine been barred from any but that which was proven, I might well not be here. And I am not the only Member of this body who can call forth such experiences.

I tell you this is an offense against human life and against intelligence. It is a shocking thing that is being proposed, and I hope the House will have the courage to turn it down.

Mr. TEAGUE of Texas. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto conclude in 5 minutes.

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

There was no objection.

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

Mr. Chairman, we can avoid amendments on this subject, on abortion, on aid to North Vietnam on each authorization bill that goes through here in a related area if the committees in charge of these bills would have hearings and would report the bills on these subjects that are not getting attention by the respective committee. The Judiciary Committee, Subcommittee No. 4, is not doing anything on the issue of abortion. Abortion bills are sitting there locked up and probably will be for the rest of this session. The gentleman from New York has offered bills making it a criminal act to deal with experimentation on fetuses. I do not know what committee that bill is in, but it is not getting a hearing.

Mr. EDWARDS of California. Will the gentleman yield?

Mr. FROEHLICH. I yield to the gentleman.

Mr. EDWARDS of California. I believe the gentleman serves on the Committee on the Judiciary.

Mr. FROEHLICH. But not Subcommittee No. 4.

Mr. EDWARDS of California. Right. I understand he has been to a number of Judiciary Committee meetings in which I am sitting across the room and I am chairman of the subcommittee to which these various amendments have been assigned. Is that correct?

Mr. FROEHLICH. That is correct.

Mr. EDWARDS of California. This is the first time the gentleman ever looked me in the eye or ever spoke to me on the subject. Is that correct?

Mr. FROEHLICH. I have not spoken to you.

Mr. EDWARDS of California. How can the gentleman come to the floor of the House with a complaint that a measure is not receiving attention when he has never even brought it to the attention of the chairman of the subcommittee?

Mr. FROEHLICH. Has the chairman of Subcommittee No. 4 any intention of having hearings in this session on the issue of abortion?

Mr. EDWARDS of California. I think it is very interesting the gentleman complains bitterly about no attention and then on the floor of the House, without any notice whatsoever, weeks and weeks into the session he asks questions in front of the whole world are we going to have sessions or are we to have hearings.

Mr. FROEHLICH. Does the gentleman have any intention of having any hearings on the issue of abortion, the issue that the gentleman has not addressed himself to?

Mr. EDWARDS of California. I think the gentleman from Wisconsin should make an appointment with the members of the committee, and talk about it.

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

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

Mr. KEATING. Mr. Chairman, I rise in support of the amendment offered by the gentleman from New York (Mr. RONCALLO) and I wish to associate myself with the remarks of the gentleman from New York, and the remarks of the gentleman from Wisconsin (Mr. FROEHLICH).

Mr. FROEHLICH. Mr. Chairman, one more comment: It is amazing that when we deal with the subject of abortion or experimentation on live fetuses that we are dealing with an emotional issue, but when we deal with the bombing in Cambodia we are not dealing with an emotional issue. My, how the standards change.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Vermont (Mr. MALLARY) to the amendment offered by the gentleman from New York (Mr. RONCALLO).

PARLIAMENTARY INQUIRY

Mr. SEIBERLING. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. SEIBERLING. Mr. Chairman, would the Clerk read the text of the amendment to the amendment, so that we know what we are voting on?

The CHAIRMAN. Without objection, the Clerk will reread the amendment to the amendment.

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. MALLARY to the amendment offered by Mr. RONCALLO of New York: At the end of the amendment, strike out the following language, "on a human fetus which is outside the womb of its mother and which has a beating heart.", and insert in lieu thereof the following: "on a living human being which research is in any way prejudicial to its health or survival."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Vermont (Mr. MALLARY) to the amendment offered by the gentleman from New York (Mr. RONCALLO).

The amendment to the amendment was rejected.

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

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

RECORDED VOTE

Mr. RONCALLO of New York. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 288, noes 73, present 4, not voting 68, as follows:

[Roll No. 266]

AYES—288

| | | |
|---|---|---|
| Abdnor | Bergland | Burke, Fla. |
| Adams | Bevill | Burke, Mass. |
| Addabbo | Biaggi | Burleson, Tex. |
| Alexander | Biester | Burlison, Mo. |
| Anderson, Ill. | Blackburn | Butler |
| Andrews, N.C. | Boggs | Byron |
| Andrews, N. Dak. | Boland | Camp |
| | Bowen | Carey, N.Y. |
| Annunzio | Brademas | Carter |
| Archer | Brasco | Casey, Tex. |
| Arends | Bray | Cederberg |
| Armstrong | Brinkley | Chappell |
| Aspin | Brooks | Clancy |
| Baker | Brotzman | Clark |
| Barrett | Broyhill, N.C. | Cleveland |
| Beard | Buchanan | Cohen |
| Bennett | Burgener | Collier |
| Collins, Ill. | Johnson, Pa. | Rodino |
| Collins, Tex. | Jones, N.C. | Roe |
| Conable | Jones, Tenn. | Rogers |
| Conlan | Karth | Roncallo, N.Y. |
| Conte | Keating | Rose |
| Cotter | Kemp | Rostenkowski |
| Coughlin | Ketchum | Roush |
| Crane | King | Rousselot |
| Daniel, Dan | Kluczynski | Roy |
| Daniel, Robert W., Jr. | Koch | Ruth |
| | Kuykendall | St Germain |
| Daniels, Dominick V. | Kyros | Sarasin |
| | Landgrebe | Sarbanes |
| Davis, Ga. | Latta | Satterfield |
| Davis, Wis. | Lent | Scherle |
| de la Garza | Litton | Schneebeli |
| Delaney | Long, La. | Sebelius |
| Denholm | Long, Md. | Seiberling |
| Derwinski | Lott | Shipley |
| Devine | McCollister | Shoup |
| Dickinson | McDade | Shriver |
| Dingell | McEwen | Shuster |
| Donohue | McFall | Sisk |
| Downing | McSpadden | Skubitz |
| Drinan | Macdonald | Slack |
| Dulski | Madden | Smith, Iowa |
| Duncan | Madigan | Snyder |
| du Pont | Mahon | Spence |
| Edwards, Ala. | Mailliard | Stanton, J. William |
| Eilberg | Maraziti | |
| Esch | Martin, N.C. | Stanton, James V. |
| Eshleman | Mathias, Calif. | |
| Fish | Mayne | Steele |
| Flood | Mazzoli | Steelman |
| Foley | Melcher | Steiger, Ariz. |
| Ford, Gerald R. | Mezvinsky | Steiger, Wis. |
| Forsythe | Michel | Stephens |
| Fountain | Miller | Stratton |
| Frelinghuysen | Mills, Ark. | Stubblefield |
| Frey | Minish | Stuckey |
| Froehlich | Minshall, Ohio | Studds |
| Fulton | Mitchell, N.Y. | Sullivan |
| Gaydos | Mizell | Symms |
| Gettys | Moakley | Talcott |
| Gibbons | Mollohan | Taylor, Mo. |
| Ginn | Montgomery | Taylor, N.C. |
| Goldwater | Moorhead, Calif. | Teague, Calif. |
| Goodling | | Thone |
| Grasso | Moorhead, Pa. | Tiernan |
| Green, Oreg. | Murphy, Ill. | Treen |
| Green, Pa. | Myers | Udall |
| Gross | Natcher | Ullman |
| Grover | Nelsen | Vander Jagt |
| Gubser | Nichols | Vanik |
| Gude | Nix | Veysey |
| Gunter | Obey | Vigorito |
| Guyer | O'Brien | Waggonner |
| Hamilton | O'Hara | Walsh |
| Hanley | O'Neill | Wampler |
| Hanrahan | Parris | Ware |
| Hansen, Idaho | Passman | Whalen |
| Harsha | Patten | White |
| Harvey | Pepper | Whitten |
| Hébert | Perkins | Williams |
| Hechler, W. Va. | Pettis | Wilson, Bob |
| Heckler, Mass. | Peyser | Wilson, Charles, Tex. |
| Heinz | Pike | |
| Helstoski | Poage | Winn |
| Henderson | Powell, Ohio | Wyatt |
| Hillis | Price, Ill. | Wydler |
| Hogan | Price, Tex. | Wylie |
| Holt | Pritchard | Yatron |
| Horton | Quillen | Young, Alaska |
| Hosmer | Randall | Young, Fla. |
| Howard | Rarick | Young, Ill. |
| Huber | Regula | Young, S.C. |
| Hudnut | Rhodes | Young, Tex. |
| Hunt | Riegle | Zablocki |
| Hutchinson | Rinaldo | Zion |
| Ichord | Roberts | Zwach |
| Jarman | Robinson, Va. | |
| Johnson, Colo. | Robison, N.Y. | |

NOES—73

| | | |
|---|---|---|
| Abzug | Findley | McCloskey |
| Ashley | Flowers | McCormack |
| Bell | Ford, William D. | McKay |
| Bingham | | Mallary |
| Bolling | Fraser | Mann |
| Breckinridge | Giaimo | Matsunaga |
| Brown, Calif. | Griffiths | Meeds |
| Brown, Mich. | Haley | Milford |
| Burke, Calif. | Hanna | Mink |
| Burton | Harrington | Mitchell, Md. |
| Chisholm | Hastings | Mosher |
| Clay | Hawkins | Moss |
| Corman | Hicks | Owens |
| Dellenback | Holifield | Pickle |
| Dellums | Holtzman | Podell |
| Dennis | Hungate | Rangel |
| Diggs | Jones, Ala. | Rees |
| Eckhardt | Jones, Okla. | Reuss |
| Edwards, Calif. | Jordan | Rosenthal |
| Evans, Colo. | Kastenmeier | Roybal |
| Fascell | Lehman | Schroeder |
| Smith, N.Y. | Thornton | Wolff |
| Stark | Van Deerlin | Yates |
| Steed | Wilson, Charles H., Calif. | Young, Ga. |
| Stokes | | |
| Symington | | |

PRESENT—4

| | | |
|---|---|---|
| Carney, Ohio | Ryan | Towell, Nev. |
| Dent | | |

NOT VOTING—68

| | | |
|---|---|---|
| Anderson, Calif. | Flynt | Patman |
| | Frenzel | Preyer |
| Ashbrook | Fuqua | Quie |
| Badillo | Gilman | Railsback |
| Bafalis | Gonzalez | Reid |
| Blatnik | Gray | Roncalio, Wyo. |
| Breaux | Hammer-schmidt | Rooney, N.Y. |
| Broomfield | | Rooney, Pa. |
| Brown, Ohio | Hansen, Wash. | Runnels |
| Broyhill, Va. | Hays | Ruppe |
| Chamberlain | Hinshaw | Sandman |
| Clausen, Don H. | Johnson, Calif. | Saylor |
| | Kazen | Sikes |
| Clawson, Del | Landrum | Staggers |
| Cochran | Leggett | Teague, Tex. |
| Conyers | Lujan | Thompson, N.J. |
| Cronin | McClory | Thomson, Wis. |
| Culver | McKinney | Waldie |
| Danielson | Martin, Nebr. | Whitehurst |
| Davis, S.C. | Mathis, Ga. | Widnall |
| Dorn | Metcalfe | Wiggins |
| Erlenborn | Morgan | Wright |
| Evins, Tenn. | Murphy, N.Y. | Wyman |
| Fisher | Nedzi | |

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the Chair, Mr. HANLEY, 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. 8510) to authorize appropriations for activities of the National Science Foundation, and for other purposes, pursuant to House Resolution 446, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

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

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

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

Mr. SCHERLE. 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 364, nays 6, not voting 63, as follows:

[Roll No. 267]

YEAS—364

| | | |
|---|---|---|
| Abdnor | Bennett | Brown, Mich. |
| Abzug | Bergland | Broyhill, Va. |
| Adams | Bevill | Buchanan |
| Addabbo | Biaggi | Burgener |
| Alexander | Biester | Burke, Calif. |
| Anderson, Ill. | Bingham | Burke, Fla. |
| Andrews, N.C. | Blackburn | Burke, Mass. |
| Andrews, N. Dak. | Boggs | Burleson, Tex. |
| | Boland | Burlison, Mo. |
| Annunzio | Bolling | Burton |
| Archer | Bowen | Butler |
| Arends | Brademas | Byron |
| Armstrong | Brasco | Camp |
| Ashley | Bray | Carey, N.Y. |
| Aspin | Breckinridge | Carney, Ohio |
| Baker | Brinkley | Carter |
| Barrett | Brooks | Casey, Tex. |
| Beard | Brotzman | Cederberg |
| Bell | Brown, Calif. | Chappell |

| | | |
|---|---|---|
| Chisholm | Huber | Rhodes |
| Clancy | Hudnut | Riegle |
| Clark | Hungate | Rinaldo |
| Clay | Hunt | Roberts |
| Cleveland | Hutchinson | Robinson, Va. |
| Cohen | Ichord | Robison, N.Y. |
| Collier | Jarman | Rodino |
| Collins, Ill. | Johnson, Colo. | Roe |
| Collins, Tex. | Johnson, Pa. | Rogers |
| Conable | Jones, Ala. | Roncallo, N.Y. |
| Conlan | Jones, N.C. | Rose |
| Conte | Jones, Okla. | Rosenthal |
| Corman | Jones, Tenn. | Rostenkowski |
| Cotter | Jordan | Roush |
| Coughlin | Karth | Rousselot |
| Daniel, Dan | Kastenmeier | Roy |
| Daniel, Robert W., Jr. | Keating | Roybal |
| | Kemp | Ruth |
| Daniels, Dominick V. | Ketchum | Ryan |
| | King | St Germain |
| Davis, Ga. | Kluczynski | Sarasin |
| Davis, Wis. | Koch | Sarbanes |
| de la Garza | Kuykendall | Satterfield |
| Delaney | Kyros | Scherle |
| Dellenback | Latta | Schneebeli |
| Dellums | Lehman | Schroeder |
| Denholm | Lent | Sebelius |
| Dennis | Litton | Seiberling |
| Dent | Long, La. | Shipley |
| Derwinski | Long, Md. | Shoup |
| Dickinson | Lott | Shriver |
| Diggs | McCloskey | Shuster |
| Dingell | McCollister | Sisk |
| Donohue | McCormack | Skubitz |
| Dorn | McDade | Slack |
| Downing | McEwen | Smith, Iowa |
| Drinan | McFall | Smith, N.Y. |
| Dulski | McKay | Snyder |
| Duncan | McSpadden | Spence |
| du Pont | Macdonald | Stanton, |
| Eckhardt | Madden | J. William |
| Edwards, Ala. | Madigan | Stanton, |
| Edwards, Calif. | Mahon | James V. |
| Eilberg | Mailliard | Stark |
| Esch | Mallary | Steed |
| Eshleman | Mann | Steele |
| Evans, Colo. | Maraziti | Steelman |
| Fascell | Martin, N.C. | Steiger, Ariz. |
| Findley | Mathias, Calif. | Steiger, Wis. |
| Fish | Matsunaga | Stephens |
| Flood | Mayne | Stokes |
| Flowers | Mazzoli | Stratton |
| Foley | Meeds | Stuckey |
| Ford, Gerald R. | Melcher | Studds |
| Ford, William D. | Mezvinsky | Sullivan |
| | Michel | Symington |
| Forsythe | Milford | Symms |
| Fountain | Miller | Talcott |
| Fraser | Mills, Ark. | Taylor, Mo. |
| Frelinghuysen | Minish | Taylor, N.C. |
| Frey | Mink | Teague, Calif. |
| Froehlich | Minshall, Ohio | Teague, Tex. |
| Fulton | Mitchell, Md. | Thone |
| Gaydos | Mitchell, N.Y. | Thornton |
| Gettys | Mizell | Tiernan |
| Giaimo | Moakley | Towell, Nev. |
| Gibbons | Mollohan | Treen |
| Ginn | Montgomery | Udall |
| Goldwater | Moorhead, Calif. | Ullman |
| Goodling | | Van Deerlin |
| Grasso | Moorhead, Pa. | Vander Jagt |
| Green, Oreg. | Mosher | Vanik |
| Green, Pa. | Moss | Veysey |
| Griffiths | Murphy, Ill. | Vigorito |
| Grover | Myers | Waggonner |
| Gubser | Natcher | Walsh |
| Gude | Nedzi | Wampler |
| Gunter | Nelsen | Ware |
| Guyer | Nichols | Whalen |
| Haley | Nix | White |
| Hamilton | Obey | Whitten |
| Hanley | O'Brien | Wiggins |
| Hanna | O'Hara | Williams |
| Hanrahan | O'Neill | Wilson, Bob |
| Hansen, Idaho | Owens | Wilson, |
| Hansen, Wash. | Parris | Charles H., |
| Harrington | Passman | Calif. |
| Harsha | Patten | Wilson, |
| Harvey | Pepper | Charles, Tex. |
| Hastings | Perkins | Winn |
| Hawkins | Pettis | Wolff |
| Hébert | Peyser | Wyatt |
| Hechler, W. Va. | Pickle | Wydler |
| Heckler, Mass. | Pike | Wylie |
| Heinz | Poage | Yates |
| Helstoski | Podell | Yatron |
| Henderson | Price, Ill. | Young, Alaska |
| Hicks | Price, Tex. | Young, Fla. |
| Hillis | Pritchard | Young, Ga. |
| Hogan | Quie | Young, Ill. |
| Holifield | Quillen | Young, S.C. |
| Holt | Randall | Young, Tex. |
| Holtzman | Rangel | Zablocki |
| Horton | Rees | Zion |
| Hosmer | Regula | Zwach |
| Howard | Reuss | |

NAYS—6

| | | |
|---|---|---|
| Crane | Gross | Powell, Ohio |
| Devine | Landgrebe | Rarick |

NOT VOTING—63

| | | |
|---|---|---|
| Anderson, Calif. | Fisher | Murphy, N.Y. |
| | Flynt | Patman |
| Ashbrook | Frenzel | Preyer |
| Badillo | Fuqua | Railsback |
| Bafalis | Gilman | Reid |
| Blatnik | Gonzalez | Roncalio, Wyo. |
| Breaux | Gray | Rooney, N.Y. |
| Broomfield | Hammer-schmidt | Rooney, Pa. |
| Brown, Ohio | | Runnels |
| Broyhill, N.C. | Hays | Ruppe |
| Chamberlain | Hinshaw | Sandman |
| Clausen, Don H. | Johnson, Calif. | Saylor |
| | Kazen | Sikes |
| Clawson, Del | Landrum | Staggers |
| Cochran | Leggett | Stubblefield |
| Conyers | Lujan | Thompson, N.J. |
| Cronin | McClory | Thomson, Wis. |
| Culver | McKinney | Waldie |
| Danielson | Martin, Nebr. | Whitehurst |
| Davis, S.C. | Mathis, Ga. | Widnall |
| Erlenborn | Metcalfe | Wright |
| Evins, Tenn. | Morgan | Wyman |

So the bill was passed.

The Clerk announced the following pairs:

Mr. Thompson of New Jersey with Mr. Gonzalez.

Mr. Rooney of New York with Mr. Patman.

Mr. Breaux with Mr. Ashbrook.

Mr. Roncalio of Wyoming with Mr. Widnall.

Mr. Johnson of California with Mr. Whitehurst.

Mr. Metcalfe with Mr. Badillo.

Mr. Rooney of Pennsylvania with Mr. Saylor.

Mr. Sikes with Mr. Sandman.

Mr. Culver with Mr. Conyers.

Mr. Davis of South Carolina with Mr. Thomson of Wisconsin.

Mr. Evins of Tennessee with Mr. Bafalis.

Mr. Fuqua with Mr. Ruppe.

Mr. Gray with Mr. McClory.

Mr. Hays with Mr. Cronin.

Mr. Mathis of Georgia with Mr. Martin of Nebraska.

Mr. Morgan with Mr. Erlenborn.

Mr. Murphy of New York with Mr. Hinshaw.

Mr. Wright with Mr. Chamberlain.

Mr. Reid with Mr. Frenzel.

Mr. Preyer with Mr. Brown of Ohio.

Mr. Staggers with Mr. Gilman.

Mr. Anderson of California with Mr. Lujan.

Mr. Blatnik with Mr. Broomfield.

Mr. Danielson with Mr. Del Clawson.

Mr. Flynt with Mr. Hammerschmidt.

Mr. Leggett with Mr. McKinney.

Mr. Landrum with Mr. Broyhill of North Carolina.

Mr. Waldie with Mr. Wyman.

Mr. Kazen with Mr. Don H. Clausen.

Mr. Fisher with Mr. Railsback.

Mr. Runnels with Mr. Stubblefield.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## CONFERENCE REPORT ON H.R. 7200, RAILROAD RETIREMENT AMENDMENTS OF 1973

Mr. JARMAN (on behalf of Mr. STAGGERS) filed the following conference report and statement on 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:

CONFERENCE REPORT (H. REPT. No. 93-319)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to 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, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

TITLE I—RAILROAD RETIREMENT ACT AMENDMENTS

SEC. 101. Section 2(a) of the Railroad Retirement Act of 1937 is amended—

(1) by striking out "Women" in paragraph 2 and inserting in lieu thereof "Individuals";

(2) by striking out "Men who will have attained the age of sixty and will have completed thirty years of service, or individuals" in paragraph 3 and inserting in lieu thereof "Individuals"; and

(3) by striking out "such men or" in paragraph 3 thereof.

SEC. 102. (a) Section 3201 of the Internal Revenue Code of 1954 (relating to the rate of tax on employees under the Railroad Retirement Tax Act) is amended by striking out all that appears therein and inserting in lieu thereof the following:

"In addition to other taxes, there is hereby imposed on the income of every employee a tax equal to the rate of the tax imposed with respect to wages by section 3101(a) of the Internal Revenue Code of 1954 plus the rate imposed by section 3101(b) of such Code of so much of the compensation paid to such employee for services rendered by him after September 30, 1973, as is not in excess of an amount equal to one-twelfth of the current maximum annual taxable 'wages' as defined in section 3121 of the Internal Revenue Code of 1954 for any month after September 30, 1973."

(b) Section 3202(a) of such Code is amended—

(1) by striking out "1965" wherever it appears in the second sentence thereof and inserting in lieu thereof "1973";

(2) by striking out "(i) $450, or (ii)" wherever it appears in the second sentence thereof; and

(3) by striking out ", whichever is greater," wherever it appears in the second sentence thereof.

(c) Section 3211(a) of such Code (relating to the rate of tax on employee representatives under the Railroad Retirement Tax Act) is amended by striking out all that appears therein and inserting in lieu thereof the following:

"(a) In addition to other taxes, there is hereby imposed on the income of each employee representative a tax equal to 9.5 percent plus the sum of the rates of tax imposed with respect to wages by sections 3101(a), 3101(b), 3111(a), 3111(b) of the Internal Revenue Code of 1954 of so much of the compensation paid to such employee representative for services rendered by him after September 30, 1973, as is not in excess of an amount equal to one-twelfth of the current maximum annual taxable 'wages' as defined in section 3121 of the Internal Revenue Code of 1954 for any month after September 30, 1973."

(d) Section 3221(a) of such Code (relat-

ing to the rate of tax on employers under the Railroad Retirement Tax Act) is amended by striking out "In addition to other taxes" and all that follows to "except that" and inserting in lieu thereof the following:

"In addition to other taxes, there is hereby imposed on every employer an excise tax, with respect to having individuals in his employ, equal to 9.5 percent of so much of the compensation paid by such employer for services rendered to him after September 30, 1973, as is, with respect to any employee for any calendar month, not in excess of an amount equal to one-twelfth of the current maximum annual taxable 'wages' as defined in section 3121 of the Internal Revenue Code of 1954 for any month after September 30, 1973;".

(e) Section 3221(a) of such Code, as amended by section 102(d) of this Act, is further amended—

(1) by striking out "1965" wherever it appears in the first sentence thereof and inserting in lieu thereof "1973";

(2) by striking out "(i) $450 or (ii)" wherever it appears in the first sentence thereof; and

(3) by striking out ", whichever is greater," wherever it appears in the first sentence thereof.

(f) Section 3221(b) of such Code is amended by striking out all that appears therein and inserting in lieu thereof the following:

"(b) The rate of tax imposed by subsection (a) shall be increased, with respect to compensation paid for services rendered after September 30, 1973, by the rate of tax imposed with respect to wages by section 3111 (a) of the Internal Revenue Code of 1954 plus the rate imposed by section 3111(b) of such Code."

SEC. 103. (a) Section 6 of Public Law 91–377, as amended by section 8(c) of Public Law 92–46, is further amended by striking out "June 30, 1973" each time that date appears and inserting in lieu thereof "December 31, 1974".

(b) Section 8(b) of Public Law 92–46 is amended by striking out "June 30, 1973" each time that date appears and inserting in lieu thereof "December 31, 1974".

(c) Section 5(b) of Public Law 92–460 is amended by striking out "June 30, 1973" each time that date appears and inserting in lieu thereof "December 31, 1974".

SEC. 104. (a) Section 3(a) of the Railroad Retirement Act of 1937 is amended by inserting at the end thereof the following new paragraph:

"(6) If title II of the Social Security Act is amended to provide an increase in benefits payable thereunder at any time during the period July 1, 1973, through December 31, 1974, the individual's annuity computed under the preceding provisions of this subsection and that part of subsection (e) of this section which precedes the first proviso shall be increased in an amount equal to the difference between (i) the amount (before any reduction on account of age) which would be payable to such individual under the then current law if his or her annuity were computed under the first proviso of section 3(e) of this Act, without regard to the words 'plus 10 per centum of such amount' contained therein; and (ii) the amount (before any reduction on account of age) which would have been payable to such individual under the law as in effect prior to July 1, 1973, if his or her annuity had been computed under such first proviso of section 3(e) of this Act, without regard to the words 'plus 10 per centum of such total amount' contained therein (assuming for this purpose that the eligibility conditions and the proportions of the primary insurance amounts payable under the then current Social Security Act had been in effect prior to July 1, 1973): *Provided, however,* That, in computing such amount, only the social security benefits which would have been payable to the individual whose annuity is being computed under this Act shall be taken into account: *Provided further,* That if an annuity accrues to an individual for a part of a month the added amount payable for such part of a month. If wages or compensation prior to 1951 are used in making any computation required by this paragraph, the Railroad Retirement Board shall have the authority to approximate the primary insurance amount to be utilized in making such computation. In making any computation required by this paragraph, any benefit to which an individual may be entitled under title II of the Social Security Act shall be disregarded. For purposes of this paragraph, individuals entitled to an annuity under section 2(a)(2) of this Act shall be deemed to be age 65, and individuals entitled to an annuity under section 2(a)(3) of this Act who have not attained age 62 shall be deemed to be age 62. Individuals entitled to annuities under section 2(a)(4) or 2(a)(5) of this Act for whom no disability freeze has been granted shall be treated in the same manner for purposes of this paragraph as individuals entitled to annuities under section 2(a)(4) or 2(a)(5) for whom a disability freeze has been granted. In the case of an individual who is entitled to an annuity under this Act but whose annuity is based on insufficient quarters of coverage to have a benefit computed, either actually or potentially, under the first proviso of section 3(e) of this Act, the average monthly wage to be used in determining the amount to be added to the annuity of such individual shall be equal to the average monthly compensation or the average monthly earnings, whichever is applicable, used to enter the table in section 3(a)(2) of such Act for purposes of computing other portions of such individual's annuity."

(b) Section 2(e) of the Railroad Retirement Act of 1937 is amended—

(1) by striking out "section 3(a), (3), (4), or (5) of this Act" and inserting in lieu thereof "section 3(a), (3), (4), (5), or (6) of this Act";

(2) by striking out the second sentence of the last paragraph; and

(3) by adding at the end thereof the following new paragraph:

"The spouse's annuity computed under the other provisions of this section shall (before any reduction on account of age) be increased in an amount determined by the method of computing increases set forth in subsection (a)(6) of section 3. The preceding sentence and the other provisions of this subsection shall not operate to increase the annuity of a spouse (before any reduction on account of age) to an amount in excess of the maximum amount of a spouse's annuity as provided in the first sentence of this subsection. This paragraph shall be disregarded in the application of the preceding three paragraphs."

(c) Section 2(i) of the Railroad Retirement Act of 1937 is amended by striking out "the last paragraph plus the two preceding paragraphs" and inserting in lieu thereof "the last paragraph plus the three preceding paragraphs".

(d) Section 5 of the Railroad Retirement Act of 1937 is amended by inserting at the end thereof the following new subsection:

"(q) A survivor's annuity computed under the preceding provisions of this section shall be increased in an amount determined by the method of computing increases set forth in subsection (a)(6) of section 3: *Provided, however,* That in computing such an amount for an individual entitled to an annuity under subsection 5(a)(2), the 90.75 per centum figure appearing in the third paragraph of section 3(e) of this Act shall be deemed to be 82.5 per centum."

SEC. 105. If title II of the Social Security Act is amended to provide an increase in benefits payable thereunder at any time during the period July 1, 1973, through December 31, 1974, the pension of each individual under section 6 of the Railroad Retirement Act of 1937 and the annuity of each individual under the Railroad Retirement Act of 1935 shall be increased in an amount determined by the method of computing increases set forth in subsection (a) of section 104 of this Act, deeming for this purpose the average monthly earnings (in the case of a pension) or the average monthly compensation (in the case of an annuity under the Railroad Retirement Act of 1935) which would be used to compute the basic amount if the individual were to die to be the average monthly wage.

SEC. 106. All recertifications required by reason of the amendments made by sections 104 and 105 of this Act shall be made by the Railroad Retirement Board without application therefor.

SEC. 107. (a) For the purpose of preparing and submitting the report provided for in subsection (c), it shall be the duty and responsibility of representatives of employees to designate (within the thirty-day period commencing on the date of enactment of this Act) and notify the Senate Committee on Labor and Public Welfare and the House Committee on Interstate and Foreign Commerce of the identity (by name and position) of the labor members, and of representatives of carriers to designate (within such thirty-day period) and notify such committees of the identity (by name and position) of the management members, who shall compose the group authorized to prepare in their behalf, the report provided for in subsection (c).

(b) The group so authorized to prepare the report provided for in subsection (c) shall—

(1) hold such meetings (which shall not be less often than once each month) as may be necessary to assure that such report will be submitted within the time provided, and contain the material prescribed, under subsection (c); and

(2) submit to such committees on September 1, 1973, November 1, 1973, and January 1, 1974, interim reports as to the progress being made toward completion of the report provided for in subsection (c); except that no such interim report shall be submitted after the submission of the report provided for in subsection (c).

(c)(1) Not later than April 1, 1974, representatives of employees and representatives of carriers, acting through the group designated by them pursuant to subsection (a), shall submit to such committees a report containing their joint recommendations for restructuring the railroad retirement system in a manner which will assure the long-term actuarial soundness of such system, which recommendations shall take into account the specific recommendations of the Commission on Railroad Retirement.

(2) The joint recommendations contained in such report shall be specific and shall be presented in the form of a draft bill.

SEC. 108. The Congress hereby declares its intent to enact legislation in 1974, effective not later than January 1, 1975, which will assure the long-term actuarial soundness of the railroad retirement system.

SEC. 109. (a) The amendments made by section 101 of this Act shall become effective on July 1, 1974: *Provided, however,* That those amendments shall not apply to individuals whose annuities began to accrue prior to that date.

(b) The amendments made by section 102 of this Act shall become effective on October 1, 1973, and shall apply only with respect to compensation paid for services rendered on or after that date: *Provided, how-*

*ever*, That such amendments shall not be applicable to any dock company, common carrier railroad, or railway labor organization described in section 1(a) of the Railroad Retirement Act of 1937, with respect to those of its employees covered as of October 1, 1973, by a private supplemental pension plan established through collective bargaining, where a moratorium in an agreement made on or before March 8, 1973, is applicable to changes in rates of pay contained in the current collective-bargaining agreement covering such employees, until the earlier of (1) the date as of which such moratorium expires, or (2) the date as of which such dock company, common carrier railroad, or railway labor organization agrees through collective bargaining to make the provisions of such amendments applicable.

(c) The amendments made by sections 103 and 104 of this Act shall be effective on the enactment date of this Act: *Provided, however*, That any increases in annuities or pensions resulting from the provisions of sections 104 and 105 of this Act shall be effective on the same date or dates as the benefit increases under title II of the Social Security Act which gave rise to such annuity or pension increases are effective.

SEC. 110. This title may be cited as the "Railroad Retirement Amendments of 1973".

TITLE II—INTERSTATE COMMERCE ACT AMENDMENTS

SEC. 201. Section 15a of the Interstate Commerce Act (49 U.S.C. 15a) is amended by adding at the end thereof the following new paragraph:

"(4)(a) The Commission shall by rule, on or before August 1, 1973, establish requirements for petitions for adjustment of interstate rates of common carriers subject to this part based upon increases in expenses of such carriers resulting from any increases in taxes under the Railroad Retirement Tax Act, as amended, occurring on or before January 1, 1975, or as a result of the enactment of the Railroad Retirement Amendments of 1973. Such requirements, established pursuant to section 553 of title 5 of the United States Code (with time for comment limited so as to meet the required date for establishment and subject to future amendment or revocation), shall be designed to facilitate fair and expeditious action on any such petition as required in subparagraph (b) of this paragraph by disclosing such information as the amount needed in rate increases to offset such increases in expenses and the availability of means other than a rate increase by which the carrier might absorb or offset such increases in expenses.

"(b) Notwithstanding any other provision of law, the Commission shall, within thirty days of the filing of a verified petition in accordance with rules promulgated under subparagraph (a) of this paragraph, by any carrier or group of carriers subject to this part, permit the establishment of increases in the general level of the interstate rates of said carrier or carriers in an amount approximating that needed to offset increases in expenses theretofore experienced or demonstrably certain to occur commencing on or before the effective date of the increased rates, as a result of any increases in taxes under the Railroad Retirement Tax Act, as amended, occurring on on before January 1, 1975, or as a result of the enactment of the Railroad Retirement Amendments of 1973. Such increases in rates may be made effective on not more than thirty nor less than ten days' notice to the public, notwithstanding any outstanding orders of the Commission. To the extent necessary to effectuate their establishment, rates so increased shall be relieved from the provisions of section 4 of this part and may be published in tariff supplements of the kind ordinarily authorized in general increase proceedings.

"(c) The Commission shall within sixty days from the date of establishment of interim rates under paragraph (4)(b) of this section commence hearings for the purpose of making the final rate determination. The Commission shall then proceed to make such final rate determination with the carrier having the burden of proof. In making such determination, the Commission may take into account all factors appropriate to ratemaking generally under part I of this Act and shall determine such final rates under the standards and limitations applicable to ratemaking generally under part I of this Act. If the increases in rates finally authorized by the Commission are less than the increases in rates initially made effective, the carrier or carriers shall, subject to such tariff provisions as the Commission shall deem sufficient, make such refunds (in the amount by which the initially increased rate collected exceeds the finally authorized increased rate) as may be ordered by the Commission, plus a reasonable rate of interest as determined by the Commission. Nothing contained in this paragraph shall limit or otherwise affect the authority of the Commission to authorize or to permit to become effective any increase in rates other than the increases herein specified.

"(d)(A) The State authority having jurisdiction over petitions for intrastate rate increases by any carrier or group of carriers subject to part I of this Act shall, within 60 days of the filing of a verified petition for such increases based upon increases in expenses of such carriers as a result of any increases in taxes under the Railroad Retirement Tax Act, as amended, occurring on or before January 1, 1975, or as a result of the enactment of the Railroad Retirement Amendments of 1973, act upon said petition. Such State authority may grant an interim rate increase or a final rate increase. If such State authority grants any interim rate increases, it shall thereafter investigate and determine the reasonableness of such increases and modify them to the extent required by applicable law. To the extent that any such interim increases are reduced as a result of the action of a State authority, the carrier or carriers shall make such refunds (in the amount by which the initially increased rate collected exceeds the finally authorized increased rate) as may be ordered by such State authority, plus a reasonable rate of interest as determined by the State authority.

"(B) If a State authority denies in toto such a petition filed with it by such carrier or group of carriers seeking relief regarding such intrastate rate increases or does not act finally on such petition within 60 days from the presentation thereof, the Commission shall, within 30 days of the filing of a verified petition by such carrier or group of carriers relating to such interstate rates, act upon such petition by applying the ratemaking criteria of subparagraph (4)(c) of this paragraph. If the Commission grants, in whole or in part, such petition by any carrier or group of carriers, the increase authorized shall be considered as an interim rate increase as provided in subparagraph (A) above and shall be subject to final determination by the State authority in accordance with the procedures prescribed for interim intrastate rate increases as provided above, including the ordering of refunds by such State authority.

(C) If a State authority denies in part such a petition filed with it by such carrier or group of carriers, within 60 days from the presentation thereof, the Commission shall, within 30 days of the filing of a verified petition by such carrier or group of carriers relating to the intrastate rates involved, act upon such petition by applying the criteria section 13(4) of this part.

(D) Nothing in subparagraph (A) or (B) shall be construed to abrogate the authority of the Commission under section 13(4) of this part and in the event a carrier or group of carriers subject to a refund requirement under subparagraph (A) or (B) files a petition under section 13(3), the refund requirement shall be stayed pending final order of the Commission under section 13(4) of this part.

(e) Any increased freight rates authorized shall not exceed a reasonable level by types of traffic, commodities, or commodity groups and shall preserve existing market patterns and relationships and present port relationships by increase limitations within and between the major districts to the extent possible without authorizing unreasonable increases in any district."

SEC. 202. This title may be cited as the Railroad Rate Adjustment Act of 1973".

TITLE III—SEPARABILITY

SEC. 301. If any provision of this Act or the application thereof to any person or circumstances should be held invalid, the remainder of such Act or the application of such provisions to other persons or circumstances shall not be affected thereby.

And the Senate agree to the same.

HARLEY O. STAGGERS,
JOHN JARMAN,
JOHN D. DINGELL,
JAMES HARVEY,
DAN KUYKENDALL,
*Managers on the Part of the House.*

WILLIAM D. HATHAWAY,
CLAIBORNE PELL,
GAYLORD NELSON,
HAROLD E. HUGHES,
WALTER F. MONDALE,
RICHARD S. SCHWEIKER,
ROBERT TAFT, JR.,
J. GLENN BEALL, JR.,
RUSSELL LONG,
WALLACE F. BENNETT,
WARREN G. MAGNUSON,
JOHN O. PASTORE,
VANCE HARTKE,
ROBERT GRIFFIN,
*Managers on the Part of the Senate.*

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 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, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

The Senate amendment struck out all of the House bill after the enacting clause and inserted a substitute text, and the House disagreed to the Senate amendment.

The committee of conference recommends that the House recede from its disagreement to the amendment of the Senate, with an amendment which is a substitute for both the House bill and the Senate amendment.

The differences between the House bill, the Senate amendment thereto, and the substitute agreed to in conference are noted below, except for clerical corrections, conforming changes made necessary by reason of agreements reached by the conferees, and minor drafting and clarifying changes.

TITLE I—AMENDMENTS TO THE RAILROAD RETIREMENT ACT, THE RAILROAD RETIREMENT TAX ACT, AND CERTAIN PUBLIC LAWS

Both the House bill and the Senate amendment provide for retirement at age 60 after 30 years service for male railroad employ-

ees; provide for an extension to December 31, 1974, of the temporary railroad retirement benefit increases presently scheduled to expire July 1, 1973; provide for a pass-through of social security benefit increases which might be enacted in 1973 or 1974; provide for a shift in the liability for the payment of railroad retirement taxes from employees to employers to the extent that the taxes are imposed at a rate in excess of the rates prescribed in the Social Security Act; and for the establishment of a labor management committee to recommend a restructuring of the railroad retirement system to insure its actuarial soundness with recommendations to be submitted to the Congress in 1974.

The House bill and the Senate amendment also provide for expedited freight-rate making procedures applicable to interstate and intrastate rates, to cover the costs arising out of this legislation.

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EARLY RETIREMENT; PERMANENT BENEFIT INCREASES; ACTUARIAL DEFICIT

*House bill*

The House bill provided that men at the age of 60 can retire after 30 years of service without reduction in their annuities, effective only with respect to retirements occurring after June 30, 1974. The House bill also extended the temporary benefit increases presently due to expire June 30, 1973, through December 31, 1974.

*Senate amendment*

The Senate amendment, in part A of title I, provided that the early retirement eligibility feature would expire December 31, 1974. Part B of title I of the Senate amendment provided for making permanent the temporary benefit increases otherwise due to expire December 31, 1974, and was intended to provide for making permanent the early retirement features, along with providing for an increase in railroad retirement taxes of 7.5 percent with the liability for the taxes to be determined by the Congress in 1974.

*Conference substitute*

The conference agreement deletes the specific level of taxes contained in the Senate amendment, but provides a new section stating that the Congress declares its intent to enact legislation in 1974, to take effect on or before January 1, 1975, which will assure the long-term actuarial soundness of the railroad retirement system.

The conference agreement also makes permanent the liberalization of retirement eligibility for men at age 60 with 30 years of service, and leaves for the legislation to be enacted in 1974 the problem of making the temporary benefit increases permanent.

The conferees recognize that the actuarial solvency of the railroad retirement system is a serious matter, and expect to deal with it in 1974, along with the consideration of making these temporary increases permanent, as well as the overall restructuring of the Act.

The conferees wish to emphasize that the solution of the financial problems of the railroad retirement fund cannot be delayed beyond 1974. Accordingly the bill contains a statement that it is the intent of Congress to act on this matter during 1974, and further provides for the submission of the recommendations of labor and management for legislation by April 1, 1974. A joint labor-management committee is established for the purpose of formulating such recommendations.

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JOINT LABOR-MANAGEMENT COMMITTEE

*House bill*

The House bill provided for the establishment of a joint labor-management committee composed of representatives of employees and carriers, which would report no later than July 1, 1974, to the Senate Committee on Labor and Public Welfare and the House Committee on Interstate and Foreign Commerce, their joint recommendations for restructuring the railroad retirement system.

*Senate amendment*

The Senate amendment provided for such a committee, composed of representatives of employees and retirees and representatives of carriers, which would meet not less often than once each month; would submit to Congress interim progress reports in September and November of 1973, and in January 1974; and which would present a draft bill to the Congress carrying out the parties' specific recommendations for restructuring the railroad retirement system in a manner which will assure the long-term actuarial soundness of the system. The final recommendations of the committee were to be submitted by March 1, 1974.

*Conference substitute*

The conference agreement is substantially the same as the Senate amendment, except that it provides that the committee shall be composed of representatives of employees and carriers, and provides for the submission of a report to the above-mentioned committees by April 1, 1974, in order to give Congress more time to deal wtih the complex issues involved. It is the intent of the conferees that the periodic progress reports need not cover all items of detail involved in the negotiations, but may be general statements, sufficient to keep the Congress informed of the progress being made.

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TAX RATE CHANGES FOR RAILWAY LABOR ORGANIZATIONS

*House bill*

Both the House bill and the Senate amendment contained a provision temporarily exempting from the change in tax liabilities under the Railroad Retirement Tax Act certain steel companies whose employees were covered by the Railroad Retirement Act as well as other supplemental pension programs.

*Senate amendment*

The Senate amendment extended this exemption to railway labor organizations which have similar arrangements covering their employees. The affected organizations are permitted under the amendment to obtain a delay in the transfer of tax liabilities until the earlier of (1) the date as of which any moratorium in current collective bargaining agreements covering pay expires, or (2) the date the organization agrees through collective bargaining to assume the liability for payment of those taxes.

*Conference substitute*

The conference agreement is the same as the Senate amendment.

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TITLE II—AMENDMENTS TO THE INTERSTATE COMMERCE ACT

SECTION 201

*House bill*

The purpose of section 201 was to allow railroads to increase the general level of inter- and intrastate rates to offset increases in costs resulting from increases in taxes under the Railroad Retirement Act, as amended, occurring before January 1, 1975, or as a result of the enactment of the House bill. Under the procedure established to accomplish this purpose, the Commission was required, within thirty days after the filing of a verified petition by a carrier or group of carriers, to permit the filing of tariffs providing for increased rates to become effective not less than 10 nor more than 30 days from the date of filing. (Such increases could not take effect until the cost increases upon which they were based had become effective.) The Commission could withhold permission to file tariffs if it found that the proposed increase clearly exceeded the amount needed to cover the increases in costs, but otherwise once the tariffs were filed the Commission would have no authority to suspend them pending final determination. After such hearings as it deemed necessary, the Commission was required to authorize such permanent increases as were necessary to offset the increased costs described above in accordance with the standards applied by the Commission under the Interstate Commerce Act. In the event that the increases authorized on a permanent basis were less than those initially allowed and collected, the carriers were required to refund the difference.

SECTION 202

This section provided that the Commission require carriers which have been permitted or authorized increased rates under section 201, above, to make such increases as are established for interstate traffic concurrently effective on intrastate shipments. The intrastate increases thus required would be deemed to have been prescribed under section 13(4) of the Interstate Commerce Act, as amended, and they would be subject to the same refund provisions as described above.

*Senate amendment*

Section 201 of the Senate amendment would amend the Interstate Commerce Act to provide for an expedited procedure for petitions requesting adjustments of interstate rates of common carriers (subject to part I of the Interstate Commerce Act) based upon increases in expenses of such carriers pursuant to section 102 of the bill—i.e. railroad retirement tax increases. On or before August 1, 1973 the Commission was required to establish in an informal rulemaking proceeding requirements for such rate increase petitions which would "facilitate fair and expeditious action on any such petition . . . by disclosing such information as the amount needed in rate increases to offset such increases in expenses and the availability of means other than a rate increase by which the carrier might absorb or offset such increases in expenses." In order to meet the August 1 deadline, the Commission could modify its rulemaking procedures to require comments sooner than 30 days after publication of the proposed requirements.

The Commission was required to act upon a petition for an adjustment in interstate rates within sixty days of the receipt of such petition. If the petition was filed in accordance with the requirements established pursuant to rule as discussed above, the petition would be deemed approved as filed if the Commission failed to act within the required sixty days. This provision was included to insure timely action by the Commission within the sixty-day period.

Increases for intrastate rate adjustments would first be considered by the State authority having jurisdiction over such intrastate rates. The State authority was required to act upon such petition within sixty days of its presentation by the carrier. If the State authority denied in whole or in part a petition or failed to take action, the Commission, upon petition to it by the carrier, was required to act upon such petition within thirty days. The Commission could overrule a denied petition if such denial unduly burdened interstate commerce.

The bill specifically required that any increased freight rates authorized "shall not exceed a reasonable level by types of traffic commodities, or commodities groups and shall preserve existing market patterns and relationships, and present port relationships by uniform maximum increase limitations within and between the major districts."

*Conference substitute*

The conference substitute in general incorporates the provisions of the House bill with respect to increases in interstate freight rates related to increases in railroad retirement taxes, but requires the Interstate Commerce Commission to prescribe by rule the requirements which must be satisfied in the petitions filed by carriers for increases. The

substitute revises the procedures with respect to intrastate ratemaking, and makes certain clarifications with respect to the implementation of rate increases so as to avoid discrimination between commodities and districts. A description of the conference substitute follows.

The conference substitute adds a new paragraph (4) to section 15(a) of the Interstate Commerce Act. Subparagraph (a) of the proposed new paragraph (4) provides that the Commission shall, by informal rule-making under the Administrative Procedure Act establish the requirements for petitions for adjustments of rates of common carriers subject to part I of the Interstate Commerce Act occasioned by the tax increases prescribed in this legislation, in existing law, or imposed by law on or before January 1, 1975. The requirements which the petitions must meet shall be such as to lead to the disclosure of the availability of means other than a rate increase by which carriers might absorb or offset the increases.

Subparagraphs (b) and (c) of the proposed new paragraph (4) are essentially the same as the provisions of the House bill, but are limited to interstate freight rate increases, and the carriers are required to pay interest on refunds ordered by the Commission.

Subparagraph (d) differs from both the House and Senate versions, but in general follows the pattern of the Senate amendment, with some revisions. In the case of intrastate rate increases to offset expenses arising out of the taxes referred to above, the carriers must initially apply to the appropriate State authority. If the State authority grants the full amount of the requested increase within 60 days, the Commission does not become involved in the proceeding. If the State authority chooses, it may grant an interim rate increase in the full amount requested, and subsequently order refunds in the same fashion as the Interstate Commerce Commission may order refunds in the case of interstate rates.

If the State authority does not act on the petition within 60 days, or if the State authority denies the increase entirely, the carriers may petition the Interstate Commerce Commission for an order granting such increases, and the Commission must act upon that petition within 30 days, applying the criteria it applies to final determinations of interstate rate increases under the conference substitute. Thereafter, the State authority may consider the justification for the rate increases granted, and may order refunds if it subsequently determines that the rate increases are not justified, subject however to the overall authority of the Interstate Commerce Commission to grant relief against undue discrimination against, or burdens upon, interstate commerce in accordance with section 13(4) of the Interstate Commerce Act.

If the State authority to whom a petition for intrastate rate increases is submitted under this section grants an increase within the 60 day period prescribed but in amounts less than requested by the carriers, the carriers may petition the Interstate Commerce Commission for relief under section 13(4) (relating to undue discrimination against, or burdens upon, interstate commerce) of the Interstate Commerce Act, and the Commission is required to act on that petition within 30 days.

Subparagraph (e) is derived from the Senate amendment and provides that any increased freight rates authorized are not to exceed a reasonable level by types of traffic, commodities, or commodity groups and are to preserve existing market patterns and relationships and present port relationships through the use of increased limitations within and between the major districts to the extent possible, but not in such a way as to authorize unreasonable increases in any district.



HARLEY O. STAGGERS,
JOHN JARMAN,
JOHN D. DINGELL,
JAMES HARVEY,
DAN KUYKENDALL,
*Managers on the Part of the House.*

WILLIAM D. HATHAWAY,
CLAIBORNE PELL,
GAYLORD NELSON,
HAROLD E. HUGHES,
WALTER F. MONDALE,
RICHARD S. SCHWEIKER,
ROBERT TAFT, JR.,
J. GLENN BEALL, JR.,
RUSSELL LONG,
WALLACE F. BENNETT,
WARREN G. MAGNUSON,
JOHN O. PASTORE,
VANCE HARTKE,
ROBERT GRIFFIN,
*Managers on the Part of the Senate.*

## PERSONAL EXPLANATION

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

Mr. DELLENBACK. Mr. Speaker, on Wednesday, June 13, I was absent from the House of Representatives because I was addressing a meeting of the National Association of Trade and Technical Schools in San Francisco on education legislation and on activities of the National Commission on the Financing of Postsecondary Education.

During the session that day, the House took a number of votes on H.R. 8410, the temporary increase in the public debt limit, and on House Resolution 247, to provide for consideration of that bill. Had I been present, I would have voted as follows:

Rollcall No. 214, ordering the previous question on House Resolution 247, to provide for immediate consideration of H.R. 8410, I would have voted "no;" Rollcall No. 215, ordering the previous question after the offer of an amendment in the nature of a substitute by Congressman ANDERSON, I would have voted "yea;"

Rollcall No. 216, to adopt the Anderson substitute amendment to H. Res. 247, I would have voted "yea;"

Rollcall No. 217, passage of House Resolution 247 as amended, to provide for consideration of H.R. 8410, I would have voted "yea;"

Rollcall No. 218 as a quorum call; and

Rollcall No. 219, passage of H.R. 8410, temporary increase in the public debt limit, I would have voted "yea."

## DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT: SPACE, SCIENCE, VETERANS, AND CERTAIN OTHER INDEPENDENT AGENCIES APPROPRIATIONS, 1974

Mr. LONG of Louisiana. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 453 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 453

*Resolved,* That during the consideration of the bill (H.R. 8825) making appropriations for the Department of Housing and Urban Development; for space, science, veterans, and certain other independent executive agencies, boards, commissions, and corporations for the fiscal year ending June 30, 1974, and for other purposes, the provisions of clause 2, rule XXI are hereby waived.

The SPEAKER. The gentleman from Louisiana, (Mr. LONG) is recognized for 1 hour.

Mr. LONG of Louisiana. Mr. Speaker, I yield 30 minutes to the gentleman from Ohio (Mr. LATTA) pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 453 permits the Committee on Appropriations to submit the 1974 appropriations bill for the department of Housing and Urban Development and other independent agencies for action on the floor of the House of Representatives without being subject to points of order.

House Resolution 453 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 appropriations recommended in the bill for Housing and Urban Development programs total $3,165,305,000. This includes appropriations for housing production and mortgage credit, which is a program providing for homeownership assistance, rental assistance and housing for the elderly. Other programs listed under the HUD appropriations are model cities, urban renewal, fair housing, and the open space land program.

H.R. 8825 also makes appropriations for the Federal Communications Commission, the National Science Foundation, the Renegotiation Board, the Securities and Exchange Commission, the Selective Service System, the Veterans' Administration, the Federal Home Loan Bank Board, and the National Aeronautics and Space Administration.

The total of all appropriations in H.R. 8825 is $19,070,954,000. Mr. Speaker, I urge adoption of House Resolution 453 in order that we may discuss and debate H.R. 8825.

Mr. LATTA. Mr. Speaker, House Resolution 453 provides for the consideration of H.R. 8825, the bill making appropriations for the Department of Housing and Urban Development; for space, science, veterans, and certain other independent executive agencies, for fiscal year 1974.

This is a rule waiving points of order against the bill for failure to comply with clause 2 of rule XXI. The Appropriations Committee requested this waiver because there are a number of provisions in the bill that lack authorization. Specifically, they are:

Title I on page 4, lines 2 through 6: comprehensive planning grants.

Title I on page 4, lines 13 through 19; model cities programs.

Title I on page 4, line 20 through page 5 line 8: urban renewal programs.

Title I on page 5, lines 9 through 19: open space land programs.

Title II on page 12, lines 8–25, all of pages 9, 10, 11, and page 12, lines 1–7: National Aeronautics and Space Administration Research and Development.

Title II on pge 12, lines 8–25, all of page 13, and page 14, lines 1–4, National Science Foundation.

The purpose of H.R. 8825 is to provide $19,070,954,000 in new budget authority for the Department of Housing and Ur-

ban Development, Federal Communications Commission, Federal Home Loan Bank Board, National Aeronautics and Space Administration, National Science Foundation, Renegotiation Board, Securities and Exchange Commission, Selective Service System, and the Veterans' Administration. This is $453,501,000 above the budget estimates considered, and a decrease of $1,792,737,000 below the amounts appropriated for 1973.

There are no funds for the Office of Science and Technology and the National Aeronautics and Space Council which are being abolished on June 30, 1973.

Mr. Speaker, I urge the adoption of House Resolution 453 in order that the House may begin debate on H.R. 8825.

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

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

Mr. GROSS. I thank the gentleman for yielding.

Here we have the second rule in a row waiving points of order on an appropriation bill. I appreciate the gentleman's explanation of what has been taken care of, and I wish only to say to him and to the Members of the House that this is another of the gilt-edged invitations extended to the Committee on Appropriations to put all kinds of legislation in their appropriation bills that otherwise would be subject to a point of order.

Mr. LATTA. I hope my dear beloved friend, the gentleman from Iowa, realizes and understands there just is not any other way to operate without waiving the points of order, because we lack the authorization.

Mr. GROSS. Would the gentleman yield further?

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

Mr. GROSS. I have been wondering—and I wondered last night when we ran until 11:30 before adjournment, or approximately that hour—whether we would soon be ready for sine die adjournment in this session of Congress. Does the gentleman think that under this forced draft legislative procedure we will be ready to adjourn sine die by the 4th of July or shortly thereafter?

Mr. LATTA. I might say that the Committee on Appropriations is far ahead of the authorization committee, the legislative committee, and with the exception of three appropriation bills, they will be ready.

Mr. GROSS. Perhaps it would be a good thing if we can adjourn sine die about the first or second week in July.

Mr. LATTA. We could save the taxpayers a lot of money by doing so.

Mr. GROSS. I thank the gentleman.

Mr. LATTA. Mr. Speaker, I yield back the balance of my time.

Mr. LONG of Louisiana. Mr. Speaker, I have no further requests for time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. BOLAND. 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. 8825) making appropriations for the Department of Housing and Urban Development; for space, science, veterans, and certain other independent executive agencies, boards, commissions, and corporations for the fiscal year ending June 30, 1974, and for other purposes.

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

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. 8825, with Mr. O'HARA in the chair.

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

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

The Chairman now recognizes the gentleman from Massachusetts.

Mr. BOLAND. Mr. Chairman, it is now a quarter past two. With the right kind of cooperation we will be able to get out of here at a reasonable hour. I am sure we can get that kind of cooperation from the Members.

This subcommittee and the full Committee on Appropriations bring a very important bill before the House today. It is the considered judgment of most members of the committee that this is both a good bill and a balanced bill.

This year, the subcommittee was faced with a number of difficult and sensitive decisions—particularly in the areas of housing and community development. We reached those decisions after many weeks of intensive hearings and much deliberation. In my judgment, the recommendations contained in this bill are a fair and reasonable approach to the many delicate issues faced by this subcommittee.

This bill provides for some of the most far-reaching activities of our Government. In addition to the Department of Housing and Urban Development, the bill provides for the Veterans' Administration, the National Science Foundation, the National Aeronautics and Space Administration, the Federal Communications Commission, the Securities and Exchange Commission, and a number of other agencies.

Briefly, Mr. Chairman, the committee recommends a total of $19,070,954,000 in new obligational authority for the agencies covered by the bill for the fiscal year 1974.

This is $1,792,737,000 under the $20,863,691,000 provided for the current year; but it is $453,501,000 above the budget estimate of $18,617,453,000.

In addition, the committee also recommends a total of $229,869,000 for administrative and nonadministrative expenses of the Federal Housing Administration and the Federal Home Loan Bank Board.

The net budget outlays, or expenditures, for the Department and agencies covered in this bill are estimated in the 1974 budget at $20,223,734,000. The actions recommended by the bill are estimated to make no change in this overall total for the fiscal year 1974.

HUD

With respect to the Department of Housing and Urban Development, on January 5 of this year Secretary Romney announced a suspension of all subsidized housing programs and the termination of all community development programs by June 30. The housing moratorium was accompanied by an announcement that a comprehensive evaluation of all assisted housing programs would be undertaken. The study is scheduled to be completed by September 7. The results should then be made public and recommendations submitted to the Congress for action.

The Committee has no quarrel with either the purpose or the scope of this evaluation. There is no doubt that the subsidized housing programs need to be looked at and should be subjected to a thorough review. Last year, a committee investigation revealed that these programs were plagued by abuses, corruption, and general mismanagement. To date, more than 100,000 units are in default and have been assumed by HUD. In addition, the subsidized housing programs are expensive—with current run-out costs estimated at anywhere from $60 billion to $100 billion—and, even at this level, they will reach only one-fourth of the people eligible. So everything points to the fact that these programs have experienced some serious shortcomings and the Department should be commended for undertaking this evaluation.

On the other hand, Mr. Chairman, it is quite possible that the subsidized housing programs may simply be the victim of sloppy HUD administration. Just as this committee supports the housing evaluation, it also is well aware that these programs have provided a substantial amount of decent, safe, and sanitary housing for many Americans who otherwise could not afford it. So part of the problem is how one looks at assisted housing. Is the glass 90 percent full—or is it 10 percent empty?

Because of the uncertainty over whether these housing programs are basically sound, the committee was concerned that while this study is needed, the abrupt suspension of all assisted housing contruction could be damaging to the industry and cause serious hardships for both recipients and builders. For this reason, the committee has urged HUD that it end the suspension as soon as possible and proceed with more careful administration to make use of the $440,000,000 in unutilized contract authority presently available.

Because these substantial unobligated balances are available, the committee has recommended no new contract authority for housing programs in 1974. To be specific, it is estimated that $38,600,000 in annual contract authority will be available in 1974 to continue the rent supplement program. The section 235 program for homeownership assistance has $221,000,000 available. That is sufficient authority to produce approximately 260,000 units of subsidized housing. The section 236 program of rental housing assistance has $170,000,000 available—and that will provide for 160,000 subsidized

units. In addition, if the demand for college housing is sufficient there is approximately $10,000,000 of unused contract authority available for new commitments under that program.

Finally, I'd like to say a word about the section 202 housing for the elderly program. This program has been remarkably free of the scandals that have plagued other housing activities, and it was the view of the committee that of all the low-and moderate-income programs, the elderly program should be resumed. There is approximately $100,000,000 available for this purpose.

In the area of community development, the committee was faced with a more difficult problem. As most of you know the administration terminated seven categorical grant programs for community development and proposes replacing them with a new program of special revenue sharing. The seven programs terminated are urban renewal, model cities, rehabilitation loans, open space land, neighborhood facilities, public facility loans, and water and sewer grants. The special revenue-sharing proposal submitted to Congress leaves a 1-year hiatus in funding for categorical grant programs in 1974. The budget contains only a token amount of $137,500,000 for these programs. This compares to $1,655,000,000 requested for community development assistance in 1973. The committee was concerned that even if some form of special revenue sharing is passed by the Congress, ongoing categorical grant activities should not and cannot be halted precipitously. We have all been over this ground many times before, but I think many of us would agree that termination of programs by impoundment of funds or executive fiat is of questionable legality. Until modified or repealed by the Congress, the committee felt that these programs should be continued at least through June 30, 1974, and the committee has provided $820,000,000 in this bill for that purpose.

Some of the specific items contained in the bill for community development are as follows:

For the model cities program, $150,000,000 is recommended by the committee for 1974. This amount continues all model cities at 100 percent funding through 1974 and through their current action year.

For urban renewal programs, the committee has recommended $600,000,000 for 1974. This will continue both conventional and NDP projects at current levels. It does not provide for initiating new projects at this time pending a determination of the outcome of special revenue sharing.

For the rehabilitation loan program, the committee has recommended no new funds. However, including loan repayments, it is estimated that $92,000,000 remains available in 1974 for this program. This is a good program, and the committee has urged in its report that these unobligated balances be used to continue this very successful loan program.

For open space land, the committee recommends $70,000,000 in 1974. This amount, taken together with a carryover balance of $28,000,000, will provide for a program level of $98,000,000 next year—or approximately the same level as was intended in 1973.

As I said at the outset, none of these decisions affecting HUD were reached without very serious deliberation. But given the various uncertainties surrounding these programs, I think it is fair to say that the recommendations contained in this bill are reasonable and equitable.

VETERANS' ADMINISTRATION

Turning to the Veterans' Administration, the committee recommends a total of $12,226,172,000 in new budget authority for the veterans programs. This is an increase of $13,172,000 over the budget estimate, but it is $145,150,000 less than the current appropriations.

The only significant change from the budget estimate was the addition of $14,350,000 to provide for an additional 1,000 employees—particularly in the areas of nursing and direct patient support. These funds are provided as a direct response to the conclusions of the committee's investigation that some VA hospitals are suffering from a serious shortage of qualified nurses. The committee hopes that these funds will be used to turn that problem around as soon as possible.

For the past 2 fiscal years the Congress and this Committee have provided for a minimum level of operating beds and a minimum average daily patient census in this appropriation act. For 2 consecutive years, the numerical levels of average usage in operating bed capacity as earmarked by the Congress for the VA hospital system has been largely ignored.

On March 1 of this year, the President stated that a legally fixed daily census represents a backward step in VA hospital care. In direct response to the President's contention that no fixed patient census or fixed operating bed level is needed to serve veterans' health care needs in fiscal year 1974, the committee is omitting these provisions from this bill. But the committee also expects that the administration will drop its arbitrary restrictions limiting available hospital facilities for the care of veterans. I want to assure each of you that we will be watching this situation very carefully over the next few months to assure that all qualified veterans get the best care available in the VA hospital system.

The largest appropriation included in the bill for the Veterans' Administration is $6.5 billion for compensation and pensions. It is estimated that 2,187,238 veterans will receive disability compensation in 1974, and 1,085,000 will receive pension payments.

The budget estimate anticipated that current compensation rates would be revised downward in most cases. The overall impact of these revisions was expected to bring a saving of approximately $160,000,000. This plan was withdrawn after the submission of the budget and the estimate may be $160,000,000 short of actual requirements. Should the budget estimate prove to be insufficient, additional funds will be considered at a later date.

For readjustment benefits, the full budget estimate of $2,526,000,000 is provided in this bill. This will provide for approximately 2,000,000 trainees in fiscal year 1974.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

We are recommending a total of $2,988,800,000 to carry on this Nation's space program. This amount is $27,200,000 below the budget estimate and is $418,850,000 below the amounts available in the current fiscal year.

The report accompanying the bill explains in detail the committee's actions, but I would like to take a moment to comment on the Skylab project.

Today, three American astronauts, Charles Conrad, Joseph Kerwin, and Paul Weitz, are safely aboard the carrier *Ticonderoga* after an immensely successful conclusion to the first phase of the Skylab project. As all of you know, the Skylab workshop suffered extensive damage during launch which threatened its electrical power and temperature control—and the eventual success of the mission. Because of the skill and courage displayed by these three men, and aided by fine teamwork on the ground, they have transformed the Skylab space station from a potential failure into a dramatic and inspiring success. These corrective actions, devised by a superb NASA and aerospace industry team and implemented by three courageous men, ultimately saved a $2.6 billion project and is an example of man's true value in space.

NATIONAL SCIENCE FOUNDATION

The National Science Foundation requested a total of $582,600,000 for 1974. The bill provides $564,600,000, which is a reduction of $18 million. There is requested and approved in these totals $3 million for the special foreign currency program.

Here again, the report goes into the details of the committee's recommendations. But basically, the committee is providing for a balanced approach to scientific research. The actions taken in this bill and report are designed to make the best use of limited resources—to insure that applied research is not pursued at the expense of basic research—and to insure that both applied and basic research are not pursued at the expense of the science education responsibilities of the Foundation.

OTHER AGENCIES

The Federal Communications Commission requested $36,860,000 for 1974. The committee recommends $39,860,000—an increase of $3 million above the budget estimate. This will provide for an additional 155 positions to reduce substantial backlogs in nearly every activity the Commission oversees.

For the Securities and Exchange Commission the committee recommends a total of $34,027,000 in 1974. This is an increase of $2,817,000 above the budget request and provides for an additional 204 positions next year.

The committee heard testimony that the individual investor is less and less an active factor in the market. Without the participation of the individual investor, the little man, it is not possible to maintain an orderly market system. Therefore, the committee has provided these additional funds in the hope that this condition will be corrected and that the stability of the market system will be improved.

For the Renegotiation Board, the committee recommends $4,690,000 in 1974. This is $210,000 less than the 1973 appropriation, and reflects the continuing decline in the backlog of uncompleted assignments in the field.

For the Federal Housing Administration and the Federal Home Loan Bank Board, the committee has provided administrative and nonadministrative expense limitations of $229,869,000. This is a reduction of $350,000 below the budget request, and is $9,312,000 above the limitations provided in the current fiscal year.

Last year the committee denied the Boards request to begin construction on a new headquarters building. During the past year the Board has submitted, in compliance with the limitation in the Appropriation Act for 1973, a number of comprehensive reports on its plans for ownership and funding of the new building. The cost estimates and current plans presented to the committee have been considered, and the committee is of the opinion that the Board should proceed with these plans to begin construction and to minimize potential cost of escalations.

Finally, Mr. Chairman, I want to take a minute to discuss the committee's recommendations in connection with the Selective Service System.

The committee has provided $47,500,000 for this activity in 1974. This is a reduction of $7,500,000 below the budget estimate and $36 million below the amount provided in 1973. Of all the issues facing the subcommittee, this was perhaps the most difficult to resolve. As you know, the President's authority to draft young men will expire on July 1 of this year. Because of this fact, the committee heard many arguments to discontinue the Selective Service System. Some of these arguments were very persuasive, but in the last analysis, we are recommending that the system be continued as a standby operation.

Let me first explain what an active standby system does. At age 18 all young men will continue to register and will be classified as 1–H. At the time of the lottery, which occurs at age 19, he is assigned a random sequence number from 1 to 365. From within the total range of 1 to 365 some number will be selected that will provide a sufficient pool of men for induction if an emergency occurs. All men having that number or a lower number will be classified as 1–A. Once he receives that classification he then has the right to appeal on the basis of being a conscientious objector, or the sole surviving son, or a minister, or some other classification. But the net result is that each year a new pool of men is established that would be ready for physical examination and induction should we be faced with some type of crisis.

You will probably hear a number of arguments made here today that this entire process historically has been accomplished or can be accomplished just as quickly as we could do it with a standby system. I don't think there is any way of proving whether that argument is true or not. I do know that it may not be worth taking a chance on finding out. Past emergencies requiring a national draft are not necessarily analogous to the potential emergency that may occur in 1980 or 1985 or even next year. Each emergency is influenced by a set of circumstances that is unique to that period of time. No experience with conscription is automatically interchangeable with another.

In addition to this point, the committee felt that there is not sufficient experience with a Volunteer Army to warrant dropping any standby draft assistance. There is also a serious question as to whether the Reserves will continue to be able to meet their enlistment requirements without the impetus of a draft.

Finally, Mr. Chairman, I do not feel, and I do not believe the committee feels, that the Appropriations Committee is the proper forum for eliminating or phasing out the Selective Service System. Section 10(h) of the Military Selective Service Act requires that when the Armed Services are placed on an all voluntary basis for meeting the active duty manpower needs, that the Selective Service System shall be maintained as an active standby organization, with a complete registration and classification structure capable of immediate operation in the event of a national emergency. That is the basic law, and any decision to eliminate the Selective Service System should be reviewed by the Armed Services Committee and the Congress and should not be "legislated" by the Appropriations Committee or this House on an appropriation bill.

I should add, that while the committee is recommending continuing a standby Selective Service System, it does feel that such a system can be maintained at a substantial savings. The committee has directed the Selective Service to devise and test an alternate standby method that is cheaper than the one currently proposed and that will meet the security needs of the United States.

Mr. Chairman, this concludes the summary I plan to make. If there are any specific questions, I shall do my best to answer them.

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

Mr. BOLAND. I am delighted to yield to the distinguished gentleman from Texas.

Mr. CASEY of Texas. I appreciate the gentleman yielding. I want to commend the distinguished committee chairman and his committee for their faith in the space program and for seeing that it was adequately funded.

I want to congratulate the gentleman on his remarks with reference to how the astronauts saved this program on this particular flight. As the gentleman will recall, and I am sure others will recall, there was quite a bit of criticism as to continuing manned flight. Some thought it was a waste of money and that we should rely upon just mechanical flight, in the belief that everything could be done from the ground. The Russians found that to be false on their last two flights, because there was complete and total loss, with no method of repairing or recovering the two vehicles they sent up.

I believe this has truly been a test of manned flight. As the distinguished gentleman pointed out, what could have been a complete loss has now been turned into a complete success. It is indeed a tribute to American ingenuity, American engineering and American courage.

Mr. BOLAND. I thank the gentleman for his pertinent comments.

Mr. ROBISON of New York. Mr. Chairman, will the gentleman from Massachusetts (Mr. BOLAND) yield?

Mr. BOLAND. I yield to the gentleman from New York (Mr. ROBISON).

Mr. ROBISON of New York. Mr. Chairman, I thank the distinguished gentleman for yielding.

I think the gentleman came close to touching on what I wish to ask him. Before I do that, I want to say that I support the gentleman's position and that of the committee on this matter. I think the committee has taken the right stand, for I think the standby authority is absolutely necessary. In the committee report as now printed, we are told that there was some question in their respective minds as to whether the system could not be funded for less than $55 million and, therefore, the appropriation now recommended, as the gentleman has just stated, is $47.5 million.

Mr. Chairman, my question will go to the point of whether or not the gentleman might think that possible alternative methods of registration might be considered that would allow the standby system to do this job at a lesser figure than the $47.5 million.

I refer to arranging for registration perhaps through such devices as by mail, or through simultaneous registration by those young men who are required to do so at the same time some of them ask for and receive a social security number, for instance. As we know, most of them do receive a social security number at about draft-registration age.

The question is: Would the gentleman and his subcommittee pursue these alternative methods with the Selective Service System to see whether this $47.5 million figure, which does seem high, might be reduced even further?

Mr. BOLAND. Mr. Chairman, I appreciate the question propounded by the gentleman, as well as his comments.

We agree precisely with the point that the gentleman is making. We have directed the Selective Service System to look at all the alternative methods for registration and classification.

They have looked at alternative methods. They have given study to registration by mail and have rejected it. However, they are going to look at all alternative systems. It is the intention of this subcommittee to keep the Selective Service System's feet to the fire in this area.

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

Mr. BOLAND. Before I close, I would like to indicate what we have done with community development programs.

The Administration asks only $137.5 million for urban renewal in the seven categorical grant programs. We increased this to $600 million. That $600 million will be sufficient, and I hope the members of this committee will take note of the fact that it will be sufficient, to carry on the urban renewal programs through fiscal year 1974.

By July 1, 1974, it is hoped for that

the Better Communities Act or other legislation will have been considered by the Congress.

As you all know, the Better Communities Act is proposed to replace the seven community development programs. These have been proposed to be terminated by action of this administration—with a program of special revenue sharing.

We have also provided—and it is important to those Members who represent model cities areas—$150 million for the Model Cities programs. No funds are requested for model cities in the budget for fiscal year 1974. There are 147 model cities in the United States. The $150 million which we provide in this bill will continue the regular annual levels of activity for all of those model cities at a 100 percent level. The Budget proposes using carryover balances to provide an average program level of about 70 percent of current funding through 1974. We think that they ought to be able to continue to operate at a 100 percent level through fiscal year 1974.

Mr. Chairman, those are the two substantial points in the budget which result in the $453 million increase over the budget request.

Ms. ABZUG. Will the gentleman yield?

Mr. BOLAND. Yes. I am glad to yield to the gentlewoman.

Ms. ABZUG. I would like to address myself to the point you made about the standby draft. It was my understanding that a draft does not shorten the time for mobilization and training, which is more a matter of supplies and equipment than manpower and that any conceivable need that may exist is currently met by the 5 million men in the Reserve and Active Armed Forces. Therefore, I find it very difficult to find why we must appropriate these sums.

According to the testimony of the director of the Selective Service System, it will take a certain amount of money, which in one case was said to be $8 million and in another case $28 million to close out the draft.

I wish you would address yourself to this and why there is the need for maintaining a staff of 4,340 bureaucrats, including 56 State boards, and 96 appeal boards, a Presidential appeals board and one local board for every county or similar subdivision in the United States, which is what we maintain by appropriating this kind of money.

Senator PROXMIRE in the other body said it is the single biggest boondoggle going on in the Government.

Mr. BOLAND. That is not my statement.

Ms. ABZUG. I know, but I wonder why there should be this kind of an appropriation in view of the facts that you, with respect to our commitment to a volunteer Army, allude to and the fact that we are increasing the budget for that purpose and in view of the fact that a draft does not necessarily guarantee the manpower it takes in an emergency.

Mr. BOLAND. I appreciate the gentlewoman's comments.

Let me say the Military Selective Service Act of 1971 compels registration. Under the law, you have to register when you reach 18. In addition, an annual lottery is to be held, registrants are to be classified and viable procedures and necessary facilities maintained in the event of a future need for inductions. This all requires personnel.

Let me say that the number of personnel will be reduced by this decrease in the budget from some 7,400 personnel to about 4,300 by July 1, 1974. In addition to that there are 2,700 draft boards around the United States, and they will be collocated into 925 locations.

I do not know what the reference to bureaucrats is, but the fact of the matter is that these people have a job to do which is based on an act passed by this Congress.

Some people want to legislate the Selective Service System out of existence, which is precisely what will happen with the $28 million amendment which I understand is going to be offered.

I do not think it is within the province of the Committee on Appropriations to legislate out of existence a system which was passed on by an overwhelming vote by the Congress. All of us hope that the all-volunteer concept works. I believe the gentlewoman from New York voted for it, as I am sure practically every Member sitting on the floor did when it was before the House.

We hope the all-volunteer force works. If it does, we may never have to use the draft—we may get enough volunteer personnel. But I think as of this point in time that there is a necessity for a standby Selective Service System which is precisely and absolutely provided for under the basic act.

Mr. BARRETT. Mr. Chairman, as chairman of the Housing Subcommittee, I am, of course, especially interested in title I of this bill which provides appropriations for the programs administered by the Department of Housing and Urban Development.

Earlier this session, the House passed legislation authorizing the appropriation of such sums as may be necessary for these programs. This placed a great responsibility on its Appropriations Committee, a responsibility which, as this bill shows, they have carried out in an admirable manner. The realities of the current freeze on all major HUD programs and the consequent strained relations between the executive and legislative branches of Government over this issue necessitated our placing on the Appropriations Committee the responsibility of determining what program levels would be needed during the coming fiscal year while major new authorizing legislation is being developed.

The program levels they propose are extremely reasonable and modest—I do not think any Member can claim they are extravagant or inflationary—yet, they assure the survival and continued viability of those vitally needed programs. While I would be willing to support a somewhat larger appropriation for the urban renewal program, if it appears the sense of the House that this is necessary, I want to say I fully endorse this bill and I congratulate the members of the Appropriations Committee for their very fine work.

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

Mr. Chairman, I will not take long. I certainly concur with the very fast, comprehensive and thorough presentation of this bill by the gentleman from Massachusetts (Mr. BOLAND).

Mr. Chairman, I think we have done a good job in the committee where we have a disparity of views, and very divergent views, among the members of the subcommittee and the members of the full committee. All interests I think have had a fair opportunity to be presented. We have conducted hearings which I think were full, and gave everyone an opportunity to express themselves. Even with their quite divergent views I think we have done what a committee ought to do, and that is, namely, we have developed extensive testimony, listened to every view possible, and worked out some compromises. It did not satisfy everybody. All of us on the committee have subverted our own personal and provincial views and interests, and we have worked out this bill which we are pleased to present to the Members.

It would be only a reiteration of the remarks made by the gentleman from Massachusetts for me to go into details on the bill. The report is complete, our hearings are complete, and they are available to all of the Members, and I recommend that the Members look at them.

Mr. Chairman, there are only a couple of items that I would like to change to give perspective to the bill. Oftentimes we are besieged by people who want to add more money to the Veterans' Administration proposals without considering that we probably have one of the best Veterans' Administration programs in the history of mankind, one that provides benefits and services in greater amounts and greater varieties, with one of the highest budgets that we have ever had in the proposal which we are recommending to the Members, which is above the budget request.

We have had some isolated, minimal complaints about the Veterans' Administration, but I think on the whole that the thousands, even millions of people who are served by it are very pleased with the kind of service that they receive. I believe that the Veterans' Administration is worthy of compliments rather than criticisms, which usually come to the attention of our committee.

The Better Communities Act, which the administration has proposed, I believe should be enacted. However, in the hiatus between now and then, I think the committee has done a good job in trying to keep the worthwhile programs continued.

There will be amendments to increase the program for urban renewal, for instance. Some projects of urban renewal have been successful, but some have been dismal failures. The record has been spotty. I think the administration has proposed an amount of money that would be satisfactory to continue the programs at the proper level, but the committee saw fit to add considerably to the programs, $600 million, which is more than the Department can possibly spend. I hope we keep this in mind when we are considering the amendments that are likely to be proposed.

There are other aspects that I think need some attention. The National Sci-

ence Foundation, for instance, is part of this bill. Congress provides the engine and some motivation for the basic scientific research of our country, but of course it cannot do all of it. Sometimes I believe people expect that the Government should sponsor all of the basic and applied scientific research. But I believe Congress has been generous without going all the way, and completely subsidizing all research.

One short comment from a personal viewpoint is in astronomy. This is the fastest developing discipline and it is very popular. It portends to be one of the most productive sciences in our country at the present time. Also money spent here is least likely to be duplicated somewhere else.

We defer a request for a very large array radiotelescope, but this deferral was mostly because of fiscal restraint.

I think the NASA program has a track record of being one of the better performing agencies of our Federal Government. The spending level has been cut in half from about $6 billion in 1966 to approximately $3 billion now. The number of employees has been reduced from 420,000 to 130,000, but, nevertheless, the program has been a tremendous success, culminating today in the safe and successful completion of the first flight of the space lab.

In addition to the accomplishments in space, we have made unbelievable contributions to the people living here on Earth: communications satellites, which are now developed to a level which private industry can handle; the ERTS program, a satellite to develop Earth information to provide useful, practical information concerning our environment and resources, permitting us to know a good deal more about our food, fish, oil, and minerals. It is a great success, also.

NASA has developed a system for monitoring of pollution throughout the world. There are all manner of NASA developments which are helping us here on Earth, and I think we should keep these in mind.

Mr. Chairman, time is of the essence.

(Mr. TALCOTT asked and was given permission to revise and extend his remarks and to include extraneous matter.)

Mr. TALCOTT. Mr. Chairman, the Selective Service System will, and must, (under section 4(a), Military Selective Service Act), continue to classify all registrants in one of the twenty-one different classifications when it is functioning in a standby role after July 1, 1973. By this action a pool of 20-year-old men will be identified as available each calendar year if the Congress should remove the restrictions on the authority to induct men into service. It may be that the sequence of events is not clear to people not familiar with the system.

Every man must register when he becomes 18. At this time he is given an administrative classification of 1–H. At this age he is not eligible to be in the pool of men available to be drafted.

During the calendar year in which the man reaches his 19th birthday he receives his lottery number, technically known as random sequence number. This number is assigned to him according to the date of his birth as determined in the annual lottery held early in the calendar year for each year group. During all the time after registering, he has kept his local board informed of his correct address.

As this 19-year-old group approaches the year in which they reach their 20th birthday, the local boards will begin the classification of the lowest numbered men. They will classify out of class 1–H into one of the 20 other classifications about one-fourth of the men of that particular year group. Thus when this year group reaches the year in which they are eligible for induction, the Nation will have identified a reasonably sized pool of men as available if the Congress provides the authority for their induction.

As a part of this classification process each man is asked to fill out a questionnaire disclosing his circumstances. It is at this time he begins the process of establishing to the local board his eligibility for some other classification than 1–A, available for induction. The local board will then, based on the facts disclosed in each man's file, classify him in the lowest classification for which he is eligible.

It should be noted that the classification process does not include any of the work done at the Armed Forces examining and entrance stations in examining the man to see if he is acceptable by the standards of the Defense Department. The determination of acceptability for service is made by the agencies of the Defense Department. When made known to the local board, this material supports the man's correct classification.

Mr. Chairman, the question was raised in the hearings of our subcommittee concerning whether we are responding to the need for research in astronomy. The VLA, for which this committee appropriated funds last year, is at the very outer edge of our astronomy research. The breathtaking discoveries in radio astronomy that have recently been taking place have pointed the way to this next crucial step in understanding the interaction of matter, energy, and the space around us. Yet the subcommittee report recommends denial of the $10 million requested for the VLA for next year.

This instrument is of such great importance to astronomy and to the future of science in general that I think we should make clear that we are talking not about whether the instrument should be funded, but the rate at which this can reasonably occur—which I believe was, in fact, the committee's intent. To clarify this point, I believe the language of our report should be as follows:

The Committee recommends that NSF reexamine the speed at which it plans to acquire the VLA to ensure that this commitment is consistent with the total funds available in fiscal 1974 and with the projected fund availability over the next few years.

The Commission is one of our best Commissions. It is bogged down with heavy backlogs for three reasons: first, lack of adequate staff; second, inertia; and third, excessive demands and self-imposed regulations which require mountains of unnecessary recordkeeping, red-tape, and wasted work.

We have provided more staff in crucial areas. If the staffing could be managed and motivated to reduce the backlog and work its way up to currency it could be done, except for a few knotty and complicated cases, within a year. Some backlog must be accepted in any processing function. The time period, from the licensee's first contact to disposal of the application, should be greatly reduced. The requirements are so numerous, complicated, and troublesome, that the licensees are inhibited and intimidated from the performing in the best interests of the public.

My point is simply that more money and more staff will not be enough to reduce the amount and time of the backlog unless the FCC can better manage its staff, procedures, and reduce the unnecessarily onerous and wasteful requirements it places upon its licensees.

Mr. BOLAND. Mr. Chairman, I yield such time as he may consume to the gentleman from Illinois (Mr. SHIPLEY).

Mr. SHIPLEY. Mr. Chairman, I would like to commend the chairman of the subcommittee, the gentleman from Massachusetts (Mr. BOLAND), who I believe has done an outstanding job in handling this very difficult appropriations bill and also all of the other subcommittee members on both sides. I firmly believe this subcommittee is the most democratic subcommittee in the House and I feel basically we are recommending to you a good bill and a sound fiscal one.

As you know, this committee does cover a great many areas and I have had the honor of serving on this subcommittee since the days of the distinguished Albert Thomas. Certainly each year has been more interesting than the last.

I have watched many of the agencies double and quadruple in their requests for funds and it would appear this bill is $453.5 million above the budget estimates considered, but the important point is that it is nearly $1.8 billion below the amount appropriated for fiscal 1973. The administration has proposed ending seven grant programs for community development which I believe are of great importance to the development progress of this country. I feel that the committee could take no action other than what we have in making funds available to carry these programs forward and I feel that they should be funded at least through June 30, 1974 and we have made funds available for this purpose. The subcommittee, as a whole, has made reductions wherever possible and in areas of ongoing programs that we know are successful we have made slight increases.

The overall employment figure of all agencies involved in this bill was 238.8 thousand in 1973. This bill has a total employment figure of 233.3 thousand which is a reduction of 5,500 during 1973. The major differences are in HUD where they will slip downward by around 2,000 employees; NASA will drop downward by 1900 and Selective Service will drop downward by 2,500. The major increases in employment are for the VA, FCC, and SEC; each of which will add around 300 new employees over the 1973 figures.

VETERANS' ADMINISTRATION

Concerning the Veterans' Administration, especially in the area of medical care, the committee has recommended an

increase of 1,000 employees to upgrade the number of nurses and related staff engaged in direct patient care. We have made available $14.3 million for this purpose. This is an area of need I feel can be readily justified. In fact, in this area I think that the committee should have made available 2,000 or 3,000 more nurses.

SECURITIES AND EXCHANGE COMMISSION

The next largest increase is in the Securities and Exchange Commission for which the committee is allowing 263 new positions next year. The SEC has had a tremendous workload and greater responsibility given them in the last few years. Their testimony clearly indicates that they need these new positions to offset the recent number of major scandals directly affecting the integrity of the securities market. The new positions would give them the personnel they need to help restore the confidence of the investor and make an orderly market system.

FEDERAL COMMUNICATIONS COMMISSION

The next largest increase is for the Federal Communications Commission with 253 new positions. This is an increase of $3 million above the budget request. There is no question in my mind the FCC needs these new positions to be able to handle the backlog of work they must accomplish as well as surveillance and their concentrated effort relating to the so-called vulgar talk shows. This is an area in which all of us as parents are quite concerned and I, for one, certainly want to be able to make available the added personnel the FCC needs in order to correct this very sad sickness among some broadcasters.

SELECTIVE SERVICE SYSTEM

With regard to the Selective Service System, the committee has recommended $47.5 million. This is $7.5 million below the budget request. I, for one, would like to have seen this amount eliminated or not funded, however, I think it would have been very foolish on the part of the committee to have done this because no one can predict how the all-volunteer service will work. I would hope that the committee, next year, would look into this very closely and perhaps be able to make some further reductions or eliminate it completely if we feel the all-volunteer service is successful.

Mr. Chairman, I will not take any more time in going into specifics of the other agencies and I say again that I believe this is a good, sound, appropriations bill.

Mr. TALCOTT. Mr. Chairman, I yield to the gentleman from Pennsylvania (Mr. McDADE) such time as he may consume.

Mr. McDADE. Mr. Chairman, I rise in support of H.R. 8825, making appropriations for the Department of Housing and Urban Development, the Veterans' Administration, NASA, and various other Federal agencies. Before commenting on the contents of the bill, I wish to commend the distinguished chairman of the subcommittee, Mr. BOLAND, for his outstanding efforts in bringing this bill to you for consideration today. I would also commend the gentleman from California (Mr. TALCOTT), the new ranking member of the subcommittee for his keen insight and his dedication toward resolving the many complex problems to which this bill is addressed.

Mr. Chairman, I would be less than frank in saying that I doubt there is one member of the subcommittee who is entirely satisfied with this bill today. It is of necessity a bill embodying many compromises. The termination of the six national housing programs and the seven community development programs last January was followed by a budget submitted without funds included for any of the several categorical aid programs.

The committee then was faced with one of three choices. We could have gone along with HUD and refused to fund any housing or urban renewal activity for the coming year. In doing so we would have been party to the termination and the practical dissolution of our national housing and community development goals. Second, we could have chosen to fund these programs at last year's program levels. In doing so we would have put the Congress through the wasteful and unnecessary procedure of formal approval to a bill we all knew was certain to be vetoed, even prior to Senate consideration. Or third, we could have sought out a middle ground between ending our commitment and insuring a veto. That is exactly what your committee has decided to do.

As one who represents a congressional district where active urban renewal, housing, and model cities programs are underway, certainly I am anxious to see all of my housing and urban renewal activities remain viable. This bill provides sufficient funds to guarantee such viability. The committee has increased funding for urban renewal to a level sufficient to provide for the continuation of current urban renewal programs. Once a determination can be made concerning the future of the Better Communities Act as an alternative to continuing categorical aid, the committee will be in a better position to analyze future community development needs.

The termination, or suspension, of the existing categorical aid housing programs was coupled with the decision to reevaluate our existing housing programs to determine their effectiveness. While the Department is to be commended for undertaking this study it is regrettable that this action coupled with the abrupt moratorium will bring to a standstill our efforts to meet the housing needs of the Nation's elderly and disadvantaged.

During our committee's hearings, officials of the Department of HUD produced Bureau of Census statistics, indicating over 1 million households in this Nation headed by persons 65 years or more lacked some or all plumbing facilities. It is estimated that 100,000 dwelling units were in a dilapidated condition, even though they had adequate plumbing. Another 120,000 elderly live in overcrowded conditions. In total, over 1,400,000 elderly households were ill-housed for one of the above reasons. I submit that the moratorium places an unconscionable burden on these people.

The housing for the elderly program authorized by section 202 of the Housing Act contained nearly $100,000,000 in funds available to implement this program. Section 202 was subsequently folded into the section 236 program which also is under the moratorium. Unlike 236, however, it was a direct loan program with a good track record, free of the abuses which have plagued other housing programs. HUD officials indicated that, to their knowledge, only one foreclosure was made throughout the program. I would call attention to the Members to the language inserted on page 6 of the committee report, urging HUD to seriously consider restoring the 202 program. I do not concur with the testimony of the Secretary who felt that the use of 202 would prejudge the pending study. On the contrary, I do believe it would greatly assist with our elderly housing needs until HUD's pending recommendations are completed in September.

I would also call to the attention of the Members the Committee's decision to continue to make funds available for open space land acquisition. Since its inception, this program has been a solid success, especially in providing funds for the development of urban parks in our cities. This is another program which HUD proposes to fold into the Better Communities Act.

Open spaces has become one of the two major sources of recreation funds for local communities. The other program funded through the Bureau of Outdoor Recreation's land and water conservation fund is sharply curtailing its new obligations this year. I believe it is essential that funds be provided for open spaces to keep the program active until a decision is reached on the merits of BCA.

Mr. Chairman, I would like to comment on two other activities funded by this bill which I believe are important to the language inserted on page 14 of the committee report concerning the responsibilities of the Federal Communications Commission regarding the effects of television violence on children.

For the past several years, the committee has included language on this matter in our report and each year during consideration of the FCC appropriations the question frequently recurs. Last year the Surgeon General submitted to the Congress a report on the relationship of television violence to children. The report concluded that there is a relationship between the acting out of violence by children and actual television violence. There was no attempt to determine the relationship or define who the children are or what triggers this relationship.

The report did recommend that a regulatory agency, probably the FCC, investigate the possibility of a violence index for television similar to present theater indices. The FCC has been working with the National Institute of Mental Health to determine what indicators would be used, how such an index would be structured, and who would make the determination as to how a particular program would be rated. I am pleased to note that the FCC is making some strides toward this problem. I trust they too will read the committee language and take note of the continuing interest of the Congress in this activity.

Finally, I wish to call the Members' attention to the significant increase provided for veterans medical care. The rather detailed controversy between the Veterans' Administration and the committee concerning the minimum operating bed capacity and the average daily patient census level established by Congress is well documented in the committee report. This year the committee has not included any fixed operating bed capacity or fixed patient census with the understanding that the VA will treat all eligible veterans in need of medical care. It is also important to note that the committee did provide a significant increase toward meeting the most immediate and urgent problem of providing funds for additional staff engaged in direct patient care.

In summary, Mr. Chairman, I believe this bill is a good bill, addressed to meeting some tremendously difficult problems and is deserving of the support of all of the Members of this House.

Mr. TALCOTT. Mr. Chairman, I yield 5 minutes to the gentleman from Wisconsin (Mr. STEIGER).

Mr. STEIGER of Wisconsin. Mr. Chairman, I very much appreciate the distinguished ranking minority member of the subcommittee yielding this time to me.

I rise in support of the committee bill. I want at the outset to commend the chairman of the subcommittee, the gentleman from Massachusetts (Mr. BOLAND), and the gentleman from California (Mr. TALCOTT), for their concern particularly in the Selective Service area. The gentleman from Pennsylvania (Mr. MCDADE) also is to be commended for his amendment which struck $7.5 million from the bill. I believe that the $47.5 million figure represents a good, responsible amount to allow for a complete reevaluation of the Selective Service System.

Mr. Chairman, I regret that I cannot at this time support the amendment to be offered by the gentleman from Rhode Island (Mr. TIERNAN), but I appreciate his attention to the problem and I am glad that he is bringing the subject of Selective Service before the House. In my judgment, his cut goes too deep for now, but in opposing his amendment I should like it to be understood that I am not supporting a stand-pat approach for Selective Service. Until now the agency has been forced to concentrate on the delivery of men to the Armed Forces. On June 30, authority for that activity will cease. During the next year, when the agency is no longer preoccupied with the urgent demands of operating that program, there should be sufficient time for examination and reevaluation of functions. Do we need ongoing local boards, staffed with full-time personnel? Are State offices necessary? What activities are proper for the national headquarters? Behind these matters lies the basic question: How much, if any, registration is required to enable the United States to respond to an emergency mobilization crisis? Clearly a system that has operated for over 30 years on a relatively unchanged basis, delivering men to the Armed Forces, is not the same system that is needed on a standby basis for some future emergency. The $7.5 million cut for fiscal year 1974 will not impede the ability of the organization to engage in necessary reevaluation and retrenchment.

At the same time, the continued appropriation should not be seen as a blanket authority for business as usual.

At this point, Mr. Chairman, I should like, if the chairman of the subcommittee would be willing, to ask the gentleman from Massachusetts (Mr. BOLAND) if there is anything in the law which would permit the expenditure of funds by any element in the Selective Service System in an effort to maintain their positions by discrediting the all-volunteer force program.

Mr. BOLAND. Mr. Chairman, there is absolutely nothing in the law, and I hope none of the funds provided for in this bill would do what the gentleman from Wisconsin inquires about.

There is some concern on the part of this committee, and I think there ought to be, that there may be those in the Pentagon and perhaps those in the system who would hope the all-volunteer concept would not work. It is one of the things we have to be careful about. We intend to keep up the Selective Service System, but we are going to be sure the Selective Service System is not going to undercut the all-volunteer service.

As the gentleman from Wisconsin so well knows because of his friendship with the former Assistant Secretary of Defense for Manpower, Roger Kelley, who is one of the finest public servants we have had on the Washington scene in many a year, a great concern of his was precisely what the gentleman from Wisconsin raises.

It is our concern, and I am delighted to make the point of it, there is no money here for the purpose of giving them the ability to undercut the all-volunteer service at the expense of providing standby selective service.

Mr. STEIGER of Wisconsin. Mr. Chairman, I thank the gentleman.

I want to emphasize that my support for a standby system on a minimal basis goes only to the concept of preparation for a mobilization in time of emergency. It absolutely does not extend to the question of meeting so-called manpower shortages. Let us be perfectly frank about this problem. There are many in positions of authority who would like to kill the all-volunteer force.

The gentleman from Massachusetts has referred to Roger T. Kelley, the highly respected former Assistant Secretary of Defense for Manpower and Reserve Affairs, who warned in his valedictory statement of attempts within the Pentagon to sabotage this program. Each day that his position goes unfilled, the situation deteriorates. It is no secret that high ranking officials of the Army and Navy, in these very halls, have sought to discredit the program and goals that have been articulated by the Congress and the President in his capacity as Commander in Chief.

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

Mr. STEIGER of Wisconsin. I yield to the gentleman from New York (Mr. STRATTON).

Mr. STRATTON. Mr. Chairman, I am interested in the gentleman's remarks. Of course, no one wants to subsidize any selective service attack on the concept of the all-volunteer force, but the gentleman's remarks are suggesting that any criticism of the all-volunteer force, any rational comment——

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

Mr. TALCOTT. Mr. Chairman, I yield 3 additional minutes to the gentleman from Wisconsin.

Mr. STRATTON. Any serious, rational comment that perhaps the all-volunteer force is not really doing the job that it was supposed to do, would somehow represent a subversive attempt to undercut the volunteer force.

I think we have got to recognize that there are going to be different points of view. We cannot automatically disqualify someone who wears a uniform and who probably is more knowledgeable on military matters and deals with military manpower more than some of the rest of us from saying, "I am sorry, gentlemen, but this concept really is not working."

But, I am afraid that if the gentleman from Wisconsin does not qualify his own remarks, he is going to be creating the impression that any negative statement whatsoever on the volunteer force is automatically suspect. I think the gentleman from Wisconsin is eminently fair, and he would not want to leave that impression in his remarks.

Mr. STEIGER of Wisconsin. Mr. Chairman, may I say to the gentleman from New York that I have tried in my remarks to be quite explicit about exactly what I am talking. No, it is true that not every negative remark or question about the all-volunteer force ought to be taken as an effort to sabotage it. But I feel strongly that those high up within the Pentagon and those here who are attempting to discredit the all-volunteer force, not on the basis of serious questioning, but on the basis that they want induction authority, have to be called to account for that position.

What it means, in effect, is that instead of concentrating on the kinds of things I think we ought to be looking at such as personnel reforms, retirement reforms, personnel management problems in terms of how we might have a volunteer force without being dragged into a discussion of what the volunteer force contributes to the size of the Defense Department budget.

It is for that reason that I have asked for this time, so that at least I might have the opportunity to lay out my own concern about the fact that an effort is under way to undercut the volunteer force, and I think that effort ought to be halted.

Mr. STRATTON. I hope the gentleman in his remarks will include some guidelines, so that we can tell the good kind of criticism from the bad kind of criticism.

Mr. STEIGER of Wisconsin. I have very little time remaining, but I will say to the gentleman, yes, I will try. If the gentleman will let me continue, I hope I can do that.

Mr. STRATTON. I hope the gentleman will address himself to that.

Mr. STEIGER of Wisconsin. Mr. Chairman, instead of compensation reform, which could vastly improve recruiting and retention while saving the taxpayers billions of dollars, we hear of constant complaints from "Pentagon sources" of the problems caused by paying junior enlisted men a decent living wage. Rather than a realistic appraisal of qualitative needs, we are seeing pressure for standards which have no justification in terms of productivity or skill match.

Those, may I say to the gentleman from New York, are two specific guidelines.

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

Mr. TALCOTT. Mr. Chairman, I yield the gentleman 1 additional minute.

Mr. STEIGER of Wisconsin. I thank the gentleman very much.

Both the GAO and the Brookings Institution have pointed out the tremendous potential for civilianization, use of women, lateral entry, attraction of prior service personnel, and greater use of educational incentives, yet performance in these areas has lagged badly.

While Chairman HÉBERT and the Committee on Armed Services have done much for our men and women in uniform, the Special Pay Act languishes in the Senate.

I call the attention of the House to the Brookings study, which states:

The conclusion of this paper—directed to the practical implications of planning, developing, and maintaining an all-volunteer armed forces—is that it is likely to prove a feasible proposition, if timely measures are taken to reevaluate manpower requirements and standards to deal with foreseeable recruiting shortfalls.

If shortfalls arise, Mr. Chairman, they will be the result of inaction in the Pentagon and inattention by the Congress. As we provide appropriations for the Selective Service System, let us make sure that it is never used except in times of the gravest national emergency.

I am pleased that the induction authority ends on June 30, for to leave it on the books would be an open invitation to curtail manpower reform, and would provide an easy fallback position for poor personnel managers.

Mr. Chairman, I include in the RECORD my testimony before Subcommittee No. 2 of the Committee on Armed Services.

The material referred to follows:

TESTIMONY OF CONGRESSMAN WILLIAM A. STEIGER

Mr. Chairman and Members of the Subcommittee, I am grateful for this opportunity to testify on the question of military manpower requirements. For many years, Chairman Hébert led this Subcommittee in developing beneficial programs for our men and women in uniform. I am sure he is pleased by the outstanding job the gentleman from Texas (Mr. FISHER) and the other Members are doing in continuing his work. Last year, of course, this Subcommittee took the initiative in modernizing the military compensation system by designing legislation for the Special Pay Act, which won the overwhelming approval of the House, 337–35. Although the Senate did not take up this measure prior to adjournment, I am hopeful that it will receive favorable treatment in the near future.

The Subcommittee has heard experts from the Department of Defense, and from representatives of the General Accounting Office. I was pleased to learn of Mr. Morris' testimony that the potential for manpower reform would preclude the need for inductions for FY 74. I was concerned, however, by certain aspects of the GAO report, and I appreciate this opportunity to call these matters to your attention.

THE LEGISLATIVE POSSIBILITIES

The presentation of alternatives on page one of the GAO report fails to do justice to the responsibility of Congress in raising and supporting armies. A more complete description of the alternatives facing Congress would have added the following:

Let the present draft authority expire, using special incentives or alternative manpower sources as necessary; maintain the *structure* of a Selective Service System, to be activated by Congress in case of emergency;

Let the present draft authority expire, using special incentives and alternative manpower sources; maintain an *ongoing* Selective Service System with continuing requirements for registration and classification, to be activated by Congress in case of an emergency.

The distinction between these possibilities is crucial. If we are optimistic about the success of the volunteer force, and if we are confident that any sudden emergency can be dealt with by maintaining a skeletal structure, a great deal of money can be saved by eliminating the registration and classification requirements. If we are less optimistic, we can maintain registration and classification to insure a rapid initiation of inductions once Congress determined that a national emergency or serious manpower shortages existed.

Unfortunately, GAO did not have the opportunity to examine the relative costs, efficiency, and effectiveness of alternative standby systems. It is possible that this oversight stems from an inaccurate reading of the Selective Service law. Contrary to the statement on page two of the GAO report, the acts of registration, classification, and holding a lottery are not "specifically prescribe[d] functions to be performed by an active standby Selective Service System."

Section 10(h) only requires "a complete registration and classification *structure* capable of immediate operation in the event of a national emergency." The legislative history (Congressional Record, vol. 117, pt. 16, p. 20481.) makes it quite clear that an adequate "structure"—not actual operations—is all that the law requires:

Mr. HRUSKA. Mr. President, the language of the amendment says that there shall be maintained as an active standby organization with a complete registration and classification structure capable of immediate operation, and so forth.

It is not contemplated that registration shall be maintained. It is only the structure and the organization, the equipment, the procedures, and the manuals that are necessary to initiate registration if and when a national emergency comes.

Mr. SAXBE (mover of the amendment). The Senator is correct. Whether or not registrations are to be maintained will be a decision when we go to a volunteer army. It is not involved in this discussion at the present time.

Mr. HRUSKA. So, the Senator's amendment does not include the actual registration of potential inductees.

Mr. SAXBE. This is the language that comes out of the act of 1967. At the present time, I believe they do contemplate a continuation. But that would have to be decided at such time as we go to a volunteer army.

The volunteer force has proved capable to date of meeting most of the qualitative and quantitative requirements of the armed forces. The Defense Department has expressed confidence that remaining problems can be overcome through improved management and use of the Uniformed Services Special Pay Act. As the induction authority expires, we should enact special incentives to take care of particular manning problems, and—if there is sufficient cause to be less than optimistic—continue registration and classification. We can obtain great savings by eliminating unnecessary activities involving potential registrants and simply putting the structure of the Selective Service System on a standby basis.

QUALITATIVE REQUIREMENTS

The GAO report expresses "less optimism about the ability of the services to obtain a sufficient quantity of qualified enlisted personnel." In a disappointing omission, the GAO report never discusses which levels of quality it considers sufficient "to learn and perform the hundreds of skills found in the military . . ." How could the GAO possibly suggest the use of selective service, incentives, or any other methods of manpower procurement without first examining the qualitative requirements of the armed forces?

In evaluating the volunteer force, there would seem to be little justification for GAO's using goals which have infrequently been met during conscription. The report fails to acknowledge, much less discuss, the exhaustive DoD study "Qualitative Requirements (A Report on the Qualitative Accession Needs of the Military Services)", November, 1972 OASD (M&RA). This study concluded that current testing procedures were inadequate and unreliable. It was felt that substantial improvements were needed in terms of relating test scores, trainability, and job performance.

However, even within the confines of current measures of quality, the report stated:

Navy and Air Force should be able to recruit personnel in excess of their minimum quality needs. These two Services should be able to meet their self-imposed objective of limiting mental category IV accessions—5% for Air Force and 10% for Navy.

Marine Corps should be able to meets its minimum quality needs, Mental Category IV accessions will be about 20%.

Army will be able to meet its minimum quality needs if it can improve its recruiting capability in FY 1974 by about 20,000 true volunteers compared to FY 1973. To improve its recruiting capability it will be necessary for Army to use the enlistment bonus provisions of the Uniformed Services Special Pay Act and attract personnel who originally planned to enlist in the Air Force and Navy.*

The GAO report does not discuss this study, but rather continually refers to "service-stated" goals that have not been validated by past experience or present needs. GAO's statement: "We did not ascertain the appropriateness of the quality goals" illustrates the point at which any meaningful study of manpower requirements must begin. At a time when we are all concerned about rising military personnel costs, it would be most unfortunate if the GAO report were to be interpreted as an imperative for a certain quality mix. Standards should be determined by the requirements for individuals to successfully complete job training and perform well in their Military Occupational Specialties. Standards that are too low can reduce the effectiveness of the force. But standards which are not appropriately balanced can lead to needless expenses in recruiting and retention. In addition, such imbalances can also create job dissatisfaction and lead to poor morale and low productivity. I am sure the Committee will take these factors into account in the formulation of its proposals.

Mr. TALCOTT. Mr. Chairman, I yield such time as he may consume to the

*The figure for the Army has been reduced from 20,000 to 10,000 since this study was made.

gentleman from South Carolina (Mr. SPENCE).

Mr. SPENCE. Mr. Chairman, I rise in support of the Appropriations Committee's recommendation to establish the Selective Service System's fiscal year 1974 budget at 47.5 million. In so doing, I want to assure you that I believe our Nation should continue to rely, to the maximum degree, on a voluntary armed force in peacetime. The Seletcive Service budget request is needed, however, to establish a standby system which will be ready to respond in an emergency when our Nation's survival is at stake.

The January 8 report of the Secretary of Defense reports that the efforts of the Department to achieve an all-volunteer force have been genreally successful, and I hope their efforts continue to be successful. But the Secretary's report also emphasizes that all of the problems have not yet been solved. The General Accounting Office predicts a shortfall of between 11,000 and 83,000 volunteers in fiscal year 1974 from the required 354,000 if the quality goals are held rigid. The shortfall would occur primarily in the Army and Marine Corps and to a degree in the Navy.

The Department of Defense staff will not be fully confident of the prospects for complete success until the ending of the induction authority has erased the threat of the draft from the minds of our young men who are of draft age. Nor can we be assured of the success of the all-volunteer concept until, through legislation, additional emoluments are provided to entice into the service more medical specialists and other persons with specific skills.

Even if young Americans today were volunteering for first terms in the military services in numbers, which—when combined with numbers of reenlistees—were sufficient to meet the gross level of the manning objective, there still would be shortfalls in certain occupational specialties.

The Navy today for example, because of reenlistment problems, is experiencing dangerously low manning at the E–4 and E–5 petty officer level, primarily in critical mobility ratings which are required to assure ship mobility. Also, Navy manning levels for such highly skilled ratings as repairmen for electronic equipment used in navigation, countermeasures, missile guidance, and nuclear weapons control are, for the most part, well below requirements today.

I know the administration shares with Congress the hope that this Nation will never have to use our active forces or strategic weapons at any time. But we cannot plan to discard them. Likewise, and for the same reasons, we should not be a part of any plan to completely discard the Selective Service System. We must retain it in a standby posture, ready to respond quickly should we ever determine that there is a need to call men to service in the defense of our Nation.

Funds which are requested by the Selective Service System reflect the conclusions of recent interagency conferences conducted with the approval of the National Security Council. The participants of these conferences were the Department of Defense, the Office of Emergency Preparedness, the Office of Management and Budget and the National Security Council staff. The group represented the agencies primarily responsible for planning relative to our national security.

I support their findings that there could be emergency situations—short of total mobilization—in which the Armed Forces would be required to rely on nonvolunteer manpower, at least during the initial months. Even though the National Guard and Reserve forces would be called to duty on a priority basis, the ability to recruit nonvolunteer manpower in an emergency could still be of crucial importance. The Department of Defense is predicting Reserve force components will have a fiscal year 1974 end strength of 874,535, which is a shortfall of about 96,000 below the effective mobilization manning objective of 971,066. The DOD has budgeted for a fiscal year 1974 average strength of only 910,515. The prime reason for the drop of enlistments in the Reserve forces is the removal of draft pressures. The predicted shortfall extends into Air Force Reserve components with the Air Guard expecting to be short by 9,364 a factor of about 10 percent.

The conferees concluded that it would not be possible to meet the potential nonvolunteer manpower requirements in a timely fashion unless, during fiscal year 1974, the Selective Service System was maintained in a standby basis level with local boards functioning.

I strongly urge the approval of funds for the Selective Service System, as it moves into a standby posture during fiscal year 1974. It is vital that we provide the insurance of ability to respond quickly, as a backup to the efforts to implement an all-volunteer force.

Mr. BOLAND. Mr. Chairman, I yield such time as he may consume to the gentleman from Rhode Island (Mr. TIERNAN) but before yielding that time, Mr. Chairman, let me say that we are delighted to have some new members on the subcommittee this year. The gentleman from Rhode Island (Mr. TIERNAN) is one.

The gentleman from Florida (Mr. CHAPPELL), the gentleman from North Carolina (Mr. RUTH), and the gentleman from Iowa (Mr. SCHERLE), as well as the gentleman from Rhode Island (Mr. TIERNAN) spent considerable time in the committee deliberations, and all of them gave considerable input into the committee thinking, and we were delighted to have them with us. I am proud of their activity.

I am delighted to yield now to the gentleman from Rhode Island.

Mr. TIERNAN. Mr. Chairman, as a member of the Appropriations Committee actively involved in the formulation of the HUD-space science-veterans and independent agencies appropriations bill for 1974, I would like to take this opportunity to discuss several aspects of the legislation which are of especial concern.

Probably the most controversial aspect of this year's HUD appropriations is the Nixon Administration's announcement of the suspension or termination of subsidized housing and community development programs. During the hearings I cited statistics which indicated that the President's actions will have a $19.2 billion impact on the economy and will result in the loss of 2.2 million jobs. Put another way, 300,000 to 400,000 low-income housing units will not be built as a result of the moratorium. I also pointed out during the hearings that in 1968 Congress committed itself to the construction of 6 million low- and moderate-income housing units—in the ensuing decade, a commitment repeatedly reaffirmed by President Nixon. The moratorium has had the effect of putting us 45 percent behind in our effort to reach this goal.

In the area of community development, the President terminated the conventional programs in anticipation of the start of "Better Communities" special revenue sharing July 1, 1974. It is the administration's intention that localities continue to fund these conventional programs from their "Better Communities Act" allotment. However, as the committee states in its report:

(T)he Budget would leave a 1-year gap in funding for present community and urban development categorical grants.

Consequently, we recommend the appropriation of $820 million for this purpose.

I fully support the committee's position on community development. My concern results from Secretary Lynn's explicit statement during the hearings that he would not honor a congressional mandate to fund the conventional programs during the period of legislative consideration of the so-called "Better Communities Act." Given this inclination to ignore congressional will, I sought to make the programs mandatory, as the courts have ruled we must if we intend to prevent impoundments.

This points to what I believe is the most serious criticism of the President's action. Certainly, the subsidized housing and community development programs are not, and should not be, immune from criticism. Much of what the administration charges has at least some validity and I know that Congress will give serious consideration of its views. But, in my view, this does not constitute sufficient grounds for the unilateral termination by the executive of congressionally mandated programs. To quote Judge Jones in the recent OEO case:

An authorization does not necessarily mean that a program will continue. Congress, of course, may itself decide to terminate a program before its authorization has expired, either indirectly by failing to supply funds through a continuing resolution or appropriation, or by explicitly forbidding the further use of funds for the programs, as it did in the case of the supersonic transport. But Congress has not chosen either of these courses, although it may in the future. Until that time, historical precedent, logic, and the text of the Constitution itself obligate the defendant to continue to operate the Section 221 (OEO) program as was intended by the Congress, and not terminate them.

In short, the President flew in the face of constitutional separation of powers when he terminated these programs. There is an element of coercion involved also. Despite pressing needs for low-income housing and rehabilitation of the inner city, the President terminated programs designed to deal with these problems. He then presents an either/or proposition: "Either my program or nothing." This amounts to a kind of legislative blackmail which is very hard for the Congress to resist. If the President sincerely believes that his proposal represents an alternative superior to the present programs he should be content to rely on reasoned promotion of his ideas. My own analysis of the testimony presented by HUD officials and others is that the failure of these programs may be due in large part to managerial ineptitude on the part of HUD. During the hearings, the HUD Subcommittee heard repeated statements from diverse sources that the HUD area and insuring offices are confused and demoralized by the lack of adequate and consistent program direction from the central office. Furthermore, we became aware of numerous instances in which the HUD central office could not deal adequately with problems as they arose, because the necessary information was not available. For example, the central office was not aware of the high default rate for subsidized homeowners in time to provide counseling or take other remedial action. Put plainly, in many instances nobody knew what was going on. It remains to be seen if the programs would have worked well with proper administration. The House Banking and Currency Committee will be taking a very careful look at these factors during its hearings on the so-called "Better Communities Act." During those hearings, which will take place in fiscal year 1974, communities must receive funding for the conventional community development commitments which the Federal Government has made to them. The committee took a very reasonable approach in providing $890 million for this purpose.

SPACE SCIENCE

It seems that nothing in this bill is uncontroversial. While the tremendous flexibility and adaptability of man in a space demonstrated by Skylab I have been the subject of much acclaim, others have criticized the expenditure of billions of dollars on space programs at the expense of important domestic programs. My own view is that the accomplishments of the space program in themselves are not sufficient in themselves to justify this level of expenditure. However, I believe that the large ancillary economic benefits of the space program make it imperative that the Nation undertake this kind of advanced research and development. During our hearings, a witness from Chase Econometrics presented a detailed econometric model demonstrating the large contribution of space research and development programs to the future economic health of the Nation.

Esoteric research, of the kind unlikely to be undertaken by private industry, is essential to this Nation if we are to maintain our status as an economic superpower in a postindustrial era when America's chief exports will increasingly became those of high technology rather than manufactured goods.

Differences may legitimately exist as to research and development priorities, NASA being only one of many Federal research and development commitments, but I think we should all agree on the importance of the basic commitment.

VETERANS

I share with virtually every Member of this body a sense of commitment to those men who have served our Nation. I fully support the committee's decision to increase by $14 million the administration's request for medical care. The committee received a report which documents many instances of deplorable medical care in VA hospitals around the country. I would point out to my colleagues that the VA's failure to provide adequate medical care is a direct result of OMB's defiance of a congressional directive in last year's appropriation to maintain an average daily patient census of 85,500 and on overall staff-patient ratio of 1.49 to 1. In this, as in many other areas, the Nixon administration's contempt for the legislative branch of Government has been contrary to the best interests of the American people.

SELECTIVE SERVICE

I have already made clear in additional views included in the committee report that I oppose the continuation of of this bureacratic anachronism out of the past. Quite understandably, we all tend to assume that a standby draft would make a contribution to the national defense in the event of a national emergency. But upon closer examination it is apparent that this simply is not the case. Perhaps the best documentation of this fact was provided by the system itself when, in describing the 1948 reenactment of the draft, it said:

> Because of minute planning by the planning group of the Office of Selective Service Records and the training program previously described the newly created agency was ready to swing into immediate action as soon as General Hershey was appointed Director . . .

No standby Selective Service was necessary to insure immediate capability in 1948 and it is not necessary now. In this context, funding a standby system when so many important domestic health and welfare programs are being deemphasized due to fiscal constraints represents a serious misallocation of priorities.

SEC, FCC, AND FHLBB

One final word on the regulatory agencies, several of whose budgets were significantly increased by the committee. During my tenure on the Interstate and Foreign Commerce Committee I became aware of the critical role these agencies play in the economic life of our Nation. Often their decisions control the future of vital industries, from railroads and airlines to communications and the securities exchanges. But because of their low profile they are often prime targets for budget cutting by the OMB. It became clear to our committee, particularly in the case of the FCC, that neither the interests of consumers nor those of the regulated industries were being served by under-funded and under-staffed regulatory agencies.

Thank you Mr. Chairman.

Mr. BOLAND. Mr. Chairman, I yield such time as he may consume to the distinguished gentleman from Virginia (Mr. SATTERFIELD).

Mr. SATTERFIELD. Mr. Chairman, I, too, want to commend the Appropriations Subcommittee on HUD, space, science, and veterans for their outstanding work in connection with the 1974 Veterans' Administration appropriation bill. Throughout my tenure on the Veterans' Affairs Hospital Subcommittee, and more recently as its chairman, it has been necessary to spend an inordinate amount of time in looking into voluminous complaints which the committee has received concerning the lack of proper medical care, lack of adequate hospital staffing, especially on night, weekend, and holiday shifts, lack of emergency coverage, lack of medical supplies, lack of funding for the Vietnam veterans dental program, the need for more funding to replace outmoded and unworkable equipment, and the need for money to upgrade or replace VA hospital facilities.

Mr. Chairman, during the Appropriations Subcommittee hearings relating to the operation of the VA medical program, the Administrator of Veterans' Affairs repeatedly insisted that the 1974 appropriation request for VA medical care contained enough funds to properly operate the VA hospital system during the coming year. While I hope his prediction is correct, in all candor I must express my doubts. VA hospital directors had requested budget authority in excess of $3 billion for fiscal year 1974. The Administrator of Veterans' Affairs reduced this request to $2,829,408,000 and OMB imposed a further cut to $2,656,000,000 making a total reduction of about $400 million.

I fully support the Appropriations Committee in their action to grant the full budget request of the administration. I also note that the committee members gave the Administrator and his top staff ample opportunity to indicate any areas where additional funding was needed. Despite the offers by the committee to add additional funds, the administration categorically stated that the budget request contained all the necessary resources to carry out the medical care mission of the Veterans' Administration hospital system.

Mr. Chairman, the entire responsibility of this matter now rests with the Administrator—the committee has included in this bill all the funds the Administrator requested for VA medical care and has made clear in its report that it stands ready to appropriate more funds for any justified reasons if the Administrator will request them.

I want to assure the veterans of this country and all who share my deep concern about the adequacy of medical care in the VA hospital system that the Subcommittee on Hospitals will continue its efforts to be sure that the administration lives up to its commitment made in a statement issued by President Nixon in 1972 that his "Administration is com-

mitted to providing quality medical care for all eligible veterans."

Mr. Chairman, the latest survey conducted by our committee indicates that there are many corrective measures which need to be taken in the VA hospital system now.

For the information of my colleagues, there follows selected statements recently compiled from among over 20 VA hospital directors concerning some of their most urgent problems. I hope that the Administrator will proceed promptly to correct these deficiencies, as our committee will continue to survey VA hospital facilities around the Nation in order to be sure that our veterans receive the quality of care they so richly deserve.

The material referred to is as follows:

VETERANS' ADMINISTRATION APPROPRIATION BILL

VA HOSPITAL, AUGUSTA, GA.

Inadequate Staff. For many years, this hospital has had insufficient funding to adequately staff direct care functions. This is the 15th VA assignment for the current Director, who has been here 20 months. This hospital has the poorest staffing of all those assignments. Recruitability is apparently not a significant deterrent to staff improvement, just the need for funding.

VA CENTER, DUBLIN, GA.

During previous years most Directors have emphasized additional staffing requirements to become more competitive with staffing ratios in community hospitals as one of our most pressing needs. This need still exists, and it is still pressing. We still need additional resources. However, in deference to national problems involved in making additional resources available to us, I would like for the thrust of this testimony to be in the direction of permitting us, even requiring us, to get the most mileage out of whatever funds can be made available. The arbitrary restraints of externally imposed employment and promotion freezes, grade deescalation programs, and personnel ceilings substantially restrict the opportunity of management to manage. Money problems, like people problems, are almost inevitable, especially during periods when national priorities are being reviewed, and Directors must be and have been trained to cope with them. The point here is that the coping is much easier and much more effective when it is internally focused upon specific local situations rather than externally applied to general national conditions.

VA HOSPITAL, CHICAGO—RESEARCH

The continuity and effectiveness of our planning and management efforts are frequently disrupted and in many instances completely negated by arbitrary and unexpected reductions in available or planned resources and imposition of restrictions on their use. Grade deescalation requirements, employment and promotion freezes, restrictions on the use of funds, funding cutbacks, etc., are examples.

VA WEST SIDE HOSPITAL, CHICAGO

Since nearly 80 percent of our budget appropriation is used for personnel salaries our primary deficiency underlining this need is to provide for the additional staffing as previously indicated. If sufficient funds were available to provide the necessary physicians, nurses and para-medical staff to approach the suggested staffing ratio of 2.0 we would greatly, if not completely, eliminate the budgetary crisis at our hospital.

VA HOSPITAL, BRECKSVILLE, OHIO

We believe withholding of higher level duties and responsibilities (caused by grade deescalation) and the replacement of well-qualified employees with non-experienced and/or entry level employees has lessened our ability to bring the best available clinical knowledge and skills to patients in the quantity and quality best for their needs.

VA HOSPITAL, CHILLICOTHE, OHIO

A few significant increases in staffing, particularly physicians and a few other professional categories, is certainly one of this station's most pressing needs. If funded for an additional 100 full-time permanent employees we would approach the VA goals of a 1 to 1 employee-patient ratio.

VA HOSPITAL, ALLEN PARK, MICH.

Our staffing ratio needs to be improved. If we can get a 2 to 1 ratio (as opposed to 3 to 1 in the volunteer field) we would be in a much stronger position to deliver a higher acceptable level of medical care.

VA HOSPITAL, BATAVIA, N.Y.

Relief from externally imposed employment restrictions to allow for an orderly implementation of fully justified and approved employment and promotion plans.

VA HOSPITAL, HUNTINGTON, W. VA.

Sixteen additional full-time employees that we requested in fiscal year 1973 are still needed.

VA HOSPITAL, PERRY POINT, MD.

The lack of an adequate number of employees in Nursing Service has become critical, requiring continuous overtime to cover the various patient care areas throughout the hospital.

VA HOSPITAL, PHILADELPHIA, PA.

Increased funding is required to provide for improved staffing, as well as rising increase in costs of drugs, supplies, utilities, etc. The following are priorities for staffing increases:

(a) Nursing Service, throughout the hospital
(b) New Neurology/Neurosurgery Ward
(c) Clinical Laboratory
(d) Radiology
(e) Increases in clerical, administrative, engineering and building management support relating to the above.

VA HOSPITAL, WASHINGTON, D.C.

Funds for staff, services, and supplies must be sufficient to provide a standard of patient care at least comparable to that of the affiliated university hospitals.

VA HOSPITAL, DURHAM, N.C.

Increased funding is needed to provide for employment of adequate personnel to support ongoing programs and new specialized programs essential to modern medicine.

VA HOSPITAL, FAYETTEVILLE, N.C.

The need for additional staff continues. There has been considerable improvement in recent years, however, there is still a minimum deficiency of 44 positions. These shortages encompass all operating services of the hospital such as social workers, psychologist, physicians, director of voluntary service, technicians, nursing personnel, pharmacists, secretarial and clerical, and administrative.

VA HOSPITAL, NASHVILLE, TENN.

Staffing of 94.0 FTEE totaling $858,000 is required to achieve a 2 to 1 employee patient ratio. We feel this ratio is necessary to render quality patient care and be able to recruit and retain qualified professional staff.

VA HOSPITAL, FRESNO, CALIF.

Additional staffing in both patient care and administrative services to meet the constant demands for timely service and treatment in both inpatients and outpatients is our most pressing need. Our hospital occupancy and turnover rates are both high and we have a constant waiting list. Our patients are older and much sicker, placing increased demands on direct patient care and supportive services. We find ourselves with persistent backlogs in radiology, laboratory, and medical administration, and are now experiencing longer delays in admission processing.

VA HOSPITAL, PALO ALTO, CALIF.

Additional staffing for Nursing Service and additional ancillary staff are needed if we are to maintain a truly effective health care delivery system.

VA HOSPITAL, SAN FRANCISCO, CALIF.

More flexibility in spending our budget is desired. The elimination of personnel ceiling control in favor of dollar control is one example. Controls such as grade deescalation hinder our ability to recruit and retain high quality personnel.

VA HOSPITAL, DENVER, COLO.

Relief is needed from unilateral administrative restrictions, imposed by higher authority, that have no relationship to our primary mission—patient care.

VA HOSPITAL, SPOKANE, WASH.

Presently the core staffing ratio of this hospital is approximately 1.34 employees per patient. Therefore, about 30 additional FTE are required in order to achieve the minimum standard ratio of 1.5 which has been accepted by the Veterans Administration as being essential to provide efficient and effective medical care of a high quality.

VA HOSPITAL, SEATTLE, WASH.

We need to provide more timely medical care to more veterans. Facilities and staff are not large enough for the veteran population of the area. Solutions include provisions of space, staff, facilities, and authorization for additional beds. Improved staffing to service the existing workload.

Mr. BOLAND. Mr. Chairman, I have no further requests for time at this moment.

Mr. TALCOTT. Mr. Chairman, I yield 5 minutes to the gentleman from Iowa (Mr. GROSS).

Mr. GROSS. Mr. Chairman, I rise to inquire, first of all, concerning the footnote to be found on page 17 of the report under the subhead of National Science Foundation, which states, that $19,740,000 has been made available for the purchase of three LC–130 aircraft. What is an LC–130 aircraft?

Mr. BOLAND. Mr. Chairman, if the gentleman from Iowa will yield, LC–130 aircraft are used in the Antarctica by the National Science Foundation, who are responsible for the Nation's scientific research mission on that continent. These aircraft are equipped with skis to land on snow and ice. There were three new ones provided for in a supplemental appropriation passed last fall. Those three aircraft plus two old ones make a total of five aircraft that are used in that operation.

Mr. GROSS. They have a fleet of five aircraft?

Mr. BOLAND. They have a fleet of five ski-equipped aircraft. They also have aircraft which are used to conduct experiments and take samples of the atmosphere in research projects over Boulder, Colo., and Palestine, Tex.

One other plane is leased for use in connection with the radio astronomy facilities at the Greenbank Observatory in West Virginia.

Mr. GROSS. They cannot use charter aircraft for their purposes?

Mr. BOLAND. The charter aircraft do not lend themselves to some of the requirements. For example, it has been testified that to lease planes for the atmospheric program would cost more. The Antarctic planes are not available on a lease basis—they are ski-equipped and have other special equipment.

Mr. GROSS. It is possible to put skis

on any kind of an aircraft, could they not?

Mr. BOLAND. That is true; they could put skis on any kind of an aircraft, but there are other special requirements in the Antarctica operations that can only be met by the ski-equipped LC–130 Hercules.

Mr. GROSS. I do not know that that makes it unique. I do not know of any aircraft that you could not put skis on.

How many other areas within the purview of this appropriation bill have aircraft that they can use for various purposes?

Mr. BOLAND. If the gentleman from Iowa will yield further, the National Aeronautics and Space Administration has a considerable number of aircraft. There are 77 NASA owned aircraft used in connection with aeronautical research and administrative requirements. An additional 22 planes are loaned or leased from the military for other types of research programs.

Mr. GROSS. Those were perhaps the aircraft that ferried some of the Members of Congress down to the rocket takeoffs?

Mr. BOLAND. NASA occasionally uses a relatively small aircraft to carry various people to different NASA installations.

Mr. GROSS. I understand some of the VIP's made the trip on NASA-operated aircraft to the space launchings.

It is interesting to learn that these agencies and departments of Government are going to have their air fleets. Perhaps that will give the military competition in getting around to football games and other events. Does the gentleman think these planes are justified? I guess he does, or they would not be in the bill.

Mr. BOLAND. I think that is a fair assumption. They justified them in their testimony before the committee, and not on the basis of luxury aircraft which they use for VIP purposes. I do not think NASA uses many of its own planes to ferry Members or other VIP's to launchings.

Mr. GROSS. The National Science Foundation does not have a representational allowance, does it?

Mr. BOLAND. The National Science Foundation does have a representational allowance of $5,000.

Mr. GROSS. Of about $5,000? We have had the State Department bill, and we will have other bills before us soon with more representational allowances, otherwise known as the booze funds. I hope we can afford all of this.

How about the $28 million in this bill, as I understand it, for the supersonic transport?

Mr. BOLAND. There is not $28 million in this bill for supersonic transport research. NASA requested $28 million for advanced supersonic technology, and the committee reduced that request to $11.7 million.

Mr. GROSS. Why are we continuing this? Do I understand that the military is also in the business of research with respect to the SST?

Mr. BOLAND. The military does fly supersonic aircraft and does do some work in this area; but of course, the primary responsibility for supersonic research is assumed by NASA.

The CHAIRMAN. The time of the gentleman has expired.

Mr. TALCOTT. Mr. Chairman, I yield 3 additional minutes to the gentleman from Iowa.

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

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

Mr. BOLAND. As the gentleman knows, the amount for supersonic research was reduced by $16.3 million. What remains is $11.7 million, the same level as this year, to continue work on supersonic technology and supersonic flight.

Mr. GROSS. I thought Congress turned down the SST.

Mr. BOLAND. We turned down the production and development of the supersonic transport. These funds do not go to the development or the production of a supersonic transport. What they do go to is research in the high atmosphere on the effects of supersonic flight on the atmosphere and on the environment. That is the purpose of these funds.

As the gentleman knows, NASA succeeded NACA, and they have always been involved in aircraft research.

The first supersonic flight was made by the NACA/DOD X–1 aircraft in 1947.

Swept wings were first studied at Langley during World War II.

The concept, analyses, and wind tunnel development of variable swept wings was accomplished by NASA; variable swept wings are, of course, employed on the F–111, F–14, and the B–1.

Mr. GROSS. Did not NASA Administrator Fletcher tell the gentleman's committee that NASA is the only agency qualified to do SST research?

Mr. BOLAND. I am sure he said that. I think perhaps NASA is the only agency qualified to do that particular kind of research.

Mr. GROSS. But the military is also in the business of research for the same purpose.

Mr. BOLAND. If the gentleman will yield further, the gentleman from Indiana did pursue this subject in the subcommittee, and I would appreciate it if he could answer the question.

Mr. GROSS. I appreciated very much reading the colloquy—most of the colloquy—between the gentleman from Indian and Mr. Fletcher, and I believe one or two others, with respect to this subject. I want to compliment him upon the questioning and the information he elicited. It convinced me that the $28 million sought for NASA to continue research ought not to be in this bill in view of the fact that the House turned down by a decisive margin the continuation of the SST.

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

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

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

The gentleman is concerned about the amount which was proposed for SST research and the amount which is finally included in this appropriation bill. Is that correct?

Mr. GROSS. That is right.

Mr. ROUSH. I share the gentleman's concern and I also was concerned, as I know the gentleman is, that we could have duplication of effort and that the military might be conducting similar research, and I was concerned that NASA should go ahead after this body turned down any support for the SST.

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

Mr. BOLAND. Mr. Chairman, I yield the gentleman from Iowa (Mr. GROSS) 2 minutes.

Mr. ROUSH. Mr. Chairman, if the gentleman will yield further, I pursued this following the hearings. I have determined that the Air Force is doing research on the SST and that the research which is done by the Air Force and that which is done by NASA is in a small degree duplicative.

The research being done by NASA has to do with the long range supersonic problems, the cruise problems, and not the other problems. I could give to the gentleman the various categories that the Air Force is involved in. For example they have guidance and control, structural materials, research, survival, the vulnerability, systems studies, demonstration programs, propulsion, and aerodynamics.

They are spending or at least have requested for the 1974 budget $11.7 million in that area. They are spending something like a half million in the same area that NASA is involved in.

What finally satisfied me was the fact that I think if Russia and if England and if France are going to construct supersonic transports and if the military is going to have a supersonic airplane, then we should have some knowledge as to the effect that the supersonic flight will have insofar as our environment is concerned, although I am not fully satisfied with their explanation, and other matters which are not related to the military.

For that reason I will not make a motion to strike the $11.7 million which is finally included in this bill for supersonic research for NASA. This is the same amount that they had last year.

Mr. GROSS. Why not just take out the $28 million?

Mr. ROUSH. I am not sure where the gentleman got the figure of $28 million.

Mr. GROSS. I thought that was the request and that it is in this bill.

Mr. ROUSH. I would say to the gentleman that is the budget request, and the amount in this bill is $11.7 million.

Mr. GROSS. And the gentleman is going to move to strike that?

Mr. ROUSH. No, I said I am satisfied I should not do that because I think we should have some research.

Mr. GROSS. Why not let the British and the French and the Russians for once demonstrate whether or not they can produce a supersonic plane that will stay in the air. The Russians have not demonstrated that.

Mr. STRATTON. Mr. Chairman, if the gentleman will yield, the gentleman knows that he has pointed to the countries who are developing supersonic transports. It is estimated that a few of these planes flying in any part of the world could destroy the ozone in the world.

Mr. GROSS. The gentleman will use all my time. I have never been impressed with that ozone argument. I am impressed with the fact that we do not have any money to throw down the drain on a supersonic transport experiment.

Mr. STRATTON. We need the money to protect ourselves.

Mr. GROSS. What does the gentleman mean, we need the money to protect ourselves?

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

Mr. Chairman, I would like to make it clear that the money in this bill for supersonic transport is not for development nor for the purpose of initiating development of any supersonic transport, contrary to any prior action of the Congress.

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

Mr. Chairman, in the report of the committee on page 15, relating to the National Aeronautics and Space Administration, the second paragraph from the end indicates, and I read:

The Committee recommends $11,700,000 to continue development of the technological base for supersonic flight at the more reasonable 1973 level of effort. No funds are requested to initiate the development of an SST, or in any way commit the United States to such a development.

Mr. TALCOTT. Mr. Chairman, I yield 2 minutes to the gentleman from Virginia (Mr. PARRIS).

Mr. PARRIS. Mr. Chairman, in the interests of legislative and congressional intent and legislative history, on the subject just being discussed, calling attention specifically to title 2 under NASA appropriations, I would like to address a question to the committee.

It is my understanding that of the $28 million which was requested in the budget for supersonic flight technology, which incidentally, does not mean SST, that that figure was reduced by the committee to $11,700,000. As I further understand it, the report of the committee urges the administration to continue the terminated programs to develop nuclear propulsion systems, QUESTOL, and REFAN programs that were previously not being continued.

Calling attention to the report on page 15, it says:

In the area of aeronautics research, the budget proposes further development of jet engine noise abatement technology, continued research in advanced supersonic technology, and pursuit of basic research in materials, structures, propulsion, and other efforts to expand the research and technology base for future use.

On page 16, it says:

To insure American competitiveness in this largely underdeveloped area of commercial aviation, the committee urges that the development of the QUESTOL be continued.

Therefore, as I understand the situation, there are some $13 million of unreprogramed funds which NASA can apply as the result of the net reduction from the supersonic technology request.

My question to the committee is: Is it the intent of the committee that this money be applied by NASA, at least in large part, to the QUESTOL and REFAN programs?

Mr. BOLAND. Mr. Chairman, the gentleman has read from the report, and it is the expressed intention of the committee that NASA use the funds which will have been saved from reductions in other programs to pursue those programs the gentleman has mentioned that are included in the report.

I know the gentleman serves on the authorizing committee for NASA, and I am aware of his deep concern over what has happened to the QUESTOL program.

Funds were appropriated last year for QUESTOL. I would hope that the administration and NASA would use the moneys that have been provided to fund programs that the authorizing committee and appropriating committee and many of the Members of the Congress are interested in.

Mr. PARRIS. Mr. Chairman, I congratulate the committee on that position.

Mr. BARRETT. Mr. Chairman, I would like to insert in the RECORD a brief study by Mr. Henry Schechter, senior housing specialist of the Library of Congress, of the impact of the subsidized housing moratorium upon future housing starts. It is a most impressive study and should be carefully read by all Members:

IMPACT OF THE SUBSIDIZED HOUSING MORATORIUM UPON HOUSING STARTS

(By Henry B. Schechter)

NATURE AND TIME SPAN OF THE MORATORIUM

On January 8, 1973, then Secretary of Housing and Urban Development, George Romney, announced that there would be no new approvals for subsidized housing until further notice. He also indicated that this moratorium would last for 18 months by stating that the pipeline of approved application and commitments would maintain the level of subsidized housing starts at about the expected (calendar year) 1973 level through fiscal year 1974, or for the next 18 months. An announcement a day later from the Department of Agriculture placed the subsidized housing program of the Farmers Home Administration under a similar suspension.

The appearance toward the end of January 1973 of the President's budget for fiscal year 1974 confirmed the intention that there should be an 18 month moratorium on new approvals under the subsidized housing programs. It showed no new reservations during fiscal year 1974 for contractual housing authority in support of new housing units under the HUD rent supplement, Section 235 and Section 236 programs, and no new preliminary approvals for public housing. A similar 18 month suspension is indicated by no fiscal year 1974 provision for subsidized rural housing loans under the Farmers Home Administration program.

Subsequent statements by the present Secretary of HUD, James Lynn, have indicated that the moratorium may not last for 18 months. It has been announced, in fact, that the HUD revaluation studies of housing programs are to be completed by September 7, when the President is to submit his housing policy recommendations to the Congress.

Recommendations would have to be followed by more definitive legislative proposals, which probably would reach Congress during the last two or three months of the year. Legislative hearings and action on bills containing the Administration recommendations by the appropriate subcommittees and committees of the Congress probably could not be completed during 1973. It would probably be a few months into calendar year 1974, therefore, before bills would be reported out by committees, debated and passed by both the House and Senate of the Congress. Considering the possibility, also, of the need for a House-Senate conference, it might be within a month or two of the end of fiscal year 1974 before legislation authorizing new or significantly modified subsidized housing programs would be enacted.

Judging from past experience, the new legislation will not result in any significant volume of housing starts in calendar 1974, whether it is enacted in March, April, May or June of that year. It takes months for agencies to prepare and issue regulations, and for housing sponsors and developers to learn them, prepare plans, obtain land, arrange financing, file applications and receive approval.

The Section 221(d)(3) Below Market Interest Program was enacted in June 1961, but it resulted in only 3,000 unit starts in 1962 and 7,800 in 1963. Following the enactment of the Section 235 and 236 programs in the Housing and Urban Development Act of 1968, which was approved August 1, 1968, during the first six months, 1,400 units had been started under the Section 235 program and none under the Section 236 program. At the end of 12 months after the President had signed the 1968 Act, about 10,000 units had been started under Section 235 and about 1,300 units under Section 236.

On the basis of past experience, it is assumed (1) that new legislation would be enacted in the spring of 1974, and (2) that housing starts pursuant to that legislation would be of negligible proportions in calendar year 1974. The effect of the moratorium upon housing starts during calendar years 1973 and 1974, therefore, is dependent upon the volume and timing of starts that will be forthcoming from the pipeline of approvals and commitments under present programs made prior to the January 1973 initiation of the moratorium.

THE LEVEL OF SUBSIDIZED STARTS

The level of actual subsidized new housing unit starts for fiscal and calendar years 1972, and the estimated levels for fiscal and calendar years 1973 and 1974, under the various programs are shown in the table appended to this memorandum.

Fiscal year estimates are all based on data published by HUD and Farmers Home Administration. A check of prior and projected starts under the HUD rent supplement, Section 235 and Section 236 programs against the cumulative number of program unit reservations indicates that, with due allowance for existing and rehabilitation units, the starts to be made through the end of fiscal 1974 will exhaust the approved applications pipelines.[1] There will be no starts or relatively few starts under these programs from the premoratorium pipeline after June 30, 1974. New starts will probably come to a practical halt sooner under the Farmers Home Administration program, for which only 12,000 unit starts are estimated for all of fiscal year 1974. Even if the HUD starts projections for fiscal 1973 and 1974 are somewhat optimistic, the spillover beyond June 30, 1974 would be relatively minor. Starts from the pipeline backlog under public housing are likely to be of measurable, though reduced volume after fiscal 1974, due to the long processing time between prior approval and starts, including about 30,000 units to be placed under annual contributions contracts in fiscal year 1974.

The actual starts for calendar year 1972 and the estimates for calendar year 1973 are from published HUD tables (except for a minor adjustment of the Farmers Home Administration figure to eliminate a minor proportion representing rehabilitated units from the number published by HUD). The estimates for calendar year 1974 are judgements by the writer of this memorandum based on an examination of the detailed program data shown in the appended table, and the unit reservations data mentioned above. If the moratorium is continued into the

[1] Basic data are to be found in Summary of the HUD Budget, Fiscal Year 1974.

spring of 1974, the actual and estimated total Federally subsidized housing starts for the fiscal and calendar years would be as follows:

| Year | Fiscal | Calendar |
|---|---|---|
| 1972 actual | 388,711 | |
| 1972 actual | | 330,869 |
| 1973 estimated | 281,450 | |
| 1973 estimated | | 279,900 |
| 1974 estimated | 200,200 | |
| 1974 estimated | | 100,000 |

The most significant element in producing year-to-year declines in the above annual starts totals is the relatively rapid decline of starts under the home ownership programs, the HUD Section 235 program and to Farmers Home Administration subsidized programs. The latter are almost wholly in assistance for home ownership. Unlike multifamily projects, there is a relatively short lead time between application approval and start of homes, and the backlog of unstarted units covered by approved applications is relatively small. Therefore, the calendar 1973 volume of starts under these programs may be about half of what they were in calendar 1972. The calendar 1974 starts volume under these programs is estimated at zero based on the fact that the fiscal year 1974 starts levels for these programs are estimated at 16,000 under Section 235 and targeted at 12,000 (low-income starts) by Farmers Home Administration. Such small numbers of starts would be made during the first half of the fiscal year (July-December, 1973), leaving none to be made in the second half, which is in calendar year 1974.

For rent supplements and Section 236 units it has been assumed that approximately one-half of the fiscal 1974 estimated starts will be started in the first half (during calendar 1973) and one-half in the second half (during calendar 1974).

A greater proportion of estimated fiscal year 1974 public housing units are estimated to be started in calendar 1974 because of the greater processing time under that program than under 236.

THE IMPACT UPON TOTAL HOUSING STARTS

In calendar year terms, the reduction in subsidized housing starts from the 1972 level, according to the above estimates, would be about 50,000 units in 1973 and 230,000 units in 1974. In comparison with a total starts level of about 2,375,000 in 1972, the subsidized housing starts decline, by itself would represent about 2 percent and 10 percent respectively, in 1973 and 1974 from the 1972 level.

The decline in subsidized housing construction is occurring, however, at a time when a major cyclical decline in unsubsidized housing apparently has begun. The seasonally adjusted annual rate of private housing starts has declined for three consecutive months ending with April. It declined from 2.5 million in January to 2.1 million in April, or approximately 16 percent, reflecting primarily private market forces.

Indications are that the decline will continue. There were an estimated 1,625,000 housing units under construction at the end of March, 24 percent more than a year earlier. There was a significant reduction in the monthly number of new housing units authorized by building permits issued in April. The rental housing vacancy rate for the first quarter of 1973 was 5.7 percent, up from 5.3 percent a year ago. Sales of new homes have been slowing down for several months, and the latest available figures show an inventory of unsold new homes 35 percent greater than a year ago. The median price of new homes sold is at $31,500 almost 15 percent higher than a year ago, no doubt reflecting a 30 percent year-to-year increase in wholesale lumber prices. Effective mortgage interest rates have been edging upward about 7¾ percent, and the latest FNMA mortgage auction prices, plus a continued tight money policy, indicate that 8 percent mortgage interest rates will shortly be prevalent.

A classical cyclical decline in housing construction, such as may last one or two years, seems to be underway. George Christie, the chief economist for the F. W. Dodge construction data firm, recently said "the housing market has nowhere on subsidized housing, and of market forces upon unsubsidized housing can result in drastic declines in housing starts in 1973 and 1974. As compared with 1972, total housing starts may be down 300,000 to 400,000 units in 1973, and 400,000 to 600,000 units in 1974. In terms of residential construction expenditures, the declines could run to $6 to 8 billion in 1973 and $8 to $12 billion in 1974, compared with 1972.

SOME SELECTIVE IMPACTS

The impact of the reduction in subsidized housing starts will be greatest in the moderate-priced bracket of the new homes supply. Data on the price distribution of new homes indicate that only about 12 percent of new homes produced will sell for under $25,000. In 1972, there was a total of 717,000 homes sold (excluding homes built under contract for a specific owner) of which approximately 26 percent or 186,000 were priced at under $25,000.[2] The Section 235 and Farmers Home Administration programs had 175,000 housing starts. While the two figures are not strictly comparable due to a lag between starts and sale, they indicate that with the practical stoppage of subsidized home construction, the supply of new homes at under $25,000 will practically vanish. It requires about a $12,000 income to purchase and carry a $25,000 home under currently available financing terms. About 60 percent of the American families had incomes of under $12,000 in 1971. They would not have any additions made to the supply of homes which they can buy.

A similar impact would occur with respect to the supply of new rental units. The median gross rent among rents charged to some 70,000 families who moved into Section 236 units during the six months ending with March 1972 was $119. For newly completed unsubsidized rental units completed during the same six months the median rent was about $190.[3] A reduction of Section 236 housing starts, thus, eliminates a supply of new rental units for families of limited income, at rents considerably below the rental range of unsubsidized private new housing starts.

[2] Department of Commerce, Department of HUD, "New One-Family Homes Sold and For Sale", December 1972 (C25–72–12), Table 8.

[3] U.S. Department of Commerce/Department of HUD, "Market Absorption of Apartments, 2nd Quarter 1972" Table 2.

FEDERALLY SUBSIDIZED NEW HOUSING UNIT STARTS ACTUAL FOR 1972 AND ESTIMATED FOR 1973 AND 1974, BY FISCAL AND CALENDAR YEARS

[Based on approvals prior to Jan. 8, 1973]

| Program | Actual fiscal year 1972 | Estimated fiscal year 1973 | Estimated fiscal year 1974 | Actual calendar year 1972 | Estimated calendar year 1973 | Estimated calendar year 1974 |
|---|---|---|---|---|---|---|
| Rent supplement | 9,542 | 9,500 | 16,500 | 9,317 | 18,500 | 10,000 |
| Sec. 235 | 111,293 | 67,750 | 16,100 | 83,666 | 43,700 | 0 |
| Sec. 236[1] | 130,675 | 90,000 | 121,900 | 106,538 | 103,300 | 60,000 |
| Public housing | 51,902 | 57,000 | 53,000 | 37,756 | 61,400 | [2] 30,000 |
| Sec. 202 | 202 | 200 | 200 | 192 | 200 | 0 |
| Sec. 231(d)(3) BMIR | 3,249 | 3,000 | 500 | 962 | 5,300 | 0 |
| HUD subtotal | 306,863 | 227,450 | 208,200 | 238,431 | 232,400 | 100,000 |
| Farmers Home Administration | 81,848 | 54,000 | 12,000 | 92,438 | 47,500 | 0 |
| Total | 388,711 | 281,450 | 220,200 | 330,869 | 279,900 | 100,000 |

[1] Includes uninsured State program projects receiving 236 subsidy funds.

[2] Reflects the fact that about 30,000 public housing units for which commitments had been made in earlier years are first expected to be placed under contracts for annual contributions in fiscal year 1974 due to technical and processing reasons.

Sources: Fiscal years—HUD programs from Summary of HUD Budget Fiscal Year 1974, exhibit V. Farmers Home Administration data from HUD tables of Mar. 30 and May 7, 1973 on U.S. Housing production for 1971–72, and from Farmers Home Administration monthly Program Attainment Reports for 1973. Calendar years—HUD tables of Mar. 12, 1973 and May 7, 1973 for 1971 and 1972, except that Farmers Home Administration for 1973 estimated, applying new-to-tota. (new plus rehabilitated) ratio of starts for 1972 to estimated total for 1973. Estimates for 1974 are totally judgemental and in terms of magnitudes, based on other figures in this table, plus data on reservations which indicated that for most HUD programs starts through fiscal 1974 (i.e. June 30, 1974) would absorb all outstanding reservations.

Mr. DORN. Mr. Chairman, I want to particularly commend the Subcommittee of HUD, Space, Science, and Veterans for the exhaustive review they conducted this year into the VA appropriation request for fiscal year 1974. A review of these hearings reveals the extensive and searching questions which the subcommittee members propounded to VA officials concerning the adequacy of the appropriations request. This extensive probing, Mr. Chairman, was not only appropriate but especially necessary in view of the growing complaints among veterans, their families, and indeed many VA hospital directors who have indicated that funding for VA hospital and medical care activities appears wholly inadequate to meet the needs of America's sick and disabled veterans.

The Appropriations Committee and its staff conducted extensive field investigations and developed a report on certain inadequacies which were detected in the Veterans' Administration hospital and medical program. There has been an attempt by VA spokesmen to refute the findings of the Appropriations Committee, but we find that the information developed by the Appropriations Committee is entirely consistent with the findings of the House Veterans' Affairs Committee. The Appropriations Commit-

tee is to be commended for the efforts it exerted in developing these facts. I concur with the approach the Appropriation Committee has taken in handling the budget of the Veterans' Administration hospital and medical program. I certainly do not suggest that the Appropriations Committee should attempt to force money on the agency when it protests that additional funds are not needed. I believe agency spokesmen are wrong and the findings of the Appropriation Committee confirms this. But be that as it may, the Appropriations Committee has granted the full request of the Veterans' Administration for its medical programs, and has added $14 million additional to strengthen nursing care at the ward level.

In addition, the Appropriations Committee has opened the door and invited the Veterans' Administration to take a realistic look at the problem and to face its inadequacies and come forward with requests for funding which will permit the agency to make good its commitment to provide quality care for the Nation's veterans. There is no doubt in my mind that had the Veterans' Administration spokesmen been candid with the Appropriations Committee and discussed their problems freely and outlined for the committee the purposes for which they intended to use $173 million that was cut out of the agency's request, that the Appropriations Committee would have been most sympathetic. It is understandable, however, that in the face of the repeated denials that no bona fide needs exist and assertions that all eligible veterans are being properly taken care of, and that no additional funds could be put to proper use, that the Appropriations Committee is reluctant to provide funds over the protests of the agency. The chairman of the Appropriations Committee and its staff has been most cordial and cooperative with the Committee on Veterans' Affairs, and there is not the slightest doubt in my mind that the Appropriations Committee desires to support a high quality medical program, but I must say that some additional cooperation is needed from the administration if we are to get at some of the vexing problems which confront us.

For several years there has been a systematic attempt to reduce operating beds and the average daily patient census in VA hospitals. For the past two fiscal years, the Congress has established by law minimum operating bed and average daily patient census levels in order to insure that all qualified veterans in need of hospital care would have the necessary VA hospital facilities to accommodate their medical needs. For 2 consecutive years, the numerical levels of the average daily patient census and operating beds have been established by Congress for the VA hospital system, and these levels have been ignored by the Administrator of Veterans' Affairs apparently due to arbitrary guidelines imposed upon the VA.

In two separate opinions, the Comptroller General has stated that the VA did not comply with the provision of law in reference to the maintenance of minimum average daily patient census levels and hospital operating bed levels.

Specifically, in passing the Appropriations Act for fiscal year 1973—Public Law 92-383—Congress directed that the VA maintain a minimum ADPC of 85,500; a minimum hospital operating bed level of 97,500 and an overall staff-patient ratio of 1.49 to 1. To accomplish these levels of care, Congress appropriated over $2.6 billion in fiscal year 1973 for medical care, which was $54,580,000 over the President's budget request for this item. These additional funds were to provide over 3,700 additional medical staff positions in VA hospitals. However, in the OMB apportionment process, the required additional personnel ceiling to employ these 3,700 individuals was not allocated to the VA by OMB. Thus, the additional funding intended by Congress to increase hospital staffing was not used for that purpose and the congressional mandate pertaining to average daily patient census and operating beds was not adhered to as Congress had directed.

Mr. Chairman, on October 24, 1972, President Nixon stated:

> This Nation has a profound commitment to our 29 million veterans, and I pledge that we shall serve them as well as they have served us.

In the same message, he stated:

> We can never fully repay in dollars, in training and in medical services the patriotic sacrifices of the American veteran.

The reluctance of the Administrator of Veterans' Affairs to use appropriated funds to provide the highest quality medical care possible could negate the President's commitments to care for the medical needs of America's sick and disabled veterans.

Admissions to VA hospitals have been limited by a predetermined average daily patient census level. A 2,000 per day patient reduction in this level is recommended by the administration in their budget presentation for 1974. It is, therefore, clear that these limits play a large role in determining the admission policies of VA hospitals.

There are other areas of equal concern in the VA hospital system which appear to need improvement. These include better staffing especially during night shifts, weekends, and holidays; better staffing support coverage in order to provide 24-hour hospital coverage to insure prompt treatment and care; better staffing and more adequate space to deal with increasing outpatient care loads; relaxation of rigid personnel ceilings and average grade level policies; improvement in emergency care capability; additional resources for medical research and medical education; and upgrading or replacement of equipment and physical facilities in a number of VA medical hospitals and clinics.

Mr. Chairman, in view of the fact that the administration has impounded almost $65 million in VA medical care funds for fiscal year 1973, it appears useless for Congress to attempt to increase medical funding levels for the forthcoming fiscal year even though the committee hearings clearly indicated more funding is needed. In voting for the budget requested by the President for VA medical care in fiscal year 1974, I want to make it clear that I believe the funding and staffing levels are inadequate. From past history, it is apparent that any additional funds which Congress might add would either be impounded or reprogramed for purposes other than those intended by Congress. I certainly hope that the President will personally instruct those in his administration to immediately review the VA budget for fiscal year 1974 and at the earliest practical date present to the Congress a supplemental funding request to meet the true needs of America's hospitalized veterans. I believe that there is no question that the Congress will favorably entertain consideration of future justified proposals which the administration may submit for the forthcoming fiscal year to supplement the medical care appropriation provided by this bill.

Mr. Chairman, I want to make it very clear that Congress has given its full support to the President's budget request for 1974. Congress has acquiesed to the President's request that minimum patient census and operating bed levels be deleted from the law. In so doing, Congress is relying on the commitments the Administrator of Veterans' Affairs made to the Appropriations Committee that if more resources are needed to meet the demands for veterans medical care, he will seek them. I, therefore, want it very clearly understood that it is incumbant upon the administrator that the VA medical system operate during fiscal year 1974 in the manner that he assured the Appropriation Committee it would. If the administrator finds that he lacks the resources to properly carry out this mission, it is incumbant upon him to come to the Congress and ask for the additional funding and manpower he needs.

There is not the slightest doubt in my mind that the American public expects its sick and injured servicemen to receive the very best quality medical care, and I think the American taxpayer will gladly bear this responsibility with the same dignity that our servicemen have borne the battle. I serve notice here and now that the Committee on Veterans' Affairs will continue to insist that America's obligations to its veterans will be met insofar as the Congress is concerned, and I expect the Administration to do no less, In this connection included is a letter I wrote to the President on this subject:

APRIL 19, 1973.

Hon. RICHARD M. NIXON,
*The President,*
*The White House,*
*Washington, D.C.*

DEAR MR. PRESIDENT: On April 2, 1970, you issued a statement on Veterans Medical care which in part stated . . . "For a number of years, the Veterans Administration hospital system has been experiencing increasing difficulties in providing a full range of services for the care of sick and disabled veterans. As a result of past decisions, the ability of the VA hospital system to meet future needs has been seriously impaired. Action must be

taken now to insure that eligible veterans will receive the medical care they require."

In that same message you stated "To those who have been injured in the service of the United States, we owe a special obligation. We, as a people, have commitments to our veterans, and we shall fulfill them."

I know, Mr. President, that you have a deep personal concern for the welfare of all of our Nation's veterans, especially those in need of medical care. However, I must tell you that the needs of the VA hospital system at this time are as critical now, if not more so, than in April of 1970. Despite my persistent efforts in urging corrective measures, the Veterans Administrator and the Director of the Office of Management and Budget are ignoring provisions of law passed by the Congress and signed by you. I have asked the Comptroller General to review the situation and he confirms that the Veterans Administration has not complied with the provisions of the law. The failure to provide the level of care directed by law and to utilize appropriated funds threatens to relegate medical care in our veterans' hospitals to second rate status.

On October 24, 1972, when you signed two bills dealing with veterans' affairs, you issued a statement which, in part, read, "This Nation has a profound commitment to our 29 million veterans, and I pledge that we shall serve them as well as they have served us." In the same message you stated, "We can never fully repay in dollars, in training and in medical services the patriotic sacrifices of the American veteran."

Mr. President, the action of the Administrator of Veterans' Affairs and the Director of the Office of Management and Budget in failing to use appropriated funds to provide quality medical care for veterans undercuts your commitments.

Congress has made the necessary financial resources available to avoid the crisis which the Veterans Administration medical system is presently facing. However, the Administrator of Veterans' Affairs is not utilizing over $54 million which was voted in the Appropriations Act of 1973 (Public Law 92–383) to meet critical staffing and funding requirements in the 168 VA hospitals.

While the Office of Management and Budget and the Veterans Administrator contend that the need is being met; that staffing and funding is adequate; and that additional funding is not required; surveys conducted by this and other Congressional Committees, including the House Appropriations Committee, contradict statements by the Veterans Administrator that funding and staffing is adequate. We are confronted with a rising tide of complaints that medical services are inadequate and deteriorating.

I respectfully call your attention to House Veterans' Affairs Committee Print 9, which is enclosed. This document represents a compilation of important up-to-date data concerning VA hospital operations. The information contained therein came directly from the directors of each hospital and clinic in the VA hospital system. There is irrefutable evidence in this document of the need for additional funding and staffing as set forth by these VA hospital directors who, daily, must meet crisis after crisis in an effort to render something approaching respectable hospital and medical care for the ex-servicemen of this country. As part of this latest Committee survey, all hospital and clinic directors were asked to tell the Committee of their three most pressing problems. Briefly, these observations tell the story.

1. The Veterans Administration badly needs the release of $54 million in present operating funds which are being withheld because of artificial and arbitrary budget constraints.

2. Staffing of the VA medical system ranges from one-half to one-third less than what is realistically needed in order to render proper medical care. (In responding to questions before the House Appropriations Committee, the Chief Medical Director stated that more than one-half of the 168 VA hospitals do not meet the Core staffing requirements set by the VA itself as a criteria for rendering proper and timely medical care in their medical facilities.)

3. Arbitrary restraints of employment and promotion freezes, grade deescalation programs, and personnel ceilings substantially restrict the directors to manage effectively and provide proper care.

For your immediate reference, I have extracted from the enclosed Committee Print observations of about twenty hospital directors which will provide you with an insight to their current dilemma.

There is in excess of $100 million in deficiencies for needed funding for dental backlogs for Vietnam veterans, and equipment needs for modern treatment modalities. In addition, the Office of Management and Budget arbitrarily reduced the 1974 budget request of the Veterans Administration by approximately $91 million for increased staffing. If these funds had been left in the budget, the staffing ratio of the VA Hospital system would have been improved from 1.49 to 1.59 staff to patients. The average private sector hospitals ratio ranges from a minimum of 2.6 to about four hospital staff personnel per patient. We realize that VA hospitals and private hospitals are not comparable in every respect; nevertheless, the wide disparity in staff-patient ratios is, in my view, indefensible.

I have written to you personally because I believe you should have personal knowledge of these urgent problems. In good conscience, I do not believe that either the Executive Branch or the Legislative Branch can abandon the sick and disabled veterans of this country by allowing the VA medical care program to deteriorate further. There is not the slightest doubt in my mind that the American public expects its injured servicemen to receive the very best quality medical care, and I think the American taxpayer will bear this burden with the same dignity that our servicemen have borne the battle.

Specifically, Mr. President, I urge that action be taken to release the $54 million immediately, since less than 2½ months remain in the fiscal year. I expect to exert efforts in the Congress to achieve a satisfactory funding level for FY 1974, and I believe the Appropriations Committee will support this effort. Your cooperation, Mr. President, is essential if we are to succeed in our efforts to protect the quality of care to veterans.

With warm personal regards, I am.

Sincerely yours,

WM. JENNINGS BRYAN DORN,
*Chairman.*

Mr. SAYLOR. Mr. Chairman, I rise in particular support of that portion of this measure that relates to funding of the Veterans' Administration for the next fiscal year.

I express this support with some reluctance. Mr. Speaker, because I do not believe this is enough money. As the ranking Republican member of the Subcommittee on Hospitals of the Committee on Veterans' Affairs, I am, of course, intensely interested in the funding of the hospital program. Members who have been here for any length of time will recall that every year the Office of Management and Budget and its predecessor agency, the Bureau of Budget, reduce the request of the Veterans' Administration for funds needed to operate the agency.

Then, the Administrator in robot like fashion, adheres to the party line laid down by OMB, and absolutely insists that the amounts requested are adequate, and he would not know what to do with more money if we gave it to him.

Each year, Mr. Chairman, either through amendment from the floor or, more recently, through committee action, we have increased the funds requested for medical care, and literally, saved the life of the hospital program.

I have examined this year's budget document, Mr. Chairman, and I find that the Chief Medical Director of the Veterans' Administration asked for $2,829,408,000 for medical care. The Office of Management and Budget reduced this amount to $2,656 million a reduction of $173,408,000. Now who, Mr. Chairman, is better qualified to determine whether or not the Veterans' Administration hospital system requires this $173 million—the Chief Medical Director or the faceless laymen of OMB? I for one would rely on the Chief Medical Director's word.

This year, the Appropriations Committee has almost accepted the OMB figure for veterans' medical care, having added some $14 million for the hiring of nurses and other medical staff engaged in patient related activities.

Despite this seeming acceptance of the OMB recommendation, it is obvious that the committee shares my skepticism that the Veterans' Administration can operate a full scale medical program for all the eligible veterans requiring medical care on the funds requested. They have in the language of the report left the door open for a request for justifiable supplemental funds should this need arise.

Mr. Chairman, I commend the committee for its insight into the matter of funding the operations of the Veterans' Administration medical program. I shall support the committee's recommendation.

Mr. DULSKI. Mr. Chairman, I rise in support of the appropriation bill as reported by the committee.

In particular, I am in full support of the recommendation for the increase in funds to cover the urban renewal transition.

There are worthy projects underway across the country, including my home city of Buffalo, which we cannot afford to have interrupted. Worthy projects require extensive planning and contain commitments effecting many other community projects.

I recognize the need for taking a fresh look at Federal aid programs from time to time, but it is also necessary that we take into full consideration the effect of changes in program procedures in midstream.

I have had continuing reservations about the changeover to Federal revenue sharing and my worst fears appear to be coming to realization.

In Buffalo, we have a need for $8 million additional to complete the 10-year-old waterfront redevelopment project and the administration's proposal for transition would make no allowance for filling this vital need in our overall urban redevelopment program.

Mr. Chairman, I support the committee bill, and I hope the House will approve the recommended $600 million for urban renewal transition.

Mr. ALEXANDER. Mr. Chairman, I am pleased to join my distinguished colleague, the gentleman from California (Mr. HANNA), in proposing this amendment to raise the funds for planning activities by local, areawide and State agencies to the level requested by the President and as authorized in House Joint Resolution 512—$100 million.

At a time when we, as a nation, are becoming increasingly conscious of the need for wise land use, such planning activities are vital to the orderly growth and development of all areas. The funds, which are provided under section 701 of the Housing Act of 1954, are the basic source of assistance to the state and local officials who are attempting to increase and improve their capabilities for planning and management.

Evidence of the necessity of this increased appropriation, above that proposed by the committee, is the fact that the needs expressed by local, State, and area officials is outrunning the funds available to them. In addition, the administration, increasingly has moved in the direction of requiring small communities to compete with their larger neighbors for what funds are appropriated.

To briefly demonstrate the expanding use of such funds let me illustrate with some statistics on Arkansas, and the First Congressional District, which I represent. In fiscal year 1972 the allocation for all of Arkansas was $1,062,730. Already in fiscal year 1973 it has risen to $1,359,000. In fiscal year 1972 the funds used by the two regional planning and development districts which serve the First Congressional District totaled $100,892 and, thus far in fiscal year 1973 it has reached $93,500.

Even a quick and simple mathematical calculation will amply demonstrate, given the procedure under which this program operates, that such a drastic reduction of funds as would be the result of the committee's proposal would have a severe, adverse effect on planning efforts across the Nation.

As I have frequently pointed out in this Chamber, it is essential that increased, comprehensive growth and development take place in the Nation's countryside. Such activities are vital to our national effort to provide healthy, safe and attractive places to live and work to the millions who make the United States their home.

It is equally important that the growth and development of the countryside be achieved through properly planned and wisely developed use of our community, regional, and State resources. Without the funds which would be provided under section 701, many of the errors which have occurred in our city and metropolitan area development are all too likely to be repeated in the countryside.

For these reasons, I urge that the House approve this amendment to increase the section 701 planning and management funds from the $25 million proposed by the committee to $100 million.

Mr. LEHMAN. Mr. Chairman, I rise in support of H.R. 8825, the HUD-Space-Science-Veterans' Appropriations Act for fiscal 1974.

Mr. Chairman, our Federal housing programs have filled a great need in south Florida. However, the problem of providing decent housing for all of south Florida's people is far from being solved. Right now, there are over 64,000 people in Dade County alone on the waiting list for public housing. Over 15,000 of these people are older Americans. An estimated 90,000 households have incomes low enough to make them eligible for public housing.

Dade County is presently operating approximately 35 public housing developments, providing homes for over 29,000 people, almost 5,000 of whom are elderly persons.

In south Florida, seven section 236 projects comprising some 1,100 units, on which processing had not been completed, were deferred by the moratorium, as were an additional 12 projects containing about 1,500 units, which had been preliminarily submitted for approval. Approximately 3,000 section 235 projects were expected to be begun in 1973. As a result of the moratorium, 5,600 units in south Florida were not begun. It is estimated that south Florida needs between 5,000 and 6,000 section 235 homes for the next 5 years to satisfy the housing needs of the less affluent.

Other housing programs have also been important to my area. Under the rehabilitation loan program, 691 dwellings have been rehabilitated to date in Dade County, leaving 10,000 dwellings still in need. In 1973–74, 175 dwellings were scheduled for rehabilitation.

The President's budget message on housing was, needless to say, a shock to my district. Dade County was scheduled for a loss of $5.6 million for the neighborhood Development Program, $2 million in modernization funds, $1 million in operating subsidies, and $12 million in monies withheld for the housing unit allocation.

In light of the problems and needs I have indicated above, I am pleased with the decision of the committee regarding the Nation's housing programs. For fiscal year 1974, $221 million would be available for section 235 home ownership assistance, compared to $170 million in fiscal year 1973; $171 million would be available for section 236 rental housing assistance, which is just slightly lower than the $175 million of fiscal year 1973; $100 million would be available for housing programs for the elderly and handicapped.

I commend the committee on this bill, and I urge my colleagues' support for it.

Mr. CRONIN. Mr. Chairman, I rise in support of the appropriation bill H.R. 8825 which funds the Veterans' Administration. There are few groups as deserving of government support as the veterans who have served our country loyally and willingly throughout our history. I have long supported veterans' programs as one way in which the American people can show their gratitude and appreciation for the services the veterans have provided. I urge rapid passage of the full appropriations for the Veterans' Administration.

Mr. FUQUA. Mr. Chairman, the task assigned by the American people to the Veterans' Administration is as difficult and demanding today as at any period in our history. Men who served their country in other wars have been joined by the ranks from Southeast Asia and this has placed a tremendous load on the work of the VA.

From my experience, they are doing an outstanding job in carrying out that mission. The appropriation which is recommended here is a sound one and deserves passage.

I would like to comment on just one phase of that budget. While not a very large item when the entire budget is considered, it is tremendously important to the veterans in Florida.

This is an item of $200,000 which will be used to finalize plans for an addition to the VA Hospital at Gainesville, Fla.

This is a relatively new facility, dedicated some 6 years ago and already in the forefront of VA medical centers. The reason for this excellence is because of its association with the J. Hillis Miller Medical Center of the University of Florida.

This addition is desperately needed if this institution is to fulfill the aspirations we have for its future.

I commend this particular appropriations bill for passage and express my appreciation to the committee for the soundness of their judgment in including this item in that measure.

Mr. PRICE of Illinois. Mr. Chairman, the community development of our Nation's cities is a problem that has long been with us. Program after program has been developed to better plan, analyze and revitalize our urban communities. It has been the professed goal of the Federal Government to strengthen the cities.

This goal has been approached in several ways over the years. Today, the approach is to place program responsibility with those who must live with the problem; that is, community responsibility for community problems.

The current administration has determined that present programs have not been effective in helping cities cope with their massive problems. As a result, most of the programs are soon to be abolished. At this time I will not argue the viability of such programs. I will not discuss their achievements or effectiveness, I will only pose one question: What is going to take their place?

The administration's answer to this question is special revenue sharing. The administration will give Federal money to local governments reorganizing the present system of categorical grants. The problems of community development will be placed in local hands. Yet this is just a legislative proposal as yet unapproved or accepted by the Congress. Even if approved, it would not take effect until fiscal year 1975 at the earliest. What is to happen in the meantime? The administration speaks of community development but it speaks with words, not with dollars. In the interim period there is not enough money to maintain present funding levels. Community development projects will starve from lack of funds. The problem solving machinery that was

set in motion will stop. Death by strangulation; no money.

Funds are needed to maintain present programs until proper detailed examination determines their future. Although the administration claims that over $5 billion are available to continue programs during this transitional phase, the National League of Cities cannot seem to find it. In accordance with regular grant-in-aid procedure established by the Federal Government this money has already been allocated for fiscal year 1973. The funds needed for fiscal year 1974 are nonexistent. The $5 billion pipeline is a phantom, a phantom that will destroy the hard sought machinery designed to cope with community development problems.

Therefore I strongly urge the adoption of the pending amendment increasing funds for urban renewal. This action will help maintain our cities in this limbo period of shifting community development programs.

Mr. BINGHAM. Mr. Chairman, I am gratified to note that the appropriation bill (H.R. 8825) currently before the House contains $5.1 million for the first stage of construction of a new veterans' hospital to replace the antiquated and inadequate facilities of the present Bronx Veterans' Hospital. The new hospital will be built on the same grounds as the current one, and is certainly long overdue.

The existing Bronx Veterans' Hospital was constructed way back in 1902 as an orphanage, not as a hospital. It was later converted to use as a hospital, but it has suffered considerably from the fact that the original facilities were not designed for hospital use.

Despite the hardships imposed by an inadequate physical plant, the Bronx Veterans' Hospital has become an excellent research, teaching, and practicing hospital, offering a full range of hospital services of high quality. Its excellence is due in large part to capable and dedicated staff, and to the hospital's affiliation with Mount Sinai School of Medicine.

Mr. Chairman, I note with some concern that in the same paragraph of the committee report, mention is made of possible use of St. Albans Hospital as a veterans' facility. Noting that the new Bronx hospital will cost an estimated $86,000,000, the committee directs the Veterans' Administration to "carefully reexamine the possibility and feasibility of utilizing the St. Albans Naval Hospital," which has recently been scheduled to be closed by the Department of the Navy. The committee report seems to imply that in some way St. Albans might be a substitute for the new Bronx hospital, though there is no discussion or mention whatever of St. Albans in the committee hearings on this legislation.

Mr. Chairman, I am all for keeping St. Albans Hospital open, but there is simply no reasonable comparison between the proposed new Bronx hospital and St. Albans. The new Bronx hospital will have 800 beds and full inpatient hospital facilities. An on-the-spot study already made by the Veterans Administration shows that St. Albans would have to be completely renovated before it would be of any use as a veterans' facility, and that such renovation would cost 80 to 90 percent of the cost of new construction. Furthermore, the capacity of St. Albans after renovation would be only about 400 beds. Whereas there is room on the Bronx site to build the new hospital without disturbing operation of the existing one, there is not sufficient room on the St. Albans site for any such new construction.

Furthermore, the very valuable affiliation between the Bronx VA hospital and Mount Sinai School of Medicine, which is so helpful to the students and faculty of Mount Sinai and to the veterans being cared for at the Bronx hospital, could not be duplicated with respect to St. Albans because of the considerable distance between them.

Mr. Chairman, I am concerned about the projected closing of St. Albans, which would adversely affect many of my constituents who use that facility, as well as others throughout the New York City area. I have joined in congressional efforts to keep that hospital open and usable in view of the great need for good hospitals. Moreover, I do not rule out its use by the Veterans' Administration. In fact, it seems to me that it might well be taken over and used by the VA for the type of care which is in short supply for veterans in the New York City area—namely nursing home care.

With the 800-bed new Bronx hospital and other existing VA hospitals, the Veterans' Administration feels it will have sufficient inpatient hospital beds to fully serve the 1.6 million veterans in the 10-county New York metropolitan area. Nursing home beds, however, are a different matter.

The Veterans' Administration has termed "woefully inadequate" the 232 nursing home care beds it operates in the New York City metropolitan area. It projects the actual need for nursing home care beds at nearly 800, and considers the alternative of placing veterans in community nursing homes implausible because of the high cost and overcrowded conditions of such homes. It would seem most reasonable and beneficial, therefore, if the Veterans' Administration should actively consider taking over St. Albans and converting it to a nursing home care facility. I certainly support such an action—assuming continuation of Navy operation of the hospital is out of the question—and would hope that the relevant committees of the House and Senate would similarly support it.

Since the new Bronx Hospital will not contain nursing home care facilities, but is designed to meet an entirely different need, such a use of St. Albans would effectively complement the Bronx hospital project.

Finally, Mr. Chairman, I note that the committee expresses its skepticism with respect to so-called incremental funding of projects whereby appropriation of funds is spread out over several years as various stages of construction are completed and additional funds are needed. This is a method of financing commonly used on many Government programs, including military weapons system costing billions of dollars and most hospital construction programs. As Mr. V. P. Miller, Assistant Administrator for Construction of the VA, indicated in the committee hearings on this point, a major study by the Government Accounting Office on hospital construction costs "recommends that under Hill-Burton and other—hospital construction programs—that they go to so-called fast track construction. It is a matter, Mr. Miller says, "of saving time and costs due to escalation."

Mr. Chairman, installment, phased, or so-called fast-track funding are common and proved cost-saving methods of financing hospital construction, and I believe that the Veterans' Administration should be supported in its plans to try such a method in the interests of better care for our veterans.

Ms. ABZUG. Mr. Chairman, on January 5, 1973, in total defiance of the Constitution and laws of the United States, the administration announced the "suspension" of 15 programs in the areas of housing, community development, and community planning and management. Each of these 15 programs was fully authorized under the law, and each had appropriations which had been passed by Congress and signed into law by President Nixon.

Mr. Nixon claimed as his justification that the programs were not working to his satisfaction and should therefore be junked. He cited no convincing evidence to support that allegation, and even if he had, he wholly ignored the basis of our constitutional system of government: The Congress makes the laws. In some cases, but not all, it has the express assent of the President, but that is not an absolute necessity. The President has the responsibility, under the Constitution, to "take care that the laws be faithfully executed." The unilateral action of the administration was in violation of that responsibility and in dereliction of duty. Mr. Nixon may think he can make his words "inoperative," but he has no authority to make the law of the land so. Accordingly, I am in accord with the Appropriations Committee's urging "in the strongest terms" that the housing moratorium be ended and its directing the resumption of the community development programs.

Hundreds of thousands of Americans live in substandard housing. They are too poor to afford decent housing without some sort of subsidy, and the Nixon inflation is squeezing them tighter each day.

HUD's "Fourth Annual Report on National Housing Goals" revealed that in 1970 there were 3.8 million housing units in this country lacking plumbing facilities and another 1.4 million which were dilapidated or in need of major repairs. In addition, there were 4.5 million units with all plumbing facilities in which there were more than 1 person per room and which were therefore overcrowded. This adds up to a total just short of 10 million housing units which are substandard, overcrowded or both.

In New York City, the residential vacancy rate is less than one percent. For people of lower and middle income, that rate is even lower. The President refuses to hold down rents under eco-

nomic stabilization, despite the fact that they are rising at incredible rates, not only in New York, but all across the country.

On top of all this, and without any substitute plan, the administration has decided that lower and middle income people shall not have housing constructed or rehabilitated. In my district alone, this has meant that about 3000 units of new housing will not be built—in this regard, my district is not typical of many, many urban and rural districts. Much of this proposed new construction had already received informal approval from HUD, on the basis of which the city of New York went ahead and spent its own money in expectation that formal approval would follow. I insert a list of these projects in my congressional district in the RECORD at this point:

LIST OF PROJECTS

Glenn Gardens, 87th St., Amsterdam Ave., Section 236—non-insured, 266 units.

Riverside Park Community, 3333 Broadway, Section 236—non-insured, 1,190 units.

Clinton Towers, 11th Ave. between 54th and 55th Sts., Section 236—non-insured, 395 units.

Hudsonview Plaza, 158th St. and Riverside Drive, Section 236—non-insured, 160 units.

Hudsonview Terrace, 10th Ave. between 50th and 51st Sts., Section 236, 395 units.

Washington Heights, 184th to 187th Sts., City Mitchell-Lama/236, 360 units.

Morningside Drive, Amsterdam Ave. and 121st St., City Mitchell-Lama/236, 120 units.

Earlier this year, the Subcommittee on HUD-Space-Veterans and other independent agencies of the Senate Appropriations Committee held 5 days of hearings on housing generally and on the moratorium in particular. In addition to HUD officials, the subcommittee heard numerous outside experts and local officials. In the words of the subcommittee chairman:

> The most notable result of the hearings was the complete absence by the HUD officials of a clear justification for the housing moratorium.

Section 235 housing had failures in some places, but did very well in other areas, and most of the failures which did occur were due not to any inherent weakness of the 235 concept, but to poor management on the part of HUD. With long waiting lists of people waiting to get into public housing and a very low vacancy rate for such housing, HUD offered no justification for suspending the public housing construction programs of the Federal Government.

Mr. Chairman I join the Appropriations Committee in calling upon the administration to end the moratorium and resume the 15 programs which were cruelly and illegally suspended in January. If the administration fails to do so, we in Congress should exercise our responsibility by enacting legislation mandating it. We must tolerate neither the substance of this action—depriving millions of Americans of the chance to live in decent housing—nor its procedure—the unconstitutional arrogation of legislative power by the executive.

Ms. HOLTZMAN. Mr. Chairman, it is only with the greatest reluctance that I will vote in favor of H.R. 8825, the HUD-Space-Science-Veterans appropriations bill for fiscal year 1974.

While this bill has many good features—at least it preserves a congressional commitment to a housing program in the face of the President's opposition to one—it has many disturbing aspects as well.

First, I am concerned that we have not included language in this bill that would make it mandatory for the President to spend the funds we are appropriating. The President's impoundment policies, especially in the housing area, have played havoc with the Constitution as well as with our cities.

New York City, like many other urban, suburban, or rural areas of this country, is experiencing a severe housing shortage. The President's so-called moratorium on housing has impeded what little progress is being made to alleviate this problem. For example, at the time the housing moratorium was implemented, New York City had submitted applications to the Federal Government for over 23,000 dwelling units. Had the Government funded these projects, these units could have been occupied by the end of this year. Needless to say, the moratorium has also discouraged the continued planning for additional units due to the uncertainty of funding.

Second, the bill does not provide adequate funding for planning or the urban renewal programs. It is unfortunate indeed that Congress has not filled the vacuum created by the President's total abdication of his responsibility to develop a meaningful program that would provide decent housing to all Americans.

Finally, I find the huge sums we are appropriating today for our space program totally disproportionate in terms of the real needs of the American people. We are too beleaguered with problems here at home to commit our limited resources so heavily to the luxury of a Space Shuttle—at least 30 percent of which is devoted to military uses.

It is a tragic irony that this Congress sees fit to expend $43 million for a Space Shuttle, when many of our constituents cannot "shuttle" themselves from one end of our cities to the other. This money could be spent much more wisely on updating our dilapidated and neglected mass-transit systems.

Despite these objections, I have decided to vote in favor of this bill. While it represents only a feeble effort to improve the quality of American life, it does represent some assistance. Moreover, this bill provides funding for programs for our veterans and for the operation of two important Federal agencies, the Federal Communications Commission and the Securities and Exchange Commission.

I certainly hope, however, that this Congress will eventually turn its attention to reshaping our national housing policy. We must live up to the standard we set when we passed our first major housing act in 1949—"a decent home and suitable living environment for every American."

Mr. WOLFF. Mr. Chairman I rise to commend the Appropriations Committee and the Chairman of the HUD-Space-Science-Veterans Subcommittee, the distinguished gentleman from Massachusetts (Mr. BOLAND), for their work on this bill before us today. I particularly would like to point out to my colleagues a feature of the Veterans Appropriations section of the bill dealing with St. Albans Naval Hospital located in my district in Queens, New York.

As many of my colleagues know, this Hospital provides critically needed services to veterans, retired Naval and service personnel from both Queens and Nassau County on Long Island. The Department of the Navy has recently announced its plans to close the facility. This announcement came as a shock to many residents of Queens and Nassau and was a particular disappointment to me as I had been working for over a year to facilitate a contract between the VA and the Navy whereby the Navy would make available beds for VA use in providing care for area veterans. The health care situation for veterans in the New York area is desperate; many veterans currently must travel close to 40 miles to receive adequate care in VA facilities. The arrangement I was working on with St. Albans would have eased this problem for many of our vets and would have significantly helped the health care situation for vets in the New York area. Just when we had come so close to finalizing this agreement, the Navy announced they were going to close the Hospital—a decision which I feel is patently unfair to veterans, retirees and Naval personnel alike.

When I and several other New York Members heard of this decision, we immediately began efforts to transfer St. Albans to the Veterans' Administration, under an arrangement whereby the VA would assume responsibility for operating the hospital and would contract beds out for the care of retirees and active duty personnel. We gathered the support of both Senators JAVITS and BUCKLEY, 35 Members of the New York delegation and Governor Rockefeller. We began negotiations with officials at the Veterans' Administration and wrote to President Nixon urging his support and assistance in keeping St. Albans open through this arrangement. Neither the President nor Administrator Johnson at the VA have been receptive, claiming that the newly planned VA hospital to be built in the Bronx will replace St. Albans and provide needed care for vets. I would like to point out to my colleagues that the new Bronx facility is estimated to cost more than $86 million. From an original cost estimate of $25 million, the project has skyrocketed to the tune of near $90 million. I would also like to point out that it is estimated to cost very little to convert St. Albans to a VA facility, as the hospital is in excellent condition, having been built in 1950 and standing as one of the Navy's newer hospitals. In light of the Administration's expressed commitment to fiscal responsibility, I frankly am at a loss to understand their rationale for wanting to build the new facility, instead of working to keep St. Albans open as a VA facility, still providing needed care for vets and saving the Government millions of dollars.

Mr. Chairman, it is with this in mind

that I want to commend the Appropriations Committee today. They have included in the VA appropriations a section which directs that the Veterans' Administration carefully reexamine the possibility and feasibility of utilizing St. Albans Naval Hospital. The committee has recognized, by adding this section, both a fiscal responsibility and the responsibility that we have to our vets. I only hope that the administration will approach the question of utilizing St. Albans with the same kind of responsible attitude as demonstrated by our committee.

Again, Mr. Chairman, I wish only to bring this matter to the attention of my colleagues and commend the fine work done by the committee in this area.

Mr. GIAIMO. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. Evidently a quorum is not present.

The call will be taken by electronic device.

The call was taken by electronic device, and the following Members failed to respond:

[Roll No. 268]

| | | |
|---|---|---|
| Anderson, Calif. | Ford, William D. | Murphy, N.Y. |
| Annunzio | Frenzel | Nichols |
| Ashbrook | Fuqua | O'Neill |
| Ashley | Gilman | Patman |
| Badillo | Gonzalez | Preyer |
| Bafalis | Gray | Railsback |
| Biaggi | Green, Oreg. | Reid |
| Blatnik | Hammer-schmidt | Roncalio, Wyo. |
| Breaux | Hansen, Wash. | Rooney, N.Y. |
| Brooks | Hays | Rooney, Pa. |
| Broomfield | Hébert | Roush |
| Brown, Calif. | Hinshaw | Runnels |
| Brown, Ohio | Johnson, Calif. | Ruppe |
| Carey, N.Y. | Jones, Ala. | St Germain |
| Chamberlain | Karth | Sandman |
| Clark | Kazen | Saylor |
| Clausen, Don H. | Kemp | Sikes |
| Clawson, Del | Landrum | Staggers |
| Cochran | Leggett | Steiger, Ariz. |
| Conyers | Lujan | Thompson, N.J. |
| Cronin | McClory | Thomson, Wis. |
| Danielson | McCormack | Veysey |
| Davis, S.C. | McKinney | Vigorito |
| Devine | Martin, Nebr. | Waldie |
| Diggs | Mathis, Ga. | Whitehurst |
| Dingell | Melcher | Widnall |
| Erlenborn | Metcalfe | Williams |
| Esch | Minshall, Ohio | Wilson, Charles H., Calif. |
| Evins, Tenn. | Mollohan | Wright |
| Fisher | Morgan | Wyman |
| Flynt | | |

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. O'HARA, 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. 8825, and finding itself without a quorum, he had directed the Members to record their presence by electronic device, whereupon 342 Members recorded their presence, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

COMMUNITY PLANNING AND MANAGEMENT

COMPREHENSIVE PLANNING GRANTS

For comprehensive planning grants as authorized by section 701 of the Housing Act of 1954, as amended (40 U.S.C. 461), $25,000,000, to remain available until expended.

AMENDMENT OFFERED BY MR. HANNA

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

The Clerk read as follows:

Amendment offered by Mr. HANNA: On page 4, line 5, after the words "U.S.C. 461)" strike "$25,000,000" and insert in lieu thereof "$100,000,000."

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

Mr. HANNA. Mr. Chairman, this amendment will increase the fiscal 1974 appropriations for comprehensive planning grants under section 701 of the Housing Act of 1954 from the amount of $25 million as recommended by the Appropriations Committee to the amount appropriated last year, $100 million. This amount is still $10 million below the amount of the authorization provided in House Joint Resolution 512 resoundingly passed by the House just last month by a vote of 378 to 1.

The recommendation of the distinguished Committee on Appropriations is seemingly based on the likelihood of the passage at an uncertain time in the future of legislation not yet in existence, called the Responsive Governments Act. I wish to emphasize that the committee refers here to a nonexistent piece of legislation—legislation purporting to be a new form of 701 which the administration has promised but not yet sent to Congress, and I see no evidence that its arrival is imminent. If and when it does arrive, you can be sure that it will receive long and careful consideration. To gut an ongoing program relied upon and productively used by hundreds of communities around the country on the basis of legislation which the Congress has not as yet seen is an injustice and will have a devastating impact.

Section 701 funds have played a positive role in assisting State and local governments in solving planning problems. These funds provide the necessary coordination of federally supported categorical planning activities. The Federal Government mandates and invests money in health planning, criminal justice planning, community development, all modes of transportation planning, air and water pollution control, conservation of natural resources and housing. But what provides the necessary coordination between these various function-oriented planning investments? What guarantees that a transportation use planned with Federal funds for certain land will not conflict with a community development plan derived with other Federal funds for the same land?

What insures that the tunnel vision resulting from separate categorical planning efforts will not result in a gross waste of Federal funds? Section 701 for almost 20 years has provided the primary Federal answer to these questions. Without the coordination mechanism provided by 701 these various plans will be incompatible and the Federal resources behind each of them will have been wasted. There is only one source of comprehensive planning funds—and that is section 701. This program will continue to make coordinated planning out of what will otherwise be planning in a vacuum. Eliminate the section 701 money, and you essentially place blinders upon other Federal and local investments. To add to the laundry list of Federal categorical planning activities while at the same time neglecting the coordination between these activities is a prescription for waste, duplication and confusion in our total planning effort. That waste, that duplication and that confusion can be prevented by our action today.

Make no mistake, 701 is a national program for all sizes and types of communities. It has provided funds for the largest metropolis to the small town and Indian reservation. I am sure that my colleagues from the rural districts were pleased with the passage of the Rural Development Act of 1972. But while this act authorizes $10 million for planning, there is no appropriation for it and the rural communities have no place else to go but to 701. The Appropriation Committee is now telling them that this well is dry also. As a result the Rural Development Act becomes yet another example of an empty promise from Washington.

Comprehensive planning is necessary because it protects the Federal investment in a broad range of projects and programs. For example, in my own area, nearly $2 million was received last year for a variety of comprehensive planning projects carried on by the county of Los Angeles, the city of Los Angeles and the Southern California Association of Governments. The demands for these activities will not decline simply because funding declines. One illustration is the requirement of OMB Circular A95 which requires regional review of a variety of locally initiated projects. There is no source of funding other than section 701 money for this ongoing Federal requirement. Another example of the support which comprehensive planning gives to Federal investments is in the area of the procedure mandated by HUD upon local regional agencies for the certification of local water, sewer, and similar programs. To mandate the certification responsibility on local agencies with one hand and to remove the necessary supporting funding with the other is to authorize a strategy which insures the breakdown of Federal program requirements.

These examples of the practical necessity for continuing a full level of funding for the section 701 program are repeated across the country. Let no one be fooled that there is not an increasing demand for these services. The extensive clientele group supported by section 701 grows as the concerns of the country grow. Whether Congress decides to consolidate community development programs or not, the role of the section 701 program remains critical to the successful coordination of all levels of government. It should be continued at the full level of funding.

Mr. Chairman, I am pleased to announce that my amendment has the support of: the National Association of Counties; the National League of Cities U.S. Conference of Mayors; the Governors' Conference; the American Institute of Planners; the International City Management Association; the National Association of Regional Councils; the National Association of Housing and Renewal

Officials; the American Society of Consulting Planners; and the American Institute of Architects.

The other reason, apparently, that the committee has cut back is that they think there is enough money already in the so-called pipeline. The problem there is it does not take into a realistic account the planning and funding cycle. The usual thing is that we go through the process here of authorizing and appropriating in year A. In year B the people find out how much money is available in particular sections of the country, and then they start putting in their applications. Then in the year C the money starts to flow. Nothing happens immediately upon our first authorizations.

In this program we have had a great rush in the last 3 years, and we have been funding at about $100 million a year. We have now built up a great number of applications which are yet to be serviced. We have passed new legislation; for instance, the Rural Development Act, that requires this comprehensive coordinated kind of planning. I suggest to the Members that they think about all the programs that are specific in their nature, such as health, crime, housing, transportation. Let any of us name it, and we have to have coordination, because if we are talking about the same real estate out there, if somebody wants to build an airport at the same place somebody else is planning to put a hospital, it is not going to work. So we have had to have this coordinated planning, and we have to fund it.

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

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

Mr. BARRETT. Mr. Chairman, I just want to associate myself with the gentleman's remarks and indicate that I will support his amendment.

Mr. HANNA. I thank the gentleman from Pennsylvania.

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

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

Mr. ROUSSELOT. Is it not true that officials at HUD have indicated that this is the present level of funding, and that they do not seriously object to continuing this because many people are in the planning stages, using this funding. It is important to many projects throughout the State that are well underway, and this was really not their intention at the beginning of the year to cut down on these kinds of projects that are under way; is that not correct?

Mr. HANNA. That is absolutely correct. I thank the gentleman from California for his observation.

Mr. VAN DEERLIN. Mr. Chairman, will the gentleman yield?

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

Mr. VAN DEERLIN. Is it not true that a great many communities with valid applications in for funding under this program have not had their applications considered because of the limitation of funds?

Mr. HANNA. That is absolutely correct. There is one brandnew program in which we denied them $10 million to do this planning for rural development because we felt the money was in 701. Now we are cutting it out of 701, so many people who are looking for some of these programs in the rural areas are going to get very much abused, because without this planning, which requires this legislation, they cannot come on with the program.

The CHAIRMAN. The time of the gentleman has expired.

(By unanimous consent (at the request of Mr. BROWN of Michigan) Mr. HANNA was allowed to proceed for 2 additional minutes.)

Mr. BROWN of Michigan. Mr. Chairman, will the gentleman yield?

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

Mr. BROWN of Michigan. I thank the gentleman for yielding.

Is it not also true that even with the adoption of the gentleman's amendment, the funding of this program will still be within the budget request?

Mr. HANNA. $110 million, and cutting it back.

Mr. BROWN of Michigan. In the process of the Committee on Appropriations' consideration of the HUD budget, they have increased several other appropriations substantially and then in turn have cut this; is that not correct?

Mr. HANNA. That is correct.

Mr. BROWN of Michigan. Is it not also correct that with respect to any transition into the Better Communities Act, Responsive Governments Act, and all those, that the necessity for planning is probably the one thing that will continue, irrespective of the elimination of other categorical programs?

Mr. HANNA. The gentleman is absolutely correct.

Mr. BROWN of Michigan. I commend the gentleman for his amendment. I intend to support it and trust the other Members of the House will support it.

Mr. VAN DEERLIN. Mr. Chairman, will the gentleman yield?

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

Mr. VAN DEERLIN. Mr. Chairman, I strongly support the proposal to reinstate the full amount of the President's request for the HUD urban planning assistance program for fiscal year 1974. Funds for this important program go to State and local governments for a number of management and planning activities which enable better decisionmaking in their operations. Requests for grants have always far exceeded available funds in this vital HUD program.

Last year the total Federal appropriation for the entire Nation was $100 million. Of this, the State of California received $9.234 million for grants to small municipalities and counties of all sizes. This was far from enough to meet the need and the demand. In consequence, the county of San Diego's request for assistance was turned down because of lack of funds. The same turndown was experienced in previous years for the same reason. It is clear that the funding level for fiscal year 1973 was insufficient at $100 million. It is even more painfully clear that funding at $25 million in fiscal 1974 would be completely inadequate, and would reduce materially the effectiveness of the program. I urge that the program be funded for 1974 at the full amount requested by the President: $110 million.

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

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

Mr. BURGENER. I thank the gentleman for yielding. I wish to associate myself with his remarks, and I urge the support of this body for his amendment.

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

Mr. HANNA. I yield to the gentleman from Maryland.

Mr. GUDE. I thank the gentleman for yielding. I commend the gentleman on his amendment. It is much needed.

Mr. Chairman, section 701 are vitally needed in our Washington metropolitan area. Our jurisdictions have used these funds wisely and the level of funding in the bill before us is wholly inadequate.

Of course, while we are discussing HUD appropriations I cannot help but remark on the effect of last January's abrupt suspension of funding for a number of important housing programs.

The moratorium on new commitments for publicly assisted housing and a variety of community development programs bodes ill, indeed, for the achievement of our stated national housing goal for this decade, and the creation of "a decent home and suitable living environment for every American family," as set forth in the Housing Act.

Undoubtedly there is a grave need for review and possible revision of existing housing programs. However, placing a freeze on subsidies for the construction of low- and moderate-income housing has consigned too many more American families to the already-lengthy "waiting lists" for decent shelter and accommodations. For example, at the time of the freeze, the Eighth District of Maryland, Montgomery County, had a waiting list of over 1,700 family units, 600 of which were elderly. This list grows at the rate of 68 families per month, 30 of which are elderly. In the county more than 700 units on their way to approval were caught in the freeze, not to mention at least that many in the planning stage that never began to move.

In June 1972, the Secretary of Housing and Urban Development committed the Department to a total of 6,274 units in addition to 1,000 Project Rehab units to assist in the implementation of the fair share housing formula for the Washington metropolitan area in fiscal 1973. As late as last December the local governments of the area met with HUD officials to discuss final distribution of these units.

These local governments spent a great deal of time and effort to develop a plan for the equitable distribution of low- and moderate-income housing in this area, only to have their plans frozen by the same officials who had previously encouraged them.

Such have been the consequences of the freeze. The Department's evaluation of existing housing programs is due September 7. It is my hope that the report will be completed on time and that it

will make a real effort to propose constructive new policies. If current housing programs have failed, then it is imperative that HUD not simply state that failure, but also develop feasible alternatives for consideration by the Congress.

In conclusion I must emphasize that the importance of the passage of the gentleman's amendment is equaled by the dire problem presented by the administrations moratorium on housing already planned.

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

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

Mr. SEIBERLING. I wish to commend the gentleman and associate myself with his remarks. I support his amendment.

Only an hour ago I got a call from one of the county commissioners of one of the counties I represent who suddenly awakened to the fact that if this amendment is not agreed to that planning in his county will be out of business, and I happen to know it will be out of business in every county I represent. It will be a disaster.

Mr. HANNA. It will be in most of the counties of my State, too.

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

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

Ms. ABZUG. Mr. Chairman, I commend the gentleman for his amendment. This is an important matter for my area and for many areas across the Nation. It will help to insure adequate planning in these areas and I urge its adoption.

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

Mr. Chairman, there has been a great deal of lobbying on this particular matter. I do not blame the Members who are concerned about it. This committee has been concerned over the years with this particular program—the 701 comprehensive planning grants program. It originated with the 1954 Housing Act. From that date to this, Congress has appropriated some $550 million for comprehensive planning. In the program as of the first of May, there was $176,453,000 allocated or committed, but unspent.

The fact of the matter is, it is the manner in which the apportionment is made by the Department that makes it appear as if this reduction, from $110 million requested by the administration for the fiscal year 1974 to the $25 million recommended by the committee in the bill, is a disaster for planning. Of course, it is not.

Mr. Chairman, the $110 million that was proposed by the administration was really one of the few increases in the budget. We provided $100 million in 1973 for this program. The administration requested $110 million for 1974. This is an increase of $10 million. For what purpose? For the purpose of getting what is known as a Responsive Governments Act through the Congress.

Planning under the 701 program was initiated in 1954 and it pertained to municipalities and cities of 50,000 population and less. In 1968, it was amended to include municipalities and cities of 50,000 or more in population.

It has done a good job. Precisely what it does is provide money for planning agencies—State and local planning agencies, municipalities, and town planning agencies—to pay the salaries of people on the payroll to beef up their planning capabilities.

Nobody can find any quarrel with that. I do not find any quarrel with that. The quarrel I find is with the rate at which the money is being expended. As of May 1, 1973, $176 million is in the pipeline and is unspent. There is enough money to carry this program at the current rate of spending through the end of 1973, all of 1974, and well into 1975.

There is no necessity for any additional funds beyond the $25 million which this committee is recommending at this time. The $25 million is available for new applicants, not the same old people who come in every year under this program, but so new applicants can apply and be funded.

I think the judgment of the committee is a wise decision and I hope this Committee of the Whole House will support the committee on this item.

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

Mr. Chairman, I rise in support of the amendment offered by the gentleman from California (Mr. HANNA). I do so reluctantly because the gentleman from Massachusetts is indeed a good friend and is the distinguished chairman of this subcommittee. However, I want to point out to the committee that we are in a battle with the executive branch over impoundment of funds and its effect on programs enacted and funded by the Congress.

We say we must wage this fight because impoundment of funds has caused untold misery to the American people. I do not want them to get caught up into another fight that denies local communities the ability to plan for their future development.

The gentleman from Massachusetts said there is $200 million in the pipeline. I called HUD and spoke to Under Secretary Hyde. He tells me that they are absolutely broke with respect to 701 planning funds; that there is some $200 million in funds, but they are for the following programs: water and sewers, rehabilitation loans, and open space programs, and cannot be used for the 701 program.

I also recommended to the gentleman from California, so that there would be no argument about increasing the amount of money, that instead of asking for $110 million, which was the administration's request, that the committee stay at $100 million, which is basically what 701 planning has received over the last 3 years.

Let me give the members an example of what happens if we do not adopt this amendment.

During fiscal 1973, the City Planning Commission of New York received $1.2 million in Federal 701 planning money. If an appropriation of $25 million is allowed to remain in this bill, the city would receive only $200,000. Considering the fiscal dilemma that New York City already faces, it is doubtful that the city could increase its share of the city planning commission budget to cover the loss of at least $1 million in Federal planning moneys. The new city budget allocates approximately $700,000 to the CPC.

The immediate impact of the cut in 701 funds would result in a two-thirds cut in present staff positions at CPC. These employees work "to help the decisionmaker make better decisions." Specifically, the 701 planning funds finance the only comprehensive planning activities carried out by the city. Although a "planning shell" would continue there would be no agency working to obtain the specific goal of an overview of the needs of the city.

The comprehensive planning section funded by the Federal funds in question is responsible for review and approval of plans formulated by the other agencies in the city. This includes supervision of planning projects as diverse as sewers, requests for school construction and modification and family health centers. The comprehensive planning unit is also responsible for drafting the city's capital budget.

In addition, the city planning commission, as a result of the availability of Federal planning money, has been able to direct its expertise to provide review and approval of all urban renewal plans and to lend assistance to all city agencies in formulating requests for HUD categorical grants. Looking into the future, if the Congress decides to convert the HUD categorical system into a form of block grants, it is quite likely that the CPC will be designated to make recommendations for the use and implementation of the block grant money.

Not only New York City, but cities and counties all over the country, as well as the Department of Housing and Urban Development, view the 701 planning and management program as the only source of assistance available to be used to build their capabilities to carry out community development program consolidation legislation which the Congress will be considering shortly. There is widespread interest in the Congress in the concept of consolidation of community development programs as evidenced by its nearly passing during the last session. Thus, to go from the current categorical programs to a consolidation of programs will require additional capabilities on the part of local governments which must be built during the transition period.

In summary, planning is a continuing, comprehensive process, and not a one-shot expenditure with a specific startup and concluding period. If funds are reduced, the effect in fiscal 1975 will be such that for the approximate three-fourths of a year needed to restart the funding cycle, most planning agencies would literally be put out of business. For these reasons, the House should accept this amendment.

Therefore, Mr. Chairman, I ask the committee to adopt the amendment offered by the gentleman from California (Mr. HANNA).

Mr. MOORHEAD of Pennsylvania. Mr. Chairman, I rise in support of the amendment offered by the gentleman from California.

Mr. Chairman, the cut that was made by the committee from the report of the

committee appears to be on the basis that a bill to be called the "Responsive Governments Act" will be sent to the Congress and will be enacted into law by the Congress.

Mr. Chairman, I submit to the Members that no one in the Congress knows what is contained in that bill, because it has not been sent to the Congress.

The only people who know it, presumably, are the Members of the administration who are considering it, and they recommend the full funding of $110 million for the 701 planning grants.

How can we cut back on the basis of a bill we have not seen? If, perchance, the bill does come to the Congress and is passed by the authorizing committee and the question of appropriations comes up, the money heretofore granted under this bill for 701 planning can be transferred to the new program.

I submit that a cut in this program is pennywise and pound-foolish.

I rise in support of the Hanna amendment to increase the appropriation for the HUD section 701 planning program from $25 million to $110 million.

In reading the committee report I was satisfied that the committee offered a cut of $85 million solely on its expectation that a similar amount could be authorized and appropriated for the Responsive Governments Act, which the administration soon will offer as a replacement for the current 701 program.

Thus the committee has no opposition to this very valuable planning and management tool which has come to be the primary source of funds for local governments responding to the development needs of their communities.

In most instances, I would support the logic manifest in the committee report and vote for the smaller amount, awaiting authorization of the new program.

Yet I am hesitant to do so today because the Responsive Governments Act has yet to be sent to the Congress by HUD, and in fact we have been unable to get from the agency a determination when we can expect to see the legislation.

With nothing known of the mechanics or the funding levels of the new beast, except assurance from HUD that it will operate similarly to the old program, I am inclined to support Mr. HANNA, to fund the current program to the figure authorized, then act on the new proposal when it comes up, and merely suggest the transfer of funds appropriated under the 701 program to its successor.

This to me seems a more sound approach than the pig-in-a-poke scheme which HUD seems to be suggesting.

Thus, I hope my colleagues will vote with me in supporting the Hanna amendment.

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

Mr. MOORHEAD of Pennsylvania. I yield to my colleague from Pennsylvania.

Mr. McDADE. I thank my able colleague for yielding. Of course the gentleman is right in talking about an act that has not come out of his committee.

Mr. MOORHEAD of Pennsylvania. It has not even come into our committee.

Mr. McDADE. One basis on which the Appropriations Committee can act is on the basis of the rate of expenditure, on the basis of what has been spent in the past. Would the gentleman not agree that is a valid basis?

Mr. MOORHEAD of Pennsylvania. In my reasoning the planning is a long-range proposition. The various commissions across this Nation, if they are going to start work on something, want to know what is to continue. If they rely upon a bill they have not seen, which has not come to the authorizing committee, they will not plan at the same rate.

Mr. McDADE. Should we not take into consideration the actual amount of money that HUD is spending on a program?

Mr. MOORHEAD of Pennsylvania. I submit to my good friend that what we should do is act on the basis of existing legislation, and not appropriate on the basis of a pig in a poke, which is all we have so far as the Responsive Governments Act is concerned.

Mr. McDADE. I am talking about expenditures. Should we not act in the Appropriations Committee based upon a level of expenditure at HUD? Is that not a reasonable basis on which to act?

Mr. MOORHEAD of Pennsylvania. Apparently there is in the mind of somebody in the Administration a bill called the Responsive Government bill. I do not know what is in it. I submit that probably my friend from Pennsylvania does not know what is in it. But the people who do know, who are working on it in the administration, recommended the higher level of funding.

Mr. BROWN of Michigan. Mr. Chairman, will the gentleman yield?

Mr. MOORHEAD of Pennsylvania. I yield to my friend from Michigan.

Mr. BROWN of Michigan. I should like to pose a question, if I may, on the gentleman's time, to the gentleman inquiring of the gentleman in the well. The question is, Are the increases in the budget requests and so on which are coming up later based on the spending of HUD for those items?

Mr. McDADE. Many of them are.

Mr. BROWN of Michigan. Is that true for urban renewal, Model Cities, and the others?

Mr. McDADE. The purpose of the Appropriations Committee is to look at the actual expenditures and to coordinate what we do in new obligational authority with what is going on in a program. It is not a vacuum. It is what is happening.

Mr. BROWN of Michigan. If the gentleman from Pennsylvania will yield further, I should like to ask the gentleman another question. Is the gentleman saying that HUD spent only $25 million in 1973 on the 701 program?

Mr. McDADE. I am glad the gentleman has asked that question, because I should like to give him the direct question and the direct answer from the hearings, on page 609.

The chairman presented this question:

What was the actual rate of expenditures under the 701 program in fiscal year 1972?

The response, by Mr. Graves, who runs the program, was:

$50,170,000 was our outlay during fiscal 1972.

I say to the gentleman, that is all they have been able to obligate in this program since the program started, and the maximum has been $50 million. That is why they have $175 million in the pipeline they have not been able to spend yet.

Mr. BROWN of Michigan. If the gentleman will yield further, I would say that at least supports the theory that the Appropriations Committee should have come in with $50 million, if the gentleman is true to his own theory.

Mr. MOORHEAD of Pennsylvania. Mr. Chairman, let me suggest that planning is not a one-shot program. They are setting budgets for years ahead. This is a real shock to planning commissions across the Nation. We have had moratoriums on the housing program. Let us at least continue our planning so that under the moratorium we can move forward.

Mr. CRONIN. Mr. Chairman, I rise in support of the amendment to restore full funding for the 701 comprehensive planning grants. The grants, which are actually loans from a revolving fund, are available to towns and cities for specific planning projects which they otherwise could not afford. Most of the money is repaid to the Federal Government, making a good return on the investment and costing the taxpayers little. Maximum use of full funding of these grants would benefit highly local governments.

Mr. STEELE. Mr. Chairman, I rise at this time in support of the gentleman from California's amendment to restore the comprehensive planning grants back to the level of $110,000,000 authorized earlier by the House in House Joint Resolution 512. These section 701 program funds are vital for the continuation of effective comprehensive planning and management for federally assisted community development projects through fiscal year 1975.

Although the funds are to be appropriated within fiscal year 1974, the funds would not be utilized by their respective State, county, or city recipient governments until 1975. With the reduction of funds the committee has recommended, a dire shortage of funds would exist in 1975.

The State of Connecticut received $1.1 million during fiscal year 1973 for community planning activities. With a 77-percent cut in the comprehensive planning funds, the State's programs will be greatly hurt, as will most of the planning projects of this sort throughout the country.

Planning requirements assure that Federal funds will be used as productively and efficiently as possible. As well as protecting the Federal investment in these projects, these requirements have provided for the coordination of the functional or more specialized programs and the planning development.

With the aim of consolidation of community development programs in mind, the section 701 funds often provide the sole source of assistance toward this goal. Without these section 701 funds, many deserving, innovative planning programs will die. Therefore, I urge my colleagues to support the amendment to restore the funds to $110,000,000.

Mr. TALCOTT. Mr. Chairman, I move to strike the last word, and I rise in opposition to the amendment.

Mr. Chairman, I concur with the gentleman from Massachusetts (Mr. BOLAND) who explained it very well. Obviously we are being lobbied by a lot of people from the cities which have large planning departments and they are wondering what to do with them.

Actually what the Committee on Appropriations has done is to add about $682 million in the HUD program: $462 million in urban renewal, $150 million for model cities, and $70 million for open space. This is where the cities need the money. They have plenty of money in the comprehensive planning programs, but when they find all this other money available, they become greedy and want more.

Mr. Chairman, it was never intended that the Federal Government was going to provide for and fund all the planning for all the cities. They have some obligation to provide planning themselves, and if they desire to continue this program, there is plenty of money in the pipeline for that purpose. There is plenty of money to continue until the adoption of the Responsive Governments Act. I am in favor of the Responsive Governments Act, and I think it is necessary. But I think it is important that we vote this amendment down; otherwise we are going to have an increase of such an excessive amount over the budget that it may invite a Presidential veto.

Mr. McDADE. Mr. Chairman, will the gentleman from California (Mr. TALCOTT) yield?

Mr. TALCOTT. I yield to the gentleman from Pennsylvania (Mr. McDADE).

Mr. McDADE. Mr. Chairman, I just want to take a moment of the time of the House to point out what has been going on in this program. This is not a new program. This program has been on the books since 1954, and as has been pointed out, we have appropriated hundreds of millions of dollars to try to encourage comprehensive planning.

We are in favor of it, but we are not in favor of giving them so much money downtown or any place else that they cannot use it.

Mr. Chairman, the actual figures are that in 1972 they were only able to spend $50 million across the country in this account. In 1973, their first quarter figures ran to about $14 million, and if we take it all the way through, they got up to their high point of about $56 million in actual expenditures.

The result is that we have, in fact, been so generous with this account that they have got $176 million in the pipeline, and $25 million as proposed in this new bill, making a total pipeline figure of $201 million, and yet all they have been able to spend actually so far in any fiscal year is $56 million.

Mr. Chairman, it is just plain foolishness, it seems to me, to push in more money until we see where we are going.

Mr. BOLAND. Mr. Chairman, will the gentleman from California (Mr. TALCOTT) yield?

Mr. TALCOTT. I yield to the gentleman from Massachusetts (Mr. BOLAND).

Mr. BOLAND. Mr. Chairman, I hope that the Members who are present on the floor are aware of what the gentleman from Pennsylvania said. He is absolutely right. The rate of spending is terribly important in connection with this particular activity.

Mr. Chairman, the gentleman from New York went on to say that there is no money for water and sewer programs and some other activities. That is not involved here at all. All that is involved here is planning grants, where we are actually paying part of the cost for personnel in particular planning agencies throughout the United States. We are not affecting the community development programs at all.

As a matter of fact, community development is where we put money back in, and what the gentleman from Pennsylvania has said is precisely correct. They are only spending at the rate of about $70 million a year in this program.

At the beginning of fiscal year 1973, $233,213,029 was available for use by grantees. This includes a $100 million appropriation for this fiscal year, and another $133 million in outstanding grants that had not been spent.

In the first quarter grantees used $14,482,000. The second quarter the planning bodies used $16,826,000. Only $19,599,000 was used in the third quarter. Through April, $56,760,000 has been used, leaving $176,453,000 still available.

At that rate, as of about the first of May, with the $25 million included here, they had $201 million obligated but unexpended.

Mr. Chairman, what does that mean? If we are going to pour more money into this program, they are going to have more money that is going to be unexpended. This is exactly what it is going to mean.

I do not say we are pouring money down a rathole, but what I am saying here is that we are providing sufficient funds with $25 million for new applications. And bear that in mind: New applications.

Mr. Chairman, we hear all these Members around here talking about comprehensive planning grants and they are champions of it. I am, too, We have been funding it since it came into being in 1954. I am for it, but I think we ought to use some commonsense in how we fund it.

All the Members around me who are screeching about this program now have been the ones who have been getting it for years and years, and I do not blame them. My own city has benefited tremendously under this program; I know it has. So have a lot of other cities.

But Mr. Chairman, what I am saying is that there is no sense in piling more money onto the money they already have when they cannot spent it. The $25 million which we have provided in the bill and the balances on hand to be spent certainly gives them an opportunity to continue their programs well into 1975.

If the gentleman will yield further, I would like to ask the gentleman from New York if he knows how much money is in the pipeline for the city of New York? And at what rate they are spending it now for comprehensive planning?

Mr. BRASCO. If the gentleman will yield, I really think the gentleman answers his own question when he said there is $200 million already available and obligated. That means there is nothing new that can be added. You are adding $25 million to new contracts while spending $80 million a year. I suggest what is happening here is a war with the administration and with the people of the country caught in the middle and being hurt by that war, and I hope we can rectify that this afternoon.

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

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

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

Mr. HANNA. I simply want to make a point that I think can be obscured here, which is you are forgetting what the gentleman told you and which is very important. About 3 years ago we took this little program that has been in the law for a long time and applied only to cities under 50,000 and we then made it applicable to cities over 50,000. So we have in our hands here a vastly expanded program.

What the problem is in terms of the money he is talking about is that when you start to expand a program like that you have to be prepared to meet the growth aspects of that expansion. That is all it is.

I can understand the gentleman being exercised and excited, and I would be, too, because we are talking about taxpayers' money here, but this money is being spent in the same way, because if you do not have comprehensive planning, you will not use the money in your specific grants correctly.

I appreciate the gentleman yielding.

Mr. BROWN of Michigan. Will the gentleman yield?

Mr. TALCOTT. I yield to the gentleman.

Mr. BROWN of Michigan. I thank the gentleman for yielding.

What should be kept in mind is that the amendment offered by the gentleman from California will not quite bring the funding of this program up to even the budget request. The budget request was $110 million. Even with the gentleman's amendment the funding and appropriation would only be $100 million.

I intend not to support some of the committee recommendations which increase the funding of the urban renewal program and model cities programs since they are presently in a transitional stage and will be funded under the proposed Better Communities Act. So in supporting this amendment I do not intend to support the proposals that exceed the budget but, rather, if the restraint of the Appropriations Committee which is exercised with respect to this program, I think unwisely, had been exercised with respect to the other programs, not only would we not have an over-the-budget amount but, rather, we would have an under-the-budget amount.

Mr. FRASER. Mr. Chairman, I want to

indicate my support for the amendment of the gentleman from California (Mr. HANNA) that restores funds for comprehensive planning grants under section 701 of the Housing Act.

I think it would be a serious mistake for us to cut 701 planning money, as the committee proposes to do, particularly now as we begin to move toward greater local initiative in the field of community development.

New federalism has not yet reached community development, it is true. But clearly any new legislation in this area will give local communities more responsibility than they have now to develop programs that meet their own special needs.

The cities are not waiting for us to write a new bill. They know that the time is coming when HUD will no longer be looking over their shoulders waiting to approve every comma and period on a grant application.

We are now in a transitional time between the traditional categorical grant approach and some new form of special revenue sharing or grant consolidation. Many cities recognize that they must use this time to improve their program development capacity and this is exactly what 701 funds are helping them do.

In my district, for example, Minneapolis is into the second year of a 3-year 701 program that focuses on our housing and social service needs. With the help of planning grant money, Minneapolis will now have a comprehensive analysis available of the city's supply and demand for housing as well as the condition of its current housing stock.

When we move beyond the Minneapolis city limits, we find that 701 funds have been particularly significant on a regional level. In the Minneapolis-St. Paul metropolitan area, we have an unusually effective regional agency—the metropolitan council—that has planning and program coordination responsibilities for seven county areas with a million and a half population. Nearly 20 percent of the council's $3 million annual budget comes from the 701 program.

While the metropolitan council is somewhat unique, similar work is being done by more than 600 regional councils of governments—or COG's, as they are known. Many of these agencies rely heavily on 701 funds.

On our rush toward new federalism, the role of regional agencies like the metropolitan council has all but been ignored. The council does not qualify for general revenue-sharing funds and its likely status under special revenue sharing is unclear.

Only in the 701 program has the council been able to find a source of Federal support for comprehensive planning on an areawide basis. While the planning process may not be particularly visible, it is essential if we are to overcome the fragmentation and lack of coordination that has characterized so much community development activity in the past. How will the Twin Cities area relate its transportation system to its housing and economic development needs, for example? We have not yet solved this systems level problem—but at least 701 funds are helping to point out some new directions.

To cut the fiscal 1974 comprehensive planning grant funds to $25 million, as the committee proposes, would be a serious blow to the Twin Cities and the thousands of communities throughout the country.

The Hanna amendment needs and deserves our support. I urge its adoption.

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

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

RECORDED VOTE

Mr. HANNA. Mr. Chairman I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 168, noes 184, not voting 81, as follows:

[Roll No. 269]

AYES—168

| | | |
|---|---|---|
| Abzug | Gaydos | Podell |
| Addabbo | Gettys | Price, Ill. |
| Alexander | Giaimo | Pritchard |
| Anderson, Ill. | Ginn | Randall |
| Andrews, N.C. | Grasso | Rangel |
| Annunzio | Green, Pa. | Rees |
| Ashley | Griffiths | Reuss |
| Aspin | Gude | Riegle |
| Barrett | Hanley | Rodino |
| Bergland | Hanna | Roe |
| Bevill | Harrington | Rosenthal |
| Biaggi | Harvey | Rostenkowski |
| Bingham | Hébert | Roush |
| Blatnik | Heckler, Mass. | Roy |
| Boggs | Helstoski | Roybal |
| Bolling | Hicks | Ryan |
| Bowen | Holifield | Sarasin |
| Brademas | Holtzman | Sarbanes |
| Brasco | Horton | Schroeder |
| Brown, Calif. | Jones, N.C. | Seiberling |
| Brown, Mich. | Karth | Shipley |
| Burgener | Kastenmeier | Shriver |
| Burke, Calif. | Kluczynski | Sisk |
| Burke, Mass. | Koch | Smith, N.Y. |
| Burton | Kuykendall | Snyder |
| Carey, N.Y. | Kyros | Spence |
| Carney, Ohio | Lehman | Stanton, |
| Chisholm | Litton | J. William |
| Clark | Long, La. | Stanton, |
| Clay | McCloskey | James V. |
| Cohen | McFall | Stark |
| Collins, Ill. | McSpadden | Steele |
| Conlan | Madden | Stephens |
| Conte | Madigan | Stokes |
| Corman | Mailliard | Studds |
| Cotter | Mallary | Sullivan |
| Culver | Mann | Symington |
| Davis, Ga. | Martin, N.C. | Thornton |
| de la Garza | Matsunaga | Udall |
| Delaney | Meeds | Van Deerlin |
| Dellums | Mezvinsky | Vander Jagt |
| Denholm | Minish | Vanik |
| Dickinson | Mink | Walsh |
| Diggs | Mitchell, Md. | Whalen |
| Donohue | Mizell | Williams |
| Dorn | Moakley | Wilson, Bob |
| Drinan | Moorhead, | Wilson, |
| Dulski | Calif. | Charles H., |
| Eckhardt | Moorhead, Pa. | Calif. |
| Eilberg | Mosher | Winn |
| Esch | Murphy, Ill. | Wolff |
| Fascell | Nedzi | Yates |
| Fish | Nichols | Yatron |
| Flood | Nix | Young, Fla. |
| Ford, | O'Neill | Young, Ga. |
| William D. | Owens | Young, S.C. |
| Fraser | Pepper | Young, Tex. |
| Fulton | Peyser | Zablocki |

NOES—184

| | | |
|---|---|---|
| Abdnor | Bennett | Broyhill, Va. |
| Adams | Biester | Buchanan |
| Andrews, | Blackburn | Burke, Fla. |
| N. Dak. | Boland | Burleson, Tex. |
| Archer | Bray | Burlison, Mo. |
| Arends | Breckinridge | Butler |
| Armstrong | Brinkley | Byron |
| Baker | Brooks | Camp |
| Beard | Brotzman | Carter |
| Bell | Broyhill, N.C. | Casey, Tex. |
| Cederberg | Huber | Quie |
| Chappell | Hudnut | Quillen |
| Clancy | Hungate | Rarick |
| Cleveland | Hunt | Regula |
| Collier | Hutchinson | Rhodes |
| Collins, Tex. | Ichord | Rinaldo |
| Coughlin | Jarman | Roberts |
| Crane | Johnson, Colo. | Robinson, Va. |
| Daniel, Dan | Johnson, Pa. | Robison, N.Y. |
| Daniel, Robert | Jones, Ala. | Rogers |
| W., Jr. | Jones, Okla. | Roncallo, N.Y. |
| Daniels, | Jones, Tenn. | Rousselot |
| Dominick V. | Keating | Ruth |
| Davis, Wis. | Kemp | Satterfield |
| Dellenback | Ketchum | Scherle |
| Dennis | Landgrebe | Sebelius |
| Dent | Latta | Shoup |
| Downing | Lent | Shuster |
| Duncan | Long, Md. | Slack |
| du Pont | Lott | Smith, Iowa |
| Edwards, Ala. | McCollister | Steed |
| Eshleman | McCormack | Steelman |
| Evans, Colo. | McDade | Steiger, Wis. |
| Evins, Tenn. | McEwen | Stratton |
| Findley | McKay | Stubblefield |
| Foley | Macdonald | Symms |
| Ford, Gerald R. | Mahon | Talcott |
| Forsythe | Maraziti | Taylor, Mo. |
| Fountain | Mathias, Calif. | Taylor, N.C. |
| Frelinghuysen | Mayne | Teague, Calif. |
| Frey | Mazzoli | Teague, Tex. |
| Froehlich | Melcher | Thone |
| Goldwater | Michel | Tiernan |
| Goodling | Milford | Towell, Nev. |
| Gross | Miller | Treen |
| Grover | Mills, Ark. | Ullman |
| Gubser | Minshall, Ohio | Veysey |
| Gunter | Montgomery | Waggonner |
| Guyer | Myers | Wampler |
| Haley | Natcher | Ware |
| Hamilton | Nelsen | White |
| Hanrahan | Obey | Whitten |
| Hansen, Idaho | O'Brien | Wiggins |
| Hansen, Wash. | Parris | Wilson, |
| Harsha | Passman | Charles, Tex. |
| Hechler, W. Va. | Patten | Wyatt |
| Heinz | Perkins | Wydler |
| Henderson | Pettis | Wylie |
| Hillis | Pickle | Young, Alaska |
| Hogan | Pike | Young, Ill. |
| Holt | Poage | Zion |
| Hosmer | Powell, Ohio | Zwach |
| Howard | Price, Tex. | |

NOT VOTING—81

| | | |
|---|---|---|
| Anderson, | Gibbons | O'Hara |
| Calif. | Gilman | Patman |
| Ashbrook | Gonzalez | Preyer |
| Badillo | Gray | Railsback |
| Bafalis | Green, Oreg. | Reid |
| Breaux | Hammer- | Roncalio, Wyo. |
| Broomfield | schmidt | Rooney, N.Y. |
| Brown, Ohio | Hastings | Rooney, Pa. |
| Chamberlain | Hawkins | Rose |
| Clausen, | Hays | Runnels |
| Don H. | Hinshaw | Ruppe |
| Clawson, Del | Johnson, Calif. | St Germain |
| Cochran | Jordan | Sandman |
| Conable | Kazen | Saylor |
| Conyers | King | Schneebeli |
| Cronin | Landrum | Sikes |
| Danielson | Leggett | Skubitz |
| Davis, S.C. | Lujan | Staggers |
| Derwinski | McClory | Steiger, Ariz. |
| Devine | McKinney | Stuckey |
| Dingell | Martin, Nebr. | Thompson, N.J. |
| Edwards, Calif. | Mathis, Ga. | Thomson, Wis. |
| Erlenborn | Metcalfe | Vigorito |
| Fisher | Mitchell, N.Y. | Waldie |
| Flowers | Mollohan | Whitehurst |
| Flynt | Morgan | Widnall |
| Frenzel | Moss | Wright |
| Fuqua | Murphy, N.Y. | Wyman |

So the amendment was rejected.

The result of the vote was announced as above recorded.

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

Mr. Chairman we are about to take up an important segment of the HUD bill known as "community development program." I think we should all very clearly understand what is happening here. We are going to find in the community development program, and may I remind the Members that it is the bedrock of our city programs, we are going to find that regardless of what this committee proposes in the way of appropriations, these programs will have

been gutted by the administration because it will not—I repeat, it will not spend the money that we appropriate here today.

So the very crucial contest between the executive and the legislative branch is involved here. I would have wished that my appropriations committee would have supported the legislative branch position in this instance, and put in mandatory language. The chairman of the Appropriations Committee, my dear friend from Texas, does not like to legislate, as properly he should not, on an appropriations bill, but the fact is that there is no legislation pending or ready to come out for authorization before the authorizing committee. And if we, the appropriations committee, do not mandate these programs for our cities, the fact is, as has been told to us time and time again by the Secretary of Housing and Urban Development, that regardless of what we do here, they will not spend the money.

What am I talking about? A rehabilitation loan program. The administration asks for nothing, a great program which has helped hundreds of thousands of people in communities throughout the Nation to rehabilitate their homes. The urban renewal program, which is the only program which has made great accomplishments over the last 20 years in rebuilding the old cities of America and which has been going along at a budget level of approximately $1 billion, the administration says it wants $137 million to wind down and terminate the program.

Oh, but our friends will comment and say that we are going into a transition period, from our existing programs, to a new Better Communities Act. We have been hearing this in our committee and in this Congress for a year.

We have no idea that the Better Communities Act will ever even see the light of day, let alone whether it will be passed by this Congress. But in the meantime, they are speaking as if it were already in existence and we were into a transition from our established, mandated programs by the Congress into this so-called new Better Communities Act.

So, what do they do? They cut the model cities program from $500 million to nothing. They cut rehabilitation loans from $90 million to nothing. They cut open space programs from $70 million to nothing. They cut urban renewal from $1 billion to $137 million.

Now, who should determine what the programs of this Nation are? The Congress of the United States, or the Secretary of Housing and Urban Development and the administration?

I believe we should come in here with legislative, mandatory language, mandating that they fully implement these programs appropriated for by the Congress. We have not done that. Hopefully this may well take place in the other body. I say that without doing that what we are going through here today is a charade. They will not veto this bill. Do not be worried about that threat. They do not have to veto this bill. They will do just as they did last year, not spend the money.

This to me is a betrayal of the cities of the United States, where there is a great and crying need for rehabilitation of our cities, to make them livable places in which people can live.

I say we are not doing our job here by not having mandatory language which will compel the Executive to implement the program which Congress has mandated not just this year or last year or the year before but in many instances for 20 years.

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

(On request of Mr. ASHLEY, and by unanimous consent, Mr. GIAIMO was allowed to proceed for 2 additional minutes.)

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

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

Mr. ASHLEY. I want to subscribe to the comments of the gentleman from Connecticut. I believe it is very important to point out that the Better Communities Act which the administration has advanced for consideration by the Congress by its very terms would not take effect until fiscal year 1975, obviously a year hence. What they are saying is that during the intervening period there shall in effect be no funds available to continue the categorical assistance programs that have been folded into the new Community Act. The gentleman from Connecticut has enumerated these: Urban renewal, open space, community facilities, rehabilitation grants, and others.

I would point this out, if I may, and ask the gentleman to confirm it. When the administration first propounded to the Congress that there be in effect special revenue sharing for community development, and that was in 1972, they acknowledged at that time it would take a year of transition before their proposed legislation could take effect. At that time, however, they did acknowledge and make a specific request for additional funds for the intervening fiscal year. They are not doing that in this instance.

Mr. GIAIMO. My guess is that the reason why they are not doing that is that by depriving us of the funds they are trying to "persuade" us to support the Better Communities Act.

Mr. ASHLEY. I commend the gentleman, and I point out to the House that this really is not as much a partisan matter as it might seem. I believe the last vote might have reflected that.

Mr. GIAIMO. That is right.

Mr. ASHLEY. I suspect if amendments are offered that will again be reflected, because the fact of the matter is that all of us know, from the cities we represent, what the gentleman from Connecticut is saying is absolutely factual.

Mr. BOLAND. Mr. Chairman, I ask unanimous consent that 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 Massachusetts?

PARLIAMENTARY INQUIRY

Mr. RARICK. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. RARICK. Is there an amendment pending at the moment?

The CHAIRMAN. There is no amendment pending at the moment.

Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

AMENDMENTS OFFERED BY MR. TIERNAN

Mr. TIERNAN. Mr. Chairman, I have an amendment which entails three separate amendments, and I ask unanimous consent that those amendments be considered en bloc.

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

There was no objection.

The portion of the bill to which the amendments relate is as follows:

COMMUNITY DEVELOPMENT

MODEL CITIES PROGRAMS

For financial assistance in connection with planning and carrying out comprehensive city demonstration programs, as authorized by title I of the Demonstration Cities and Metropolitan Development Act of 1966, as amended (42 U.S.C. 3301), $150,000,000, to remain available until June 30, 1975.

URBAN RENEWAL PROGRAMS

For grants for urban renewal, fiscal year 1974, as an additional amount for urban renewal programs, as authorized by title I of the Housing Act of 1949, as amended (42 U.S.C. 1450 et seq.), and section 314 of the Housing Act of 1954, as amended (42 U.S.C. 1452a), $600,000,000, to remain available until expended: *Provided*, That no part of any appropriation in this Act shall be used for administrative expenses in connection with commitments for grants aggregating more than the total amounts available in the current year from the amounts authorized for making such commitments through June 30, 1967, plus the additional amounts appropriated therefor.

OPEN SPACE LAND PROGRAMS

For grants as authorized by title VII of the Housing Act of 1961, as amended (42 U.S.C. 1500–1500e), and the provision of technical assistance to State and local public bodies, $70,000,000, to remain available until expended: *Provided*, That no part of this appropriation may be used for financing a grant in excess of 50 per centum of the cost of any activity or project, except that grants made pursuant to section 706 of the Housing Act of 1961, as amended (42 U.S.C. 1500c), may be made in an amount not to exceed 75 per centum.

The Clerk read as follows:

Amendments offered by Mr. TIERNAN: Page 4, line 18, strike out "to remain available" and insert in lieu thereof "which shall be obligated and expended for such assistance as authorized by such title, and shall remain available for that purpose".

Page 5, line 2, strike out "to remain available" and insert in lieu thereof "which shall be obligated and expended for such grants as authorized by such title and section, and shall remain available for that purpose".

Page 5, line 13, strike out "to remain available" and insert in lieu thereof "which shall be obligated and expended for such grants and assistance as authorized by such title, and shall remain available for that purpose".

Mr. BOLAND. Mr. Chairman, I reserve a point of order on all three amendments.

The CHAIRMAN. The gentleman from Massachusetts (Mr. BOLAND) reserves a point of order on each of the three amendments.

Mr. TIERNAN. Mr. Chairman, as the previous speaker, my colleague and a member of the subcommittee, the gentleman from Connecticut, indicated, we have changed the budget request by the administration, and these three amendments are directed to the model cities program, the urban renewal program, and the open space land program.

The budget request that the administration made for the model cities program, according to this year's budget, was for zero funding, and as the gentleman from Connecticut (Mr. GIAIMO) so aptly stated, we appropriated a half a billion dollars last year for that program.

Mr. Chairman, what the subcommittee did was to provide for $150 million for model cities program in this bill.

In the urban renewal program the administration requested $137.5 million in funding, and we increased that to $600 million. In the open space program they requested no funds, and we provided $70 million.

Ladies and gentlemen of the House, I suggest to you, as my colleague has, that this is merely a deception on the people of this country and toward those communities which have relied on these programs in the past—and they are proven programs—unless language is adopted in this bill today making it mandatory.

Mr. Chairman, that is what my amendment will do. Unless these funds will be expended for these programs, we will see a continuation of the present policy where these funds are not made available to the communities when they need them.

I suggest to the members of this committee that if we are going to really do something for these programs which have been successful and have been worthwhile for the communities that need them, this type of language has to be put into the bill, because if it is not, we will just let the present situation continue through the fiscal year.

As has been indicated by the gentleman from Ohio (Mr. ASHLEY), there is no present legislation that this administration is talking about. The Better Communities Act: that is not legislation. It is only proposed before the committee, and we all know that we had that bill before this Congress a year ago and no action was taken on that legislation. The Responsive Government Act they speak about has not even been introduced into this body yet, and yet that is the legislation which they say is going to encompass these programs which have been successful in our communities.

Mr. EVANS of Colorado. Mr. Chairman, will the gentleman from Rhode Island (Mr. TIERNAN) yield?

Mr. TIERNAN. I yield to the gentleman from Colorado (Mr. EVANS).

Mr. EVANS of Colorado. Mr. Chairman, I am pleased that the gentleman has offered these amendments, and I intend to support them.

Mr. Chairman, it is pretty difficult to know how to approach this question concerning supposedly coequal branches of government, whether this Congress can be considered as a coequal branch of government with the executive. It does not make any difference whether it is a Republican President and a Democratic Congress or a Democratic President and a Republican Congress, I am awfully tired of having final decisions made in the White House alone, whether it is a Democratic or a Republican President.

Mr. Chairman, I would not agree to such an amendment if it were proposed for every item in this budget, but as to those programs involved in the gentleman's amendments, I will join with the gentleman in the hope that a message will go out to the current President and to the Office of Management and Budget that we mean business, that we think these funds are necessary for the fiscal year we are addressing ourselves to. And we, a a matter of policy, will be saying that we expect those funds to be spent.

Mr. Chairman, I thank the gentleman for yielding.

Mr. TIERNAN. Mr. Chairman, I appreciate the comments of the gentleman from Colorado (Mr. EVANS).

I will say further, Mr. Chairman, that what we did in the subcommittee's work was to try to reach a figure that was a compromise between the figures presented us. On the urban renewal, we were seeking a billion dollars, the same amount of money spent last year. There was no new funding requested, but we compromised at a figure of $600 million, because that was the figure we felt was absolutely necessary.

So if we do not have mandatory language in the bill, in view of the court's decision, there is nothing we can do, because the courts have said unless there is something in the bill, that is only the maximum amount we can spend.

Mr. ASHLEY. Will the gentleman yield?

Mr. TIERNAN. I yield to the gentleman.

Mr. ASHLEY. I think it ought to be pointed out the Better Communities Act is not about to be adopted in this session of the Congress, and there is good reason for that. The administration insists that the Better Communities Act be treated entirely separately from housing legislation. It is the thought of a majority of the Banking Committee and the committee in the other body that any legislation in this area be a combination of community development and housing legislation. The administration said they will not have their housing proposals ready until September of this year. So it is manifestly impossible during our present session of Congress to get the full package of community development and housing. What it means is that the moratorium for the programs the gentleman referred to is not for the current fiscal year, but it is bound to be for the next fiscal year as well.

POINT OF ORDER

Mr. BOLAND. Mr. Chairman, I insist on my point of order.

Mr. TIERNAN. Mr. Chairman, I want to be heard on that.

The CHAIRMAN. Will the gentleman state his point of order, please?

Mr. BOLAND. Mr. Chairman, it is clearly legislation on an appropriation bill and mandates spending for which there is no legislation. It appears in statutory responsibility otherwise provided by law relating to the Secretary.

The CHAIRMAN. Does the gentleman from Rhode Island desire to be heard on the point of order?

Mr. TIERNAN. Yes, I do.

First of all, the chairman said this would provide for mandatory spending in programs that are not authorized. Under the rule we adopted today, all points of order with regard to that would be waived.

Second, as to whether or not the mandatory language would be legislation, I suggest to the Chair in his ruling this language is a limitation on the method by which the funds will be expended. And these programs have been authorized, in fact, by the Committee on Banking and Currency just a short time ago. So I do not think it is a legitimate point at all.

Mr. MAHON. Mr. Chairman, may I be heard on the point of order?

The CHAIRMAN. The gentleman from Texas.

Mr. MAHON. Mr. Chairman, as the Chair knows, there are certain provisions in law, namely, the Antideficiency Act, which provide that the Executive has certain discretion with respect to certain expenditures of funds made available by the Congress. I quote the law:

> In apportioning any appropriation reserves may be established to provide for contingencies or to effect savings whenever savings are made possible by or through changes in requirements, greater efficiency of operation, or other developments subsequent to the date on which such appropriation was made available.

The amendment which requires and which mandates these obligations and these allocations and these expenditures amends the existing law. It is not a limitation under the Holman rule, as I understand it, which says you can modify existing law if you make the amendment to the law as a part of a reduction. There is no thought whatever here that there is any reduction being achieved but, rather, it is an effort to bring about the obligation and expenditure of all the funds appropriated, which is contrary to existing law.

I join the chairman of the subcommittee in the point of order against the amendment.

The CHAIRMAN. Does the gentleman from Connecticut desire to be heard on the point of order?

Mr. GIAIMO. I do, Mr. Chairman.

If the amendment offered by the gentleman from Rhode Island is not admissible, it is because of the fact that it violates these rules, rule XXI, clause 2, which prohibits legislation on an appropriation bill.

It seems to me, however, that if we read the rule of the committee, House Resolution 453, which made in order this legislation before us in this appropriation bill, the resolution which this House passed says:

H. RES. 453

> *Resolved*, That during the consideration of the bill (H.R. 8825) making appropriations for the Department of Housing and Urban Development; for space, science, veterans, and certain other independent executive agencies, boards, commissions, and corporations for the fiscal year ending June 30, 1974, and for other purposes, the provisions of clause 2, Rule XXI are hereby waived.

That means on the face of it that the

Committee on Rules waived the prohibition of the Holman rule, and rule XXI, clause 2, making in order taking up matters which otherwise would be prohibited.

Of course, it has been stated here on the floor today earlier that the reason why the committee had to go to the Committee on Rules for a waiver of points of order was because of the fact that there was some legislation that we are appropriating for in this bill which was, in fact, not as yet authorized by law. If that is so, I suggest that the Committee on Rules should have worded their language a little differently, but they did not. They said the provisions of clause 2, rule XXI, are hereby waived. If we are going to go by the written wording of the resolution and interpret what in fact the chairman had in mind when the gentleman asked for the waiver of rule XXI, that puts many of we Members of Congress in a very difficult position because of the time that the resolution was up for adoption we would have had the right to vote down the previous question against the resolution of the Committee on Rules and try to make in order what the gentleman from Rhode Island is trying to do now. We did not do that, and one of the reasons why, undoubtedly is because Members of the Congress had the right to rely on the written wording which was before us, and the written wording clearly says that the provisions of clause 2, rule XXI are hereby waived.

I submit, Mr. Chairman, since that is the situation before us we should not go beyond the written wording of the waiver of the provisions of rule XXI, but in fact it should be instead that rule XXI is in fact waived in all its respects and in all of its aspects, and the amendments offered by the gentleman from Rhode Island (Mr. TIERNAN) should be made in order.

Mr. BOLAND. Mr. Chairman, may I just add, in support of my position that the Chair ought to sustain the point of order, that the rule goes only to the bill and not to the amendments.

The CHAIRMAN. Does the gentleman from California (Mr. TALCOTT) desire to be heard on the point of order?

Mr. TALCOTT. I do, Mr. Chairman.

Mr. Chairman, I would like to suggest that this is truly legislation on an appropriation bill. If the amendments were adopted, it would preclude the Committe on Banking and Currency, the authorizing committee, from ever adopting a Better Communities Act. We would be compelled to go along with these programs, so it precludes the Committee on Banking and Currency from functioning, and is clearly legislation on an appropriation bill.

The CHAIRMAN (Mr. O'HARA). The Chair is prepared to rule.

The Chair feels that it will be necessary first to speak on the contention raised by the gentleman from Rhode Island (Mr. TIERNAN) and amplified upon by the gentleman from Connecticut (Mr. GIAIMO) with respect to the provisions of the resolution under which the bill is being considered, and whether or not the provisions of that resolution have an effect on the point of order made by the gentleman from Massachusetts (Mr. BOLAND).

The gentleman from Connecticut (Mr. GIAIMO) is correct in asserting that if the amendment offered by the gentleman from Rhode Island (Mr. TIERNAN) is out of order at all it is out of order because of the second sentence of clause 2 of rule XXI, which contains the provisions that "nor shall any provision in any such bill or amendment thereto changing existing law be in order," and so forth, setting forth exceptions. But the gentleman from Connecticut (Mr. GIAIMO) contends, and the gentleman from Rhode Island (Mr. TIERNAN) concurs, that the resolution providing for the consideration of the bill waives the provisions of that rule. The chair has again read the rule. It says:

*Resolved,* That during the consideration of the bill (H.R. 8825) making appropriations for the Department of Housing and Urban Development . . . the provisions of clause 2, rule XXI are hereby waived.

It does not say that points of order are waived only with respect to matters contained in the bill. It says "During the consideration of the bill" the provisions of clause 2 of rule XXI are waived.

The Chair was troubled by that language and has examined the statements made by the members of the Committee on Rules who presented the rule to see if their statements in any way amplified or explained or limited that language. The Chair has found that both the gentleman from Louisiana (Mr. LONG) and the gentleman from Ohio (Mr. LATTA) in their explanations of the resolution did, indeed, indicate that it was their intention, and the intention of the committee, that the waiver should apply only to matters contained in the bill and that it was not a blanket waiver.

Therefore whatever ambiguity there may have been in the rule as reported, the Chair is going to hold, was cured by the remarks and legislative history made during the presentation of the rule, which were not disputed in any way by the gentleman from Connecticut or anyone else. However, the Chair, recognizes that it is a rather imprecise way of achieving that result and would hope that in the future such resolutions would be more precise in their application.

The contention of the gentleman from Connecticut is not sustained, and the question, then, is: Is the point of order made by the gentleman from Massachusetts an appropriate one under the second sentence, clause 2 of rule XXI? On that question the Chair has examined the precedents. It is clear that the amendment gives an affirmative direction.

The amendment offered by the gentleman from Rhode Island provides: "These funds shall be expended."

These are the words used by the amendment. Affirmative direction by a long line of precedents has been held to be legislation on apporpriation bills.

The Chair is not holding that it is not within the power of Congress to give such affirmative directions. It may or it may not; that is a subject of some dispute right now. The Chair simply holds that an appropriation bill is no place to do it, and the Chair, therefore, sustains the point of order.

PARLIAMENTARY INQUIRY

Mr. YATES. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. YATES. Mr. Chairman, does the gentleman from Illinois understand that the Chair has sustained the gentleman from Texas' point of order and stated that the mandate to require the spending of the funds is legislation on an appropriation bill? Or is that not a part of the Chair's ruling?

The CHAIRMAN. That is, but it was the point of order made by the gentleman from Massachusetts, supported by the gentleman from Texas. The ruling sustains the point of order made by the gentleman from Massachusetts.

Mr. YATES. But not the gentleman from Texas.

The CHAIRMAN. The point of order was made by the gentleman from Massachusetts. The gentleman from Texas argued on the point of order, but the point of order was made by the gentleman from Massachusetts (Mr. BOLAND).

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

Mr. Chairman, I should like to direct a question to the gentleman from Rhode Island who just offered the amendment, if I might—and I do not desire to put him on the spot, but simply to bring out a point I should like to make.

By any chance was his amendment offered, or similar amendments offered, to this legislation during the committee's consideration?

Mr. TIERNAN. Yes, it was.

Mr. SISK. I thank the gentleman very much.

I want to deplore the fact that our Committee on Appropriations apparently is unwilling to take the kind of steps that are going to be necessary to give this Congress the power to make policy in this country. We just this afternoon voted out a so-called anti-impoundment bill up in the Committee on Rules, which I think is probably about as worthless as many things I could cite but will not go into, because it is obviously going to be vetoed, and I do not think there is any chance that we are going to override it.

If this Congress truly believes—and I am calling this to the attention of my good friend, the gentleman from Texas and I have great respect for him, as he knows—that we do have a source of power in this Congress to begin to reassert our authority to make policy in connection with meeting the needs of our cities and meeting the needs of housing and meeting the needs of education and meeting many other needs in this country, we can do that, but apparently we do not have the guts to do it. It is just that simple.

We will not put in the provisions that are necessary. I do not like the idea of having appropriation committees legislating in appropriation bills, but if that is the only way we can get it in the bill, that is it.

The Rules Committee just in the last day or two has waived points of order on legislation, and there is no question but that this committee could have got-

ten a waiver if they had asked for it in committee. But I believe it is time for us to make up our minds whether or not we are going to make policy, whether or not we are going to do the things we believe are right, instead of continuing to delegate or empower the man in the White House not only to execute but also to make policy. That is exactly what the issue is here.

There is a way to get at this subject and this is the way to do it. As I said, as far as I am concerned I just want to make clear that we must act if we are going to meet the responsibilities of our cities and if we are going to set the priorities and, yes, I am all for a ceiling and I think the time has come to work on a matter which my good friend, the gentleman from Oregon (Mr. ULLMAN) and the gentleman from Mississippi (Mr. WHITTEN) and others have brought out, and I want to see progress made on that bill also.

I might say I moved in the Rules Committee today to set hearings for a time certain on that, starting the week of July 15, but the point I am making is that we kid ourselves around here about passing some kind of silly resolutions which are going to be vetoed and are going to be meaningless, and yet when we have an opportunity once in awhile to strike a blow in my opinion for some of the prerogatives I think this Congress should have, then we run for cover.

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

Mr. Chairman, the gentleman from California is concerned, as we all are, about the failure of the Executive to carry out the will of the Congress with respect to certain spending programs. But Members of the House must remember that we have given to the Executive by law, enacted on more than one occasion, the authority not to spend all of the funds that are appropriated by Congress. We have given him certain flexibility in not spending funds, and that portion of the law is known as the Antideficiency Act, which says to the Executive that in apportioning any appropriation:

> Reserves may be established to provide for contingencies or to effect savings wherever savings are made possible by or through changes in requirements, greater efficiency of operation, or other developments subsequent to the date on which an appropriation was made.

If Congress wishes to change the law and undertake to require that all funds be expended, whether wisely or unwisely, regardless of developments, it can do it. But Congress has not done it. The Rules Committee has not submitted to the Congress a legislative proposal of that type.

It is true the House is considering an anti-impoundment bill. What may come of it we do not know. We need to wrestle appropriately with this matter. But it does not lie within the purview of the Committee on Appropriations to come in here and recommend that the Executive must spend all of the funds provided in the bill, regardless of subsequent developments.

That is contrary to the law of the land which Congress enacted. The Committee on Appropriations cannot do it. It is, of course, legislation on the appropriation bill to make any such requirement. It amends the present law.

Now, do we have the guts, my friend from California asks, to do what is needed here to properly present the position of the Congress before the country as a legislative body? Well, if we had the guts, my friends, to quit incurring such huge deficits, we would be in a better position to say, "You must spend all the money."

But, what are we telling the Chief Executive for this fiscal year which ends next week? He is going to spend $27 billion more than he has to spend, and the national debt is going up by $27 billion in fiscal year 1973. When the Congress, in its wisdom, will cut down spending or increase revenues, then I am ready to use the big stick and the little stick in order to carry out the will of the Congress. But it puts us in an awkward and fiscally unsound position to keep on authorizing more and more, appropriating more and more, increasing the debt more and more, and not to raise the revenues at the same time.

If we could have a bill cutting specific spending programs or raising revenues, and if we had the guts to face that kind of music, I think the country would be appreciative. I think it would not be too bad from the political standpoint. But, we have not done that. We talk glibly, glibly about expenditure ceilings, and yet we pile on more and more spending and we refuse to raise the revenues. How can we expect not to be impeached as to our sincerity by the American people when we conduct ourselves in any such way?

Let us talk sense. I am grateful to my beloved and esteemed friend from California for making his speech and permitting us to zero in on this issue, which is the real problem confronting us, and we keep backing away from it.

I of course, do not absolve the President from responsibility for the fiscal situation. The administration continues to present budgets and programs which call for huge deficits and debt increases.

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

Mr. Chairman, I want to associate myself with the remarks of the chairman of my committee. He said just what needs to be said.

I think we should review some of the past activities which have taken place here in the House of Representatives. I listened with interest to my friend from California on the Rules Committee. He says we are going to have an impoundment bill, but do not worry about it, the President is going to veto it anyway. Of course he is going to veto it. He will because it is in the best interest of the taxpayers to do so.

If legislation of that kind ever came on the books, right now it would cost billions more this session than they are spending now. But, the same people who want them to spend that money will be the last ones who will vote for a tax increase to pick up the bill.

If the Members want to really mean what they say about the Congress getting control of Federal spending, the Rules Committee has before it right now the bill from the Joint Committee on the Budget, which we heard so much about in the early part of the session. They are going to hold hearings, which is fine. The President cannot veto hearings. It is just a House and Senate proposition where we are going to gather to ourselves some of the control as to how these funds ought to be spent.

Then, the committee ought to be allocating a spending ceiling and requesting sufficient revenues. It is a housekeeping proposition we ought to get out first instead of last.

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

Mr. CEDERBERG. I yield to the gentleman from California (Mr. SISK).

Mr. SISK. Mr. Chairman, I want to say that I am just as concerned about acting on the so-called Ullman-Whitten bill as I am on the others. It just happens to be, apparently, the leader and we come to it first.

Let me say to my friend from Texas, and I know he is my good friend, he is zeroing in as though we are trying to go out and spend through the ceiling. All I am saying is that I think Congress has to take the responsibility, and I am willing to do it.

The point is, what we are confronted with in attempts to try to set policy where we have a President who not only is cutting funds, but we are not asking him to violate the act, he is using this power to strangle our programs.

I maintain that is definitely getting into the constitutional prerogatives of the Congress. When he uses power that, I believe to be unconstitutional, then we have to use whatever methods we have at hand to restrain him.

Mr. CEDERBERG. That is entirely the gentleman's opinion. I just want to say that I wish the Rules Committee would put the priority where it belongs if the Congress wants to assume its responsibility. Let us get back to spending control legislation.

How did we get the Joint Committee on the Budget in the first place? We got it when we increased the debt limit last year, and it was just before an election, so we put a spending ceiling on, both in the House and in the Senate, of $250 billion.

The only reason why that did not become law was because of a language technicality between the House and the Senate. If Members will look at title II, they will see that the day after the President signed it, it ceased to have any effect.

If we ever gave the President a signal that he should live within a $250 billion spending ceiling, it was in that legislation.

Let me tell the Members that the President is living within a $250 billion ceiling for this fiscal year. Let me say further that in living within that ceiling there may have been a little belt-tightening around the country, but I have not seen any national catastrophe as a result of that saving, which means we are going to have substantially less of a deficit this year than we would have had otherwise. Furthermore, the spending would be, instead of $250 billion, well over $260 billion.

The escalator clauses in there will make absolutely mandatory either very,

very large deficits, or tax increases, and no one wants a tax increase.

I believe we are talking out of both sides of our mouths. The way to handle this is for the Rules Committee to get this Joint Committee on the Budget bill out.

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

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

Mr. MAHON. It is implied that we, on all appropriation bills, on every item, could say, "And so much is appropriated for that and so much is appropriated for this and it must be expended regardless of subsequent developments." Such a course would be contrary to existing law and would contribute legislation on appropriation bills. It would be contrary to the commonsense requirements of sound fiscal management, that is, the responsible use of taxpayers money. It would defy the Executive position completely on the issue of impoundment, which is now being considered by both Houses in separate legislation—and therefore would undoubtedly incur a veto.

What we need here is to put our financial house in order.

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

Mr. CEDERBERG. Mr. Chairman, I ask unanimous consent to proceed for 3 additional minutes.

Mr. CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

Mr. CEDERBERG. Mr. Chairman, I withdraw my request.

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

Mr. Chairman, I had hoped that we could complete debate on this bill by 4:30. I am now thinking about 8:30, or even later.

I hope that we can bring this discussion to a conclusion soon. It is fine for a particular time and place. It would seem to me it is not fine here.

As the chairman of this subcommittee, I must say that I do not relish having any Member infering that this is not a responsible bill. I think that it is.

I must say that we have some problems reaching what we hope are the right decisions in our own committee. Many of us hold different points of view, but we try to work together. I am not looking for an issue, really; I am looking for a bill. That is what I want.

I just happen to believe that some of the actions which might have been taken with reference to this bill—there is no doubt about it—would have invited a veto, and we would be going through the same thing again.

Mr. Chairman, I would hope that we could keep our remarks with reference to this particular bill to the amendments that are going to be offered. I am sure that if I moved that we close debate on all particular amendments and amendments thereto at a particular hour it would carry overwhelmingly. I am going to refrain from doing that.

I would hope that those who serve on this side of the aisle and those who serve on the other side will cooperate, and perhaps we can finish this bill in another hour or hour and a half. We can do that if we have cooperation.

If we have the kind of conversation we have had in the past 40 minutes, we will never get through with it.

AMENDMENT OFFERED BY MR. GIAIMO

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

The portion of the bill to which the amendment relates is as follows:

URBAN RENEWAL PROGRAMS

For grants for urban renewal, fiscal year 1974, as an additional amount for urban renewal programs, as authorized by title I of the Housing Act of 1949, as amended (42 U.S.C. 1450 et seq.), and section 314 of the Housing Act of 1954, as amended (42 U.S.C. 1452a), $600,000,000, to remain available until expended: *Provided*, That no part of any appropriation in this Act shall be used for administrative expenses in connection with commitments for grants aggregating more than the total of amounts available in the current year from the amounts authorized for making such commitments through June 30, 1967, plus the additional amounts appropriated therefor.

The Clerk read as follows:

Amendment offered by Mr. GIAIMO: On page 5, line 1, strike out "$600,000,000" and insert "$1,000,000,000".

Mr. GIAIMO. Mr. Chairman, this may sound like I am increasing the budget from past years, but I am not. This is the urban renewal appropriation which has been consistently running at the level of $1 billion. In fact, it was $1,250,000,000 back in the fiscal year 1972.

This is the keystone program of the entire communities development program. It has, in fact, rebuilt many of our cities. It is the program upon which so many of the older cities and American communities depend.

Now, the administration has cut it, and as my subcommittee chairman, the gentleman from Massachusetts (Mr. BOLAND) so rightfully said in trying to calm the atmosphere here just a few moments ago, we have problems on this committee.

You are darned right we have problems on this committee, and if the Members will just remember back a few minutes ago to the speech of the Chairman, the gentleman from Texas, and the remarks of the ranking minority Member, and if the Members had heard their arguments then, they can imagine the arguments and disagreements we have in our committee.

But we are a small voice, some of us. We are fighting for the cities. There is not sufficient money for the cities. We can find money to keep on bombing in Cambodia, though. We have no trouble finding that. And we will come along with some appropriations for other expenditures like subsidies or interest payment increases and there will be no difficulty there. Let the administration come down here and tell us that we need a couple of billion dollars for aid to North Vietnam and Cambodia, and they get it; and we see these same gentlemen coming down here and saying, "We have got to have it."

But, Mr. Chairman, when it comes to the American people in the cities, when it comes to the people who are trying to rebuild our cities, we are always short of money.

So do not preach deficits to me, Mr. Chairman. I have been hearing about them, and they are built right into the President's budget. We have ways and means where we can cut the budget and reduce the deficit. It all becomes a matter of who is going to do it, the Democratic majority in the Congress or the administration downtown. And I submit to you, Mr. Chairman, as the ranking Representative of the Democratic majority in Congress on the Committee on Appropriations that you should somehow and in some way abide by the will of that majority.

Now, let me say this—let me say this: Do not gut the urban renewal program.

Let us not be sold a bill of goods about this so-called Better Communities Act. We do not hear a word about its chances of passage. Let them come in and pass it whenever they want to try. If this Congress is willing to do it, fine. Then we will have a transition. Let me warn the Members about the Better Communities Act, and let me warn the Members what the administration is trying to do. There will be "goodies" in that bill. There will be money in that so-called special revenue-sharing bill for the communities, some of which are in my own district. I am not afraid to say it.

Mr. Chairman, some of these urban districts do not need this money but they will get it to the detriment of the cities; probably those will be the "goodies" that some communities will get. The people in the cities cannot afford to be cut back.

Just talk to the mayors who are meeting this week in San Francisco. They are not happy with it. They have been urging us in Congress to vote against the administration plan. They are learning a little more about this general revenue sharing, and they are finding out that the sum total of what they are going to get will be reduced.

They know what is in store for them if they get the Better Communities Act. A city like New Haven, for example, my city, will go from about $30 million down to about $14 or $15 million. I hate to think of what will happen to the city of New York and others.

Do not be sold a bill of goods. This is an effort to gut city programs, and I, for one, am not going to help gut a program that for more than 20 years, whatever its faults, served the people of this country, the urban people, well.

The President says that he is cutting it from $1 billion to $137 million. Our committee, knowing this is wrong, builds it back up to $600 million. What good does it do? Really, what good does even my amendment for $1 billion do? Because the President will simply ignore spending the money because our committee would not go in and ask for mandatory legislation to force him.

All I can say is it is about time we wake up around here and put the responsibility where it belongs and stop kidding ourselves that we are doing something when in fact we are not.

SUBSTITUTE AMENDMENT OFFERED BY MR. RUTH FOR THE AMENDMENT OFFERED BY MR. GIAIMO

Mr. RUTH. Mr. Chairman, I offer a substitute amendment.

The Clerk read as follows:

Substitute amendment offered by Mr. RUTH for the amendment offered by Mr. GIAIMO: On page 5, line 1, strike out "$600,000,000" and insert "$322,500,000".

Mr. RUTH. Mr. Chairman, I would like to talk to you about whether you would rather gut the cities or gut the Federal Treasury. I would like to tell you the difference between my bill and my friend's from Connecticut.

He wants to add $400 million and make it $1 billion. I would like to put a realistic figure in the bill.

Let me tell you where these figures came from.

HUD sent a figure over here of $137.5 million based on the termination of the program and going to the Better Communities Act in a short while. It was not a realistic figure, as they realized when we did not consider the Better Communities Act program. In the meantime they have been studying the needs community by community, speaking in terms of maximum or minimum they would need, and HUD sent a request to the Senate asking for $322.5 million. This is all they requested.

They put it in a form which explains how the money will be used, and this is the reason why I have come up with this realistic figure.

I will probably get or I do anticipate I will get mild opposition from my chairman. He would have liked the bill to stay intact.

It is not too good to muddy the waters, but I will say, Mr. Chairman, I offered a substitute bill and not an amendment to raise it $400 million. I am coming in with a realistic figure which I got from the HUD people.

I might say there is nothing sacred about $600 million. You know, we came to this because we kept trying to reach a compromise in our subcommittee and finally came up somewhere between this $1 billion that was suggested and this $137.5 million suggested. It was a compromise figure.

But it did not satisfy my friend from Connecticut. He has now come back and wants to put the whole $1 billion in the bill on the House floor.

Let us forget about some of these things happening here and talk about urban redevelopment itself. It does not become a great program because we get up and talk emotionally about how great it is. It served a purpose, but urban redevelopment needs to be putting itself out of business. Urban redevelopment has already had its big moment. We have gone to the communities and talked about where they need to improve their areas most. This has been done.

Let me tell the Members what we do have. We have a large number of bureaucrats who want to keep this going on and on and on. We have one group that goes around purchasing land. We have another group that relocates the people that they have to move. We have another group to plan how to better the community. And then we have another group to coordinate. They do not get together, and they go on and on and on.

Go down into the city of Washington, and take a look around anywhere in the northwest, over between 7th and 14th, and you will see store after store and house after house closed up, and I am talking about hundreds of them. One would think the people who own them do not want to take care of them, but that is not the truth. It is because they belong to the urban development, and they are sitting there, becoming more and more delapidated, while they plan more and more things and try to decide what they really want to do, and how to have a better community.

Unless HUD is able to reduce its budget and start getting rid of some of these bureaucrats who do not have any idea what to do or where to turn, or how to handle such a program so as to do it in the way it was intended to be done, it should be put out of business.

We keep talking about the bill, and the President vetoing the bill. Let me tell the Members something in closing. The President does not veto bills. I will admit that he holds the pen. He gives us a budget, but the great spenders in the Congress who continue to put the money in bills over the amount of the budget are the ones who veto bills.

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

Mr. RUTH. I will be happy to yield to the gentleman from Rhode Island.

Mr. TIERNAN. I am sure the gentleman knows that when these same people came before the subcommittee that the gentleman serves on, and on which I serve, that they asked for $137.5 million. When did they all of a sudden decide they wanted to have this additional amount of money?

Mr. RUTH. I would like to respectfully say to the gentleman that evidently the gentleman did not listen to everything that I said.

Mr. TIERNAN. I did.

Mr. RUTH. I explained very clearly that they came up with the proposal on the Better Communities Act. When they realized that the Better Communities Act would probably not become a reality they produced an in-depth study. Maybe the gentleman from Rhode Island did not see it, but it is not secret. It is done community by community, as to where they plan to spend the money. As the gentleman from Rhode Island knows I am a young Member, but, you know, the younger Members do their homework. The older Members sometimes sit around, on their laurels.

Mr. TIERNAN. Will the gentleman yield further?

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

Mr. RUTH. Mr. Chairman, I will be glad to talk to the gentleman from Rhode Island until it gets dark.

Mr. TIERNAN. Mr. Chairman, I ask unanimous consent that the gentleman from North Carolina (Mr. RUTH) may proceed for 2 additional minutes.

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

Mr. CORMAN. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

Mr. BOLAND. Mr. Chairman, I rise to oppose both amendments.

Mr. Chairman, there are a number of amendments that are pending at the desk, and I regret that I have to step in here ahead of some of the other Members who have amendments which probably precede the amendment that was offered by the gentleman from Connecticut.

Mr. Chairman, I might say that both the gentleman from Connecticut—for whom I have the greatest respect, and who is one of my closest friends in the Congress—and the distinguished gentleman from North Carolina serve on my subcommittee—and you can understand how well we get along—but we do, we really do. It is a pleasure to serve with both of those gentlemen, and all of the other Members who serve on the committee.

But, Mr. Chairman, as I said a moment ago, I am really looking for a bill and not an issue.

As the gentleman from Connecticut has said, the administration requested $137.5 million to close out the urban renewal programs. This is one of the programs that was terminated by the administration. There were seven programs that were proposed for termination, six of them are within this bill. The water and sewer grant program is within the bill chaired by the gentleman from Mississippi (Mr. WHITTEN).

This committee unanimously—and incidentally, unanimously on both sides of this committee—expressed its deep concern over the termination of programs that were developed, that were passed by the Congress, that became law, and on which funds were frozen or impounded. But, above and beyond that, the cardinal sin of all is killing programs unilaterally by terminating them.

So what do we do? We decided we would fund to the best of our ability, and as far as we can get an agreement, these community development programs that we carry in this bill.

We increased the amount of urban renewal from $137,500,000 to $600 million. What does $600 million mean for this program? What it means is that the urban renewal programs will be carried out at the same level in fiscal year 1974 as they have been carried out in 1973.

By the end of 1974—June 30, 1974, the future of these programs will be clarified.

I think we would terminate the programs if we go along with the $322.5 million figure which was offered by the gentleman from North Carolina. We should continue the programs at the current level through 1974. What is wrong with that? By June 30, 1974, we will have a better idea as to whether or not the Better Communities Act will be law. If it is not the law, we are going to continue with urban renewal; I have no doubt about that. It has been in the basic law since 1949.

How much money have we reserved under this program? How much has the Congress actually provided for urban renewal over the years that the urban renewal program has been in existence? Cumulative loan commitments will total over $15 billion by the end of 1974.

How much have we expended for urban renewal over the period that urban renewal has been in existence? Over $8 billion. Is there anyone sitting on this floor who can say that the Congress has not done something for the cities?

I know what the complaint of the mayors is. I guess if I were a mayor, I would be complaining, too. No one doubts the fact that a mayor's job is probably the most difficult public office to hold of any public office in the United States, and I would agree. All of the pressures are there. A mayor is as close to his people as he is to the guy who walks

down the street, or to the guy who can pick up the telephone. I know that, but we cannot just make the sky the limit, and we cannot do it in this bill. That is all I am saying.

If we do not get a Better Communities Act by fiscal year 1975—and it is supposed to take effect as of July 1 in 1974—we will be funding urban renewal. But let no one say that we do not do anything for the cities.

Model Cities is in this bill. Congress appropriated $500 million for this program last year. This year the administration asked for no money; it was terminating the program. We do not permit them to do it. We put $150 million in here so the 147 cities that operate Model Cities programs throughout the United States will have money to continue their programs at a 100-percent level for 1974. What is wrong with that?

We have some money in here for the open space land program. It is not enough to satisfy everyone. What I am saying, Mr. Chairman, is we have done a job here, and I think this committee ought to be proud of what this committee has done.

Mr. TALCOTT. Mr. Chairman, I rise in opposition to both amendments.

Mr. Chairman, I just want to join the gentleman from Massachusetts in opposing both amendments, one raising it to $1 billion, and one reducing it to some $300 million. The committee heard all of these arguments. We think we have been fair to the cities and fair to the taxpayers, too. We are concerned about both.

We have been fair to the cities, and we have to be fair to the taxpayer, too.

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

Mr. TALCOTT. I yield to the gentleman from Georgia.

Mr. BLACKBURN. I want to further clarify a point the gentleman has made about the cities and what they are going to receive. In the debate earlier the statement was made that under the Better Communities Act the city of New York would lose money. That is not a fact. Under the formula which has been developed for the Better Communities Act, the city of New York will actually receive more money than they are receiving now under urban renewal. So I do not want any of my colleagues on either side of the aisle to be misled, or misunderstand the facts. Under the Better Communities Act the city of New York will actually receive more money than they are receiving at the present time.

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

Mr. Chairman, I am not qualified to speak specifically on this appropriation matter but there has been much discussion here about taxes and fiscal responsibility. I suggest to the Members that if we keep saying the world is flat long enough, maybe we can convince somebody. If we keep saying this administration is responsible long enough, maybe the Members can convince somebody, but not me.

I would remind the Members that, since Washington's first day in office until the end of World War II, this Nation accumulated a debt of $300 billion—and that is an awful lot of money.



Then during the administrations of Truman and Eisenhower and Kennedy and Johnson, that national debt went up $77 billion. We fought the Korean war and we fought a good bit of the war in Vietnam. Then during one-half, or I assume it is one-half, of the Nixon administration, that national debt has been requested to be increased by $108 billion. And that is not because we have spent more money than he has asked us to. It is because the President refuses to support realistic tax reform in this country.

We have a tax proposal from the administration. Do the Members know what it is? It is that we cut taxes by $800 million. That is what the President asks us to do in the face of a $108 billion increase in our deficits during the first half of his administration.

There is a bill before this Congress called H.R. 1040—I thought maybe the number would ring a bell with some of the Members. It has more than 50 cosponsors. It is not supported by the administration. It would produce $20 billion in new revenue.

If we are going to continue to spend money as we seem to, then we must tax ourselves, but let us quit fooling ourselves that we have a responsible administration downtown. They do not support taxes; they oppose taxes. They do not support a cut in spending; they only support a cut in spending for the poor. There is a city out my way that gets a check from the Federal Government every 3 months. It never used to get a check. It is Beverly Hills.

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

Mr. Chairman, I rise to oppose both amendments.

Implicit in the remarks of the gentleman from Connecticut was that the cities of the country are being gutted by the President's budget more than other sectors of our country. I just want to point out to the committee that the full committee had the President's Economic Council Chairman and his Director of the Office of Management and Budget and other high officials including the Secretary of the Treasury before it. They all had to admit, Mr. Chairman, that the agricultural sector in the President's budget for fiscal year 1974 took a far greater beating or gutting than any other sector.

So I want to emphasize to this body that the evidence is the cities have not been unduly damaged, more than other sectors of the economy, and I would hope we would uphold the distinguished subcommittee chairman and his subcommittee who I think have been fair in this instance, and arrive at a responsible and reasonable figure, somewhere between that offered by the gentleman from North Carolina and that offered by the gentleman from Connecticut. We should support the subcommittee on this amendment.

The CHAIRMAN. The question is on the substitute amendment offered by the gentleman from North Carolina (Mr. RUTH) for the amendment offered by the gentleman from Connecticut (Mr. GIAIMO).

The question was taken; and on a division (demanded by Mr. RUTH) there were—ayes 34, noes 80.

So the substitute amendment was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Connecticut (Mr. GIAIMO).

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 106, noes 241, not voting 86, as follows:

[Roll No. 270]

AYES—106

| | | |
|---|---|---|
| Abzug | Gaydos | Price, Ill. |
| Addabbo | Giaimo | Rangel |
| Annunzio | Ginn | Rees |
| Ashley | Grasso | Reuss |
| Aspin | Gray | Rodino |
| Barrett | Green, Pa. | Roe |
| Bergland | Gude | Rosenthal |
| Biaggi | Hanna | Rostenkowski |
| Bingham | Harrington | Roybal |
| Blatnik | Helstoski | St Germain |
| Brademas | Holifield | Sarbanes |
| Brasco | Holtzman | Schroeder |
| Burke, Calif. | Horton | Seiberling |
| Burke, Mass. | Howard | Shriver |
| Burton | Karth | Sisk |
| Carey, N.Y. | Kastenmeier | Stanton, |
| Chisholm | Kluczynski | James V. |
| Clark | Koch | Stark |
| Collins, Ill. | Kyros | Stephens |
| Corman | Lehman | Stokes |
| Cotter | Macdonald | Stuckey |
| Daniels, | Madden | Studds |
| Dominick V. | Matsunaga | Sullivan |
| Dellums | Meeds | Tiernan |
| Denholm | Minish | Udall |
| Dent | Mink | Van Deerlin |
| Diggs | Mitchell, Md. | Vanik |
| Donohue | Moakley | Whalen |
| Drinan | Moorhead, Pa. | Wilson, |
| Eckhardt | Murphy, Ill. | Charles H., |
| Eilberg | Nedzi | Calif. |
| Fascell | Nix | Winn |
| Flood | Obey | Wolff |
| Ford, | Owens | Yates |
| William D. | Patten | Yatron |
| Fraser | Pepper | Young, Ga. |
| Fulton | Podell | Zablocki |

NOES—241

| | | |
|---|---|---|
| Abdnor | Clancy | Goldwater |
| Adams | Cleveland | Goodling |
| Alexander | Cohen | Gross |
| Anderson, Ill. | Collier | Grover |
| Andrews, N.C. | Collins, Tex. | Gubser |
| Archer | Conlan | Gunter |
| Arends | Conte | Guyer |
| Armstrong | Coughlin | Haley |
| Baker | Crane | Hamilton |
| Beard | Culver | Hanley |
| Bell | Daniel, Dan | Hanrahan |
| Bennett | Daniel, Robert | Hansen, Idaho |
| Bevill | W., Jr. | Hansen, Wash. |
| Biester | Davis, Ga. | Harsha |
| Blackburn | Davis, Wis. | Harvey |
| Boland | de la Garza | Hébert |
| Bolling | Delaney | Hechler, W. Va. |
| Bowen | Dellenback | Heckler, Mass. |
| Bray | Dennis | Heinz |
| Breckinridge | Dickinson | Henderson |
| Brinkley | Dorn | Hicks |
| Brooks | Downing | Hillis |
| Brotzman | Dulski | Hogan |
| Brown, Calif. | Duncan | Holt |
| Brown, Mich. | du Pont | Hosmer |
| Broyhill, N.C. | Edwards, Ala. | Huber |
| Broyhill, Va. | Esch | Hudnut |
| Buchanan | Eshleman | Hungate |
| Burgener | Evans, Colo. | Hunt |
| Burke, Fla. | Evins, Tenn. | Hutchinson |
| Burleson, Tex. | Findley | Ichord |
| Burlison, Mo. | Foley | Jarman |
| Butler | Ford, Gerald R. | Johnson, Colo. |
| Byron | Forsythe | Johnson, Pa. |
| Camp | Fountain | Jones, Ala. |
| Carter | Frelinghuysen | Jones, N.C. |
| Casey, Tex. | Frey | Jones, Okla. |
| Cederberg | Froehlich | Jones, Tenn. |
| Chappell | Gettys | Keating |

| | | |
|---|---|---|
| Kemp | O'Neill | J. William |
| Ketchum | Parris | Steed |
| Kuykendall | Passman | Steele |
| Landgrebe | Perkins | Steelman |
| Latta | Pettis | Steiger, Wis. |
| Lent | Peyser | Stratton |
| Litton | Pickle | Stubblefield |
| Long, La. | Pike | Symington |
| Long, Md. | Poage | Symms |
| Lott | Powell, Ohio | Talcott |
| McClory | Price, Tex. | Taylor, N.C. |
| McCloskey | Pritchard | Teague, Calif. |
| McCollister | Quie | Teague, Tex. |
| McDade | Quillen | Thone |
| McFall | Randall | Thornton |
| McKay | Rarick | Towell, Nev. |
| McSpadden | Regula | Treen |
| Madigan | Rhodes | Ullman |
| Mahon | Rinaldo | Vander Jagt |
| Mailliard | Roberts | Veysey |
| Mallary | Robinson, Va. | Vigorito |
| Mann | Robison, N.Y. | Waggonner |
| Maraziti | Rogers | Walsh |
| Martin, N.C. | Roncallo, N.Y. | Wampler |
| Mathias, Calif. | Rose | Ware |
| Mayne | Roush | White |
| Mazzoli | Rousselot | Whitten |
| Mezvinsky | Roy | Wiggins |
| Michel | Ruth | Williams |
| Milford | Sarasin | Wilson, Bob |
| Miller | Satterfield | Wilson, Charles, Tex. |
| Mills, Ark. | Scherle | Wyatt |
| Minshall, Ohio | Schneebeli | Wydler |
| Mizell | Sebelius | Wylie |
| Montgomery | Shipley | Young, Alaska |
| Moorhead, Calif. | Shoup | Young, Fla. |
| Mosher | Shuster | Young, Ill. |
| Myers | Skubitz | Young, S.C. |
| Natcher | Slack | Young, Tex. |
| Nelsen | Smith, Iowa | Zion |
| Nichols | Smith, N.Y. | Zwach |
| O'Brien | Spence | |
| | Stanton, | |

NOT VOTING—86

| | | |
|---|---|---|
| Anderson, Calif. | Flowers | Mollohan |
| Andrews, N. Dak. | Flynt | Morgan |
| Ashbrook | Frenzel | Moss |
| Badillo | Fuqua | Murphy, N.Y. |
| Bafalis | Gibbons | O'Hara |
| Boggs | Gilman | Patman |
| Breaux | Gonzalez | Preyer |
| Broomfield | Green, Oreg. | Railsback |
| Brown, Ohio | Griffiths | Reid |
| Carney, Ohio | Hammer-schmidt | Riegle |
| Chamberlain | Hastings | Roncalio, Wyo. |
| Clausen, Don H. | Hawkins | Rooney, N.Y. |
| Clawson, Del | Hays | Rooney, Pa. |
| Clay | Hinshaw | Runnels |
| Cochran | Johnson, Calif. | Ruppe |
| Conable | Jordan | Ryan |
| Conyers | Kazen | Sandman |
| Cronin | King | Saylor |
| Danielson | Landrum | Sikes |
| Davis, S.C. | Leggett | Snyder |
| Derwinski | Lujan | Staggers |
| Devine | McCormack | Steiger, Ariz. |
| Dingell | McEwen | Taylor, Mo. |
| Edwards, Calif. | McKinney | Thompson, N.J. |
| Erlenborn | Martin, Nebr. | Thomson, Wis. |
| Fish | Mathis, Ga. | Waldie |
| Fisher | Melcher | Whitehurst |
| | Metcalfe | Widnall |
| | Mitchell, N.Y. | Wright |
| | | Wyman |

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. TIERNAN

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

The portion of the bill to which the amendment relates is as follows:

SELECTIVE SERVICE SYSTEM

SALARIES AND EXPENSES

For expenses necessary for the Selective Service System, including expenses of attendance at meetings and of training for uniformed personnel assigned to the Selective Service System, as authorized by law (5 U.S.C. 4101-4118) for civilian employees; and expenses of the National Selective Service Appeal Board; and not to exceed $1,000 for official reception and representation expenses; $47,500,000: *Provided*, That during the current fiscal year, the President may exempt this appropriation from the provisions of subsection (c) of section 3679 of the Revised Status, as amended, whenever he deems such action to be necessary in the interest of national defense.

The Clerk read as follows:

Amendment offered by Mr. TIERNAN: Page 14, line 23, strike out "$47,500,000" and insert in lieu thereof "$28,000,000".

Mr. TIERNAN. Mr. Chairman, my amendment is a very simple amendment. It will reduce the amount we appropriate in the bill from $47.5 million to $28 million. The Selective Service System would continue during the fiscal year 1974.

As you know, the present authority of the President to induct into the Armed Forces any American will expire at the end of this month, so after July 1 the President will not have authority to induct any of the people who would be classified by the Selective Service System.

The Selective Service Director, Mr. Pepitone, indicated to the members of the committee that it is the intention of the Selective Service System to register all those individuals turning 18 years of age during fiscal year 1974, and to place them into the category or classification of 1-A. But none of these registrants will be required to take a physical examination or be determined whether or not they are fit at any point in time to serve in the Armed Forces of the United States.

So to those who have opposed my efforts to reduce the expenditure in this budget for this service—and the suggestion has been made that it is necessary that we have this system available on a standby basis—the suggestion that I make to the Members of the House today is that right now, presently available to the country, is a manpower pool of over 5 million men. We have 2.25 million men under arms right now, and the President would have available to him an additional 3.25 million men for almost immediate callup by the President. These would be men who have been trained and who have served in the Armed Forces. They would be available to the President. Whereas, on the other hand we would continue this system to register these people, these young boys who turn 18 years of age and put them into a classification which has no relationship to whether or not they would be able eventually to serve in the Armed Forces of the country.

The historical background of the Selective Service system has shown that in the past we have been able to induct within 3 months after legislation was passed for the authority to draft anybody into the armed services as a result of an emergency that came up at that time, so I suggest to the Members that if the President in fact needed more men than he has now available to him, he would have to come back to the Congress and ask that we set up legislation giving him the authority to reinstitute the draft as we have had it in the past.

I think in view of the fact that Mr. Pepitone in testimony before our committee indicated that $27 million had been the range of discussion between their system and the Office of Management and Budget, I suggest that we should reduce the expenditure that has been proposed in the bill to $28 million, which is $1 million more than the Office of Management and Budget had suggested for the system.

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

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

Mr. MITCHELL of Maryland. Mr. Chairman, I merely want to take this opportunity to associate myself with the remarks of the gentleman from Rhode Island.

Mr. Chairman, in 1971 Congress was fooled into believing that there was a continuing need for a cumbersome, ineffective, conscription authority which had been established as an emergency agency over 20 years before. It was bitterly ironic at that time, that the country was embroiled in a long and bloody, but undeclared war. How, millions of us were asking, does a country make such a total commitment of money, of lives, and of suffering, to a war that is never declared? The answer, as far as there is one, lies very heavily with that agency that came for a visit 25 years ago and now threatens to move in permanently: the Selective Service. When the Executive can escalate military manpower to any level without seeking congressional approval, he has in fact received the war-making power reserved to Congress by the Constitution. Long before the Gulf of Tonkin, the almost infinitesimal draft calls were systematically raised to more than 150,000. Undeclared war can continue to be waged so long as the draft provides an "easy" military solution to political problems. The effect of this power in the Executive has been to upset the balance of power between the branches of the Federal Government.

Now you may be thinking: "We're heard this all before; we ended the Selective Service; now leave us alone." However, the Selective Service has not been discontinued so long as the President can summon at will, under existing law, over a half million young men who have received Selective Service deferments. This figure does not include deferments issued to those in the 26 to 35-year-old category, fatherhood deferments, occupational, medical and religious deferments, all of which can be changed at any time by Executive order.

I am ignoring for the moment the 3 million reservists who remain available. Today Mr. TIERNAN is offering an amendment which would cut Selective Service funds to $28 million. My reaction to Mr. TIERNAN's bill might be summarized by a line from a movie which was popular several years ago: "I don't want to rock this boat. I want to sink it." 47½ million? 28 million is too much.

However, as the rule of thumb on the Hill seems to be: Go with the best thing going, I am supporting Mr. TIERNAN's amendment, not as the final end of our efforts, but as a step in that direction.

The facts seem clear. Congress has demonstrated its desire to disband the Selective Service. The end of induction power and the end of the Selective Service are not the same thing. We have made our decision. If our decisions are to be more than mere rhetoric, we must see to it that they are implemented.

Appropriation of $47½ million will keep the Selective Service alive, against

the express wish of Congress. Perhaps I am naive, but the logic behind appropriating funds to an agency which Congress has decided to eliminate simply escapes me.

I support the Tiernan amendment.

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

Mr. TIERNAN. I would be happy to yield to the gentleman from Mississippi.

Mr. MONTGOMERY. Mr. Chairman, I thank the gentleman for yielding to me.

Mr. Chairman, the problem that concerns me with the remarks made by the gentleman from Rhode Island is that if the President did need 1 million or 5 million men, that the gentleman says are in the Inactive Reserve, then there has to be some kind of a system to get these men back into the service. In the past when this has arisen we used the Selective Service System. These people have to have physical examinations, and the military is not geared up to take care of these callups. So, actually, the gentleman is not gaining anything by cutting back on the Selective Service System.

Mr. TIERNAN. The gentleman from Mississippi is mistaken. I would like to point out to the gentleman from Mississippi that the 5.5 million men that I am talking about is made up of 2.25 million men that we presently have in our armed services, and another million men who the President can call up on his own initiative under the Ready Reserve that we have. The President also has available to him 600,000 retired officers and enlisted men from the Army that are still available.

Mr. MONTGOMERY. But they would have to be called into service.

Mr. TIERNAN. I will not yield further to the gentleman. I want to explain.

He would merely have to notify the Department of Defense that their requirements are increased, and they would then call those men back into the service, and that is 5½ million men that he would have available to them.

The CHAIRMAN. The time of the gentleman has expired.

(By unanimous consent (at the request of Mr. MONTGOMERY) Mr. TIERNAN was allowed to proceed for 1 additional minute.)

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

Mr. TIERNAN. I yield to the gentleman from Mississippi.

Mr. MONTGOMERY. Would the gentleman admit that we have 2.3 million Americans in the military service now, which is a reduction from well over 3 million men that we had 2 years ago?

Mr. TIERNAN. That is correct.

Mr. MONTGOMERY. We have them on active duty, so we have got to get these other 5 million men from somewhere. My point is we have to call them up from the Reserve. Then they have to have physical examinations, and they have to go through the Selective Service System. It is as simple as that.

Mr. TIERNAN. No. I would point out to the gentleman that even though one were to register these individuals and classify them as 1–H, the President could not call up one of those men until the gentleman and I, and the other Members of this body, gave him the authority in draft legislation to reinstitute the inductive authority of the President. He will not have that authority after July 1.

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

Mr. Chairman, I welcome the opportunity to support the Congressman from Rhode Island (Mr. TIERNAN) in his attempt to phase out the Selective Service System by his amendment to this appropriations bill.

The gentleman from Rhode Island has convincingly shown that there is no further need for the Selective Service System, that the President has more than an adequate reserve of trained military personnel for use in an emergency, and that the money requested for this agency would surely be put to better use elsewhere. These points need no further elaboration.

I rise only to remind the House that we have an opportunity today to complete a process we ourselves started when we began to move toward an All-Volunteer Army. By offering adequate wages to enlisted men and by allowing the President's induction authority to lapse we accepted the premise that the All-Volunteer Army should be a reality. And this is increasingly the case. As former Defense Secretary Laird has said:

> Use of the draft has ended. Henceforth, the Armed Forces will depend exclusively on volunteers.

There are those, many of whom are in the Defense Establishment, who would contend that the Volunteer Army will not work and that the Selective Service System must be kept intact as a fallback position. On the contrary I would contend that only when the Selective Service System is abolished will the Defense Department realize that drafting is no longer one of its options and that efficient use of manpower must be found.

I urge my colleagues, therefore, to support this amendment, to complete the process we ourselves began and to eliminate this last vestige of what has proven to be one of the most inequitable systems this Nation has ever known.

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

Mr. Chairman, I am a little bit perplexed by the amendment of the gentleman from Rhode Island, because I read his remarks in the committee report, and there he was opposed to the continuation of the Selective Service office. He wanted no funding for it at all. Yet he comes forward now with an amendment that only cuts the funds, and the major argument for which is that it was strongly recommended by Roy Ash, who is the very individual that many of the individuals who support this amendment have been trying to knock out of the Office of Management and Budget.

I think it ought to be made clear that there is no real conflict between a volunteer force and the continuation of a Selective Service office on a stand-by basis. To try to suggest that these two things are in opposition is completely misleading.

My impression of the argument presented by the gentleman from Rhode Island in his supplemental views, is that we do not need a Selective Service office.

He says we are going into a volunteer force on the first of July and that therefore the office of Selective Service ought to be abolished. Why he has decided now to keep it struggling a little longer I do not know; but it all reminds me of the story of our friend from Florida, Billy Matthews, used to tell of the man who told the fish he caught that he was not going to hurt him, he was just going to gut him a little bit.

The fact of the matter is although we are going to have a volunteer force and will not have any inductive authority beginning the first of July, there is still a job for Selective Service to do. In the first place, it is mandated to continue to operate by law, as the distinguished gentleman from Massachusetts (Mr. BOLAND) has already explained. This is the substance of an amendment put in by Senator SAXBE in the other body last year: it requires that the Selective Service machinery be available on a standby basis after the induction authority has terminated.

Secondly, although the draft is going out on the first of July, there are still going to be some people who are going to be drafted. First are those doctors who have been deferred under the Berry Plan so they could continue their graduate medical career; they are going to continue to be called into the service according to certain schedules. In fact, if we do not continue to bring them in we are going to face some serious shortages in the military medical field. Secondly, anybody who has received a deferment during the period of the draft is also going to be subject to call, and that is only fair and reasonable so as to prevent anybody from avoiding the draft simply by getting continuous and repeated deferments. If we are now going to eliminate Selective Service altogether, or even just a little bit, as the gentleman from Rhode Island wants us to do, then we will have to allow some of these people who ought to serve and who have the responsibility to serve to get away without serving at all.

But the third and probably most important reason of all for rejecting this amendment is that the Volunteer Army still is in a testing stage. We want time to see whether the volunteer concept is really going to work. The Army has been telling us it is working very well. The gentleman from Wisconsin (Mr. STEIGER) said a moment ago that he is afraid of some kind of plot within the Pentagon to undermine the Volunteer Army; but the fact of the matter is that if there is any plot in the Pentagon at all, as I am sure the distinguished chairman of the Armed Services Committee will bear me out, it is a plot to tell us how good the Volunteer Army is.

It is going to be an expensive Army and we hope to get enough people to carry on our commitments; but we have not yet had a chance to really tell whether it is going to work.

Therefore I think we need, as a wise gesture to maintain the machinery of Selective Service in the event we should have to fall back on it in time of emer-

gency. We all hope, and I am sure all the members of our committee hope, that it will work. But let us not eliminate this valuable machinery before we have really found whether the alternative really works.

Mr. GERALD R. FORD. Mr. Chairman, will the gentleman yield?

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

Mr. GERALD R. FORD. Mr. Chairman, I have listened to the arguments and the trend seems to run through the argument that we should not require the new 18-year-olds to register because there are 5 million-plus who are in the Reserves or in the National Guard, the inference being that these people who have already served ought to be available to serve a second time and the newcomers should not have any obligation. I think that is very poor reasoning.

Mr. STRATTON. The gentleman from Michigan makes a very sound point. In addition to that, I notice the gentleman from Rhode Island suggests that in time of emergency there are 600,000 people in the Retired Reserve. Certainly I hope we are not going to depend on them if we get into a tough struggle.

Mr. BOLAND. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I wonder if we can come to some agreement. We are trying to finish up this bill. Everyone knows the arguments pro and con on this. They are all redundant.

Mr. Chairman, I ask unanimous consent that all debate on this amendment and any amendments thereto close in 15 minutes.

Mr. MATSUNAGA. Mr. Chairman, I object.

MOTION OFFERED BY MR. BOLAND

Mr. BOLAND. Mr. Chairman, I move that all debate on this amendment and all amendments thereto close in 15 minutes.

The CHAIRMAN. The question is on the motion offered by the gentleman from Massachusetts.

The motion was agreed to.

The CHAIRMAN. Members standing at the time the motion was made will be recognized for three-quarters of a minute each.

The Chair recognizes the gentleman from New York.

Mr. PODELL. Mr. Chairman, I rise in support of the amendment to cut appropriations for the Selective Service System from $47.5 million to $28 million. The latter figure represents the amount which the SSS estimates that it would need to close out its activties.

The SSS has submitted its plans for the coming fiscal year, which call for the registration and classification of 2 million young men by nearly 40,000 employees, but for no examinations and no inductions. This so-called standby operation represents an outrageous waste of the taxpayers' money.

It should be obvious at this point that the draft is unnecessary and undesirable. Former Defense Secretary Melvin Laird stated that "the initial and primary source for augmentation of the Active Forces in any future emergency" will be the Reserves. This policy has been enunciated by both the President and the Congress as the basis for an all-volunteer force. There are 2½ million men in the Ready Reserve, and another one-half million in the Standby Reserve. Since these are the men who will be serving if, God forbid, they are needed, why in the world must we continue to register 18-year-olds who will never even be examined, much less inducted? This amounts to paperwork for the sake of paperwork, expense for the sake of spending.

Furthermore, I am very skeptical about perpetuating Federal data banks with dossiers on millions of Americans. Since the new registrants are not going to be called up, the only effect of the Selective Service System will be to compile data on their personal characteristics for use by the Federal Government. This, to me, smacks of "Big Brother" and totalitarianism. It is a proposal that is utterly incompatible with the American way of life.

Another good reason for terminating the SSS is that it accounts for more than one-fifth of all Federal crimes. Any failure to register subjects a young man to the possibility of a 5-year imprisonment or a $10,000 fine—or both. Already, during the first 6 months of the "volunteer force" era, the Selective Service System has reported increasing numbers of young men who are not registering under the mistaken belief that they are no longer required to do so. Potentially, the continuation of these foolish requirements will mean that hundreds of thousands, or perhaps millions, of American boys will unwittingly become felons.

The bloody and pointless war in Vietnam revealed all too well the danger of placing millions of draftees at the disposal of the executive branch. At the present time, there are nearly 2.3 million men and women on active military duty. These, along with the several million men in the Reserves, will provide trained and effective military power if their service is required in large-scale hostilities. But to maintain a skeleton Selective Service System, which can do no good and can only be harmful, makes no sense at all. I urge my colleagues to reduce the appropriation for the SSS to the amount needed for speedy and total phasing out of its operations.

The CHAIRMAN. The gentleman from Hawaii (Mr. MATSUNAGA) is recognized.

(By unanimous consent, Messrs. JAMES V. STANTON, DRINAN, OWENS, and PODELL yielded their time to Mr. MATSUNAGA).

Mr. MATSUNAGA. Mr. Chairman, I rise in strong support of the amendment offered by the gentleman from Rhode Island (Mr. TIERNAN). Passage of this amendment would be the functional equivalent of my own legislation to repeal the Military Selective Service Act. The proposed amendment also provides every one of us an opportunity to cast an economy vote in all good conscience—to save the taxpayers $19.5 million, which would otherwise be needlessly appropriated.

I believe that the benefits that would flow from passage of the pending amendment are substantial. The gentleman from Rhode Island has spoken to that matter, and I refer my colleagues for a full recitation of those benefits to page 20810 of yesterday's CONGRESSIONAL RECORD.

Mr. Chairman, the only possible justification for opposing the Tiernan amendment that I can think of is that the adoption of the amendment will jeopardize our national security. All that the amendment proposes to do is to reduce from $55 million to $28 million, funding for the Selective Service System. Frankly, I don't believe the amendment goes far enough. I think the entire amount of $55 million should be eliminated. The draft will expire at the end of this month and there will be no need to maintain a standby Selective Service System for fiscal year 1974.

If a Standby Selective Service System is necessary to our national defense, I certainly would not support the pending amendment.

We need only to look at our recent national history to be convinced that a standby Selective Service System is not necessary to our national security in times of peace.

Should another massive land war break out, which is not a very likely possibility in this nuclear age, the Commander in Chief has at his immediate disposal almost 5½ million trained personnel, consisting of an active force of about 2.2 million men, another 2.5 million in ready reserves, another ½ million in standby Reserves, and a part of the ⅔-million retired reservists subject to recall. In addition there are the early volunteers who have always responded in national emergencies throughout our history. For example, there were 1.7 million volunteers at the outbreak of World War II. In Hawaii alone, more than 10,000 volunteered within 1 week after the call for volunteers was issued.

If all of these sources proved inadequate, would a standby Selective Service System help to meet the emergency? Apparently not, if history means anything. In 1950, for example, when the Korean war began, we did have a standby system in operation. Not only were young men then being registered and classified, they were being given physical examinations, something that is not proposed for fiscal 1974. Even with physical exams as part of the standby system, it took 67 days from the date this country entered that conflict to induct the first men.

Contrast that experience with that of 1940, when there was no standby Selective Service System. In view of the tense international situation which prevailed at that time, the draft bill was enacted into law on September 16, 1940, and the first inductions took place on November 18—just 63 days later.

I do not mean to suggest that the drafting process is slower when we have a standby system than when we do not have one, but merely that there does not seem to be an appreciable difference in the startup times in the two situations.

There are, of course, major differences in other areas: unneeded Federal expenditures, inconvenience and risk of prosecution to millions of young Americans, and a contribution to the erosion of congressional powers.

Given that balance, I urge the House to approve the pending amendment, provide funding only to phase out the Selective Service System and save the taxpayers of America up to $55 million annually.

The CHAIRMAN. The Chair recognizes the gentleman from Mississippi (Mr. MONTGOMERY).

(By unanimous consent, Mr. ICHORD yielded his time to Mr. MONTGOMERY.)

Mr. MONTGOMERY. Mr. Chairman, I rise in opposition to the amendment, I serve on the Manpower Subcommittee of the Committee on Armed Services. The General Accounting Office made a comprehensive report to our subcommittee only 2 weeks ago. The report was that they had doubts the volunteer concept was working.

They said that the services had to recruit about 385,000 young recruits in the next fiscal year, and the General Accounting Office said, as to the doubt of the volunteer concept working, that the military services were coming up with a shortfall of about 85,000 recruits in the next fiscal year.

My point is, should we do away with the Selective Service System when there are some indications that the volunteer concept might not even work?

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

Mr. MONTGOMERY. I am glad to yield to the gentleman from Wisconsin.

Mr. STEIGER of Wisconsin. The gentleman from Mississippi, for whom I have great respect, knows that the GAO testified before the Manpower Subcommittee. The gentleman will remember that the witness said there was a range between 25,000 and 80,000 and that the realistic estimate was the lower figure.

I believe the gentleman has misstated the GAO report which, on balance, believe the volunteer force can work. In addition, there are some serious questions about the assumptions in the GAO report to which I referred in my remarks during general debate.

Mr. MONTGOMERY. Former Speaker McCormick tells the story that by one vote in the House, the Selective Service System Act was continued in 1940. If this legislation would have failed we would have had no selective system machinery when Pearl Harbor occurred. Can we take that chance again today 30 years later? No we must keep a Selective Service System in order to keep a strong defense.

The CHAIRMAN. The Chair recognizes the gentlewoman from New York (Ms. ABZUG).

Ms. ABZUG. Mr. Chairman, I strongly support Mr. TIERNAN's amendment deleting funding for the continuation of the Selective Service System.

In 1940, when the Selective Service and Training Act was introduced in this House, Representative James W. Wadsworth assured his colleagues that—

> This is an emergency measure . . . It is not an attempt to establish a permanent policy of the United States.

Yet for 33 years this supposedly temporary measure has governed the lives of millions of young Americans and their families. It has become so completely a way of life that we tend to forget that it is un-American. It gives Government the power to compel its citizens to kill. We have seen too much of the tragic consequence of that power, over the last few decades.

It is "the ultimate power of Leviathan over the individual." Most people now believe that the draft is ended—and indeed, thousands of young men are unknowingly violating the law by failing to register. The penalty for such failure is still 5 years in jail and a $10,000 fine. The power to conscript, coerce, and imprison 5 million deferred men still rests solely with the President.

Let us make no mistake—the draft will not really be ended until Congress abolishes the institution of the draft.

We are being asked today to provide $47.5 million—to maintain an active standby system to register men at 18, to hold an annual lottery, and to classify registrants for a "potential emergency."

Actually this is to maintain 925 offices and a staff of 4,340 bureaucrats, including 56 State boards, 96 appeal boards, as Presidential appeals board, and 1 local board for every county or equivalent subdivision in the United States. Senator PROXMIRE has said that this is "probably the biggest single boondoggle now going on in the Government."

Even to dismantle this proliferating python is said to take $28 million. I note that in May, however, the Director of the Selective Service System estimated that it would take only $8 million to close out the Agency. Why do we now hear $28 million? Let us give them as little as possible on the express condition that the Selective Service System be immediately ended and dismantled.

We do have a Volunteer Army—the budget included $4.1 billion for increased allowances to upgrade regular military forces to achieve an all-Volunteer Army—and in case of an emergency that truly involved the security of this Nation, we would have no shortage of volunteers. A draft does not shorten the time required for mobilization and training, which is more a matter of supplies and equipment than of manpower. Any conceivable need would be adequately met by the 5 million men currently available in Active and Reserve Forces. This approaches the number of men in the armed services 1 full year after World War II began.

The Defense Department itself concedes that the Selective Service System is not necessary for national defense. Maj. Gen. Leroy Anderson, U.S. Army, retired, a former member of the House Armed Services Committee, says:

> The only condition under which this country is likely to need draftees again would be if it became involved in a lengthy, large-scale, conventional ground war. Every indicator suggests the probability of this happening to be extremely remote.

Surely with the desperate unmet needs that exist in this country, we can find better ways to spend $47.5 million than in the perpetuation of this bureaucracy.

The CHAIRMAN. The Chair recognizes the gentleman from Indiana (Mr. BRAY).

Mr. BRAY. Mr. Chairman, I can assure the Members that every effort is being made tc make the volunteer army work. I am one of those who still believe it is possible, but I still want to have some insurance if it does not work.

I believe the draft started something like 30 years ago. Today we are drafting no one, for which I am very happy and very proud.

As for the $28 million, mentioned by the author of this amendment, I believe that was to phase out the program.

Mr. Chairman, I think that they asked for $55 million and it was cut by the Committee on Appropriations to $47 million. Let us not destroy the program. It is along the same lines that you do not expect your house to burn down, but you still do not cancel your insurance policy.

The CHAIRMAN. The Chair recognizes the gentleman from Wisconsin (Mr. ASPIN).

Mr. ASPIN. Mr. Chairman, I rise in opposition to the amendment. As one who has supported many aspects of the volunteer army I rise in opposition to it, because I do not believe that opposition to this amendment means that one is opposed to a volunteer army.

Mr. Chairman, I think that in this time of transition there is a need to keep the draft. We may need to draft doctors and others. I would like to say that there is nothing lost if we keep it for 1 more year.

Mr. Chairman, I believe that this country needs a standby Selective Service System.

The purpose of such a standby Selective Service System is to insure that the Nation can handle any national emergency which calls for the recruitment and induction of large numbers of men in a short period. If we suddenly face a situation in which we needed to dramatically increase the number of men in uniform, it would take months to organize, train, and equip the offices of the tens of thousands of people needed to man an efficient and fair Selective Service System.

A hastily thrown together Selective Service System would undoubtedly be full of inequities.

Hurried training and overnight organizing would create, by its very nature, an inequitable system in which many young men may be inducted who would be excused if a well-organized system existed.

Finally, Mr. Chairman, the standby authority is needed in case we do not reach our goal of an all volunteer army. It may be much more expensive to reorganize and reestablish a Selective Service System in a year, 2 years, or 5 years from now than it would be to keep standby authority in existence. In case the volunteer force fails, we should be ready to reinstitute the draft immediately.

Nobody likes conscription. But America must be prepared in an equitable and quick way to increase the size of our Armed Forces in any emergency or to maintain needed force level if the volunteer system fails to recruit enough men.

(By unanimous consent, Messrs. ARMSTRONG and TREEN yielded their time to Mr. BOLAND.)

The CHAIRMAN. The Chair recog-

nizes the gentleman from Massachusetts (Mr. BOLAND). Does the gentleman wish to reserve that time?

Mr. BOLAND. Mr. Chairman, may I reserve the time?

The CHAIRMAN. The gentleman may reserve his time.

The Chair recognizes the gentleman from Alabama (Mr. DICKINSON).

Mr. DICKINSON. Mr. Chairman, the Selective Service System, operating on a standby basis not delivering men to the armed services for induction, is to the country much like an insurance policy is to a family: It is indispensable in time of crisis.

It costs relatively little to operate selective service on a standby basis because it can perform its registration and classification functions with reduced numbers of employees and facilities. For example, no one has been drafted since this year began and selective service has reacted quickly: By July 1 it will have reduced the number of its administrative locations by about two-thirds.

The funding request of $55 million for the 12 months ending June 30, 1974 is a reduction of $23 million from the current year level and is less than 2 percent of the costs associated with the great efforts being made in the attempt to achieve the all volunteer force.

For a long time I have watched with interest the workings of our draft system and have followed its developments. I was somewhat concerned therefore earlier this year when I noticed printed material circulating which had as its stated objective "to dismantle the Selective Service System." The material was put out by an organization which calls itself "The National Committee to Repeal the Draft"—NCRD. In investigating I learned that the position of NCRD is based upon more than one invalid conclusion and that so-called "facts" alleged by NCRD are not accurate.

Inasmuch as some of the arguments today by those who would dismantle our Selective Service System sound sc much like the NCRD position I believe it will help make the record complete to enter at the conclusion of my remarks a letter of April 9, 1937, along with its attachment and I request permission to do so. The letter is from Mr. Byron V. Pepitone, Director of Selective Service in reply to my inquiry of him regarding NCRD.

Most of us prefer there be no need ever to draft anyone into military service and hopefully the no draft situation which now prevails in the United States will be able to continue.

However, I feel it is important to point out that elsewhere in the world men—and yes, women too—are being drafted.

In the Union of Soviet Socialist Republics, for example, each year more than 1 million are drafted.

On April 11, 1973, Andrei A. Grechko, U.S.S.R. Minister of Defense, ordered citizens aged 18 years by the day of the draft be drafted for active military service in the Soviet Army, Navy, and border and internal forces. He did so in accord with the U.S.S.R. law "on compulsory universal military service" promulgated in October 1967.

This law provides that all male citizens between the ages of 18 and 50 are subject to military service. Women with certain technical qualifications such as medical training are subject to call. On completion of conscript service enlisted men are transferred into the reserve where they remain until age 50. Women remain in the reserves until age 40.

I know of no efforts by anyone inside the U.S.S.R. which are directed toward a dismantling of that compulsory military service system which today is very active.

The Selective Service System is in the Nation's line of defense following the Active Forces and the Reserve Forces. In that connection it should be noted that the retention of Selective Service does not prevent a single volunteer from enlisting.

Recognizing that dramatic changes have taken place since the summer of 1970 and the approval of the Congress to raise the rates of pay for military personnel in order to achieve the all-volunteer force, it seems only prudent that, having made all these efforts, the Congress would go the "additional mile" and keep intact the Selective Service System in order that, in the event of a national emergency, manpower beyond the ability of the Nation to procure through voluntary means could be obtained for our defense.

To abolish the Selective Service System is to gamble with the Nation's security and inasmuch as not a single man need be drafted by merely keeping the structure intact, it would seem to be imprudent at this time for the relatively small sum of money involved in the retention of the Selective Service System, as compared to the tremendous sum being invested in the all-volunteer force, to dismantle the structure and to rely upon the ability of the all-volunteer force to do something which in fact the volunteer forces was never intended to do—defend this Nation in time of crisis.

I include the following:

SELECTIVE SERVICE SYSTEM,
*Washington, D.C., April 9, 1973.*

Hon. WILLIAM L. DICKINSON,
*House of Representatives.*

DEAR CONGRESSMAN DICKINSON: You recently asked to what extent officials of the National Council to Repeal the Draft (NCRD) had consulted with people of this office. You also asked for comments upon the validity of reasoning in that organization's pamphlet, "Selective Service Without the Draft."

There has been no known or recognized contact with this Headquarters by officials of the NCRD.

The "facts" alleged by the NCRD are quite inaccurate, and the reasoning is no better. For instance, the NCRD says that we have now reached the goal of an all-volunteer armed force. In fact, there are about 100,000 draftees still in service, and their numbers will not be reduced to zero for over eighteen months. We have merely reached the point where the Department of Defense believes it is possible, by volunteers alone, to replace all the men as they are discharged at the end of their service—both draftee and volunteer.

I am aware of the content of the letter on this subject provided at your request by the Office of the Secretary of Defense. Permit me to endorse fully the statements made in that letter.

Attached is a brief discussion of each issue raised in the NCRD pamphlet.

If I may be of further assistance in this matter, please call upon me at any time.

Sincerely,

BYRON V. PEPITONE.

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SELECTIVE SERVICE WITHOUT THE DRAFT—AN ANALYSIS

The National Council to Repeal the Draft—NCRD—has recently issued a pamphlet called "Selective Service Without the Draft". It purports to be a clear exposition of the issues involved in "killing off" the Selective Service System, to dismantle entirely even a standby means of reinitiating the draft in the event of a serious emergency where the peacetime volunteer system is not enough.

The pamphlet lists a number of questions and then provides the answers. Unfortunately for clear understanding on the part of anyone, friend or foe, on the use of conscription in American life, the answers are inaccurate or distorted or sometimes a combination of both. The pamphlet is more hindrance than help in gaining an accurate appreciation of the problem the American people will face in deciding whether the Selective Service System should remain as the Congress now requires, able to function in an emergency, or dismantled and thrown away with the hope it will never again be needed, or that if needed it can be quickly put together again.

As usually happens in many of these cases, the errors presented in such distorted fashion, while briefly stated, can require a long-winded exposition to give a balanced consideration to all aspects of the issue. At the risk of leaving out aspects of interest to a wide range of people, this review will attempt only to hit the highspots of the matter.

The first question asked, "What is the current status of the draft?", is one of two answered with no error and no distortion. NCRD stated the Selective Service System is in operation but no one is presently being drafted and the induction authority is not being used.

The next question was, "Does this mean that we have reached the goal of an all volunteer armed force before the July 1 target date? NCRD's answer: Yes, there is no need to depend upon draftees to meet our manpower needs.

Fact: The answer is "No". There are 100,000 draftees still in service, it will be two years before they have all been discharged. Since our present forces are a mixture of volunteers and draftees, a major problem of the Pentagon is to increase the volunteer enlistments to the point where they will replace the men being discharged who include both volunteers and draftees. What Secretary Laird called a great "experiment" is still in the test tube.

Question: "What will be the status of the Selective Service System afetr July 1?" The NCRD says: Continue with its present organization and functions (then a real howler of an error) but since the President's induction authority expires on July 1, he may then no longer use the System to draft 19-year-olds.

Fact: It is true that the Selective Service System will continue with the fundamentals of its function. Its mode of operation, however, will shift to a standby type.

The draft authority is not now based on 19-year olds. The draft authority applies to men in the calendar year in which they reach age 20. The median age is 20, some are 19, and some are almost 21.

Question: "Then no one can be drafted after July 1?" NCRD says: The President may still draft millions of men who have been deferred and are under age 35 and drafting could go on for the next 15 years even without induction authority. They also point to the section dealing with a "National Security Training Corps", an obsolete piece of the law which did provide for a basic

training stint of six months and they say this "could be activated easily".

Fact: The NCRD has it badly garbled. Under the present provisions of the law and regulations, men aged 26 who have been previously deferred have not lost their liability until age 35 but the rules would have to be changed with all of the attendant public fanfare of justification before anyone over age 26 could be drafted. Even for those under age 26, the only ones to whom this "residual authority" could be applied are those whose basis for deferment has now expired. The total number involved is roughly estimated to be perhaps 500,000 from age 20 to age 26, and not the millions the NCRD claims.

The claim that the National Security Training Corps can be activated easily is nonsense. It has never been activated. A whole series of actions by the Congress and the Executive would need to be taken, including the provision of necessary appropriations. If Congress did not do its part by further legislation authorizations and provisions of funds, it could not be activated. Clearly, it is a fundamental exaggeration to say this provision could be done easily. Further, these trainees would not be members of the armed forces available for deployment and combat.

Question, "What Selective Service legislation, if any, does the Administration propose?" NCRD says: "We do not know" and the President has not announced whether "he" would ask for extension of the induction authority or modify the functions of the Selective Service System although he still proposes to expend $55 million on the System in Fiscal 1974.

Fact: Officials of the Administration speaking to Congress and the public have said that the Administration has no intention of asking for an extension of inductions. They also have said unmistakably what they intend to do with the functions of Selective Service and the $55 million budget request. They intend to carry out the provisions of the law to place the Selective Service System in a standby mode of operations, prepared if the Congress authorizes it, to resume inductions.

Question, "Why should we spend all that money on the Selective Service System if we are depending solely on volunteers?" NCRD says: The only possible argument is for insurance so that "we might participate in a major ground war".

Fact: Nonsense. Insurance is correct, but the participation in a major ground war represents a cockeyed look in the crystal ball that only the NCRD seems capable of doing. The rest of the citizens have no way of knowing when the present large group of draftees are discharged that the requirements for men in uniform will be adequately met by volunteer methods. The insurance has nothing to do with intentions to fight any war. It is a prudent measure in case we cannot meet peacetime requirements, and an absolute necessity if we should become engaged in fighting that the Congress believes cannot be supported by volunteers alone.

Question, "But even in peacetime we could have a shortage of men. Shouldn't we keep Selective Service for that possibility?" NCRD says: The shortage is not likely, claims that many things can be done to get enough volunteers in case the present great expenditures don't accomplish the job and that those things such as length of enlistment periods, salaries, fringe benefits, etc., have been the military tradition for maintaining strengths for 160 years and not conscripts.

Fact: More nonsense. Throughout American history through the Revolutionary War to the present day, whenever the United States has needed more than a mere skeleton force (on one occasion a force so small that it could not even handle the Whiskey Rebellion of a few farmers) we have had to use conscripts. In fact, the requirement for military service by all able-bodied men is a fundamental tradition of democratic countries. In the past the only way that the United States has been able to totally rely upon volunteer methods has been to have very small active forces, and rely on time, distance and our allies to shield us while we prepared the larger number to put muscles on the skeleton we had maintained.

Question, What about the insurance argument? "Shouldn't we keep Selective Service on standby in case of war?" NCRD says: "No", it would take too long to make draftees effective. A scheme of using regulars and reserves and "early volunteers" would give the time to create a draft system. They further claim that we activated the draft rapidly from scratch in World War I and could do it faster today with "computerized technology". When threatened, we have had ample volunteers at onset of hostilities. They claim since it takes six months to process and train draftees they have no value in emergencies.

Fact: Again, more nonsense. It is generally true that it takes six months to prepare a soft, untrained man to take his part in a military unit but when you add that six months training time to an optimistic six months time to prepare a new draft system, these people would have the United States stay in a crisis situation requiring drafting for over a year before the first man would be available for deployment. Who could think this is a good scheme?

We did not activate a draft system very rapidly from scratch during World War I. There had been a number of preparations made for it since the flames of the war in Europe had been visibly getting closer for three years. In any event it was months before the scrawny skeleton of the then volunteer Army had enough muscles on it from draftees that it could be deployed for battle. There were not "ample" early volunteers rushing to overwhelm the recruiting sergeants. With all of the Government's most intensive efforts, the total volunteers in the first weeks were only 30,000 men from the entire United States and in a war which many people now view as a "popular war".

What "computerized technology" would do in the absence of a trained, organized and prepared Selective Service organization to use the computers is left unsaid.

Question, "What if the Nation is not 'clearly' threatened?" NCRD says: We should not have a standby organization because it may be used without a "national consensus".

Fact: Once again, nonsense. The standby draft cannot be used to begin the induction process until the Congress of the United States has affirmatively acted to give the President this authority.

A national consensus? What more do these people want?

Question, "Have we ever had a standby draft before?" NCRD says: "Not exactly". They draw a comparison to the situation in 1947 and 1948 when President Truman refused to ask Congress to reenact the Selective Service Act and in effect did what these people want, repealed the draft act. They then have a long list of charges saying that the Armed Forces with President Eisenhower, then Chief of Staff of the Army, and the apparent connivance of the Secretary of Defense and the Service Secretaries, an apparently blind Congress standing by, "sabotaged" the volunteer concept, plotting to bring on a manpower shortage and the reinstitution of the draft act.

Fact: The NCRD misstates the entire situation and carefully avoids the opportunity to compare a standby draft with a no standby draft situation. They are not telling the truth when they say the Armed Forces sabotaged the volunteer concept by raising mental requirements for enlistment. During a good portion of the time the requirements were lower. They say the Armed Forces limited the number of women and black enlistees. In fact, President Truman himself led the way in increasing the use of both blacks and women in the Armed Forces. They say the Armed Forces replaced civilian personnel with uniform personnel. In fact, Secretary of Defense Louis Johnson went to extreme efforts in what he called the "fat elimination process" in which civilians replaced uniformed people. The sabotage claim is a false charge made up out of the whole cloth.

The effort to avoid a comparison of a standby system with a no standby condition must have been deliberate. The facts as to the standby system were too closely involved in the period they cite to be overlooked. The Selective Service Act lapsed in 1947. For 19 months there were no calls for induction. The System was dismantled to a corporal's guard disposing of the cabinets full of files. When the strength of the forces had declined to a disastrously low level, Congress reenacted the Selective Service Act with the greatest of urgency in reconstructing the machinery. The best that could be done after six months was to induct 20,000 men.

The use of the standby system occurred shortly after the Nation recommended drafting in 1948. The combination of drafting and draft pressure had so improved the strength posture that beginning in January 1949 no draft calls were issued for sixteen months. The System with its draft machinery intact, registering, classifying and examining, but not inducting young men, was in the "standby" mode attacked by the NCRD. Then the United States was struck by the surprise blow of the Korean War. The standby organization was able to begin drafting within two months and at the end of six months had furnished over 220,000 men.

The contrast is clear. No standby is a serious mistake. Standby is a very low cost method of being sure that the United States can do what it needs to do without taking great risks, or the heavy casualties if war begins when we are in a weak condition. It avoids tempting a rash opponent when he believes we cannot react in time, or with enough strength.

Question, "Why should Congress be interested in repeal of the Selective Service Act?"

NCRD believes: The program is wasteful, they could use the money for other things and Congress should end anything connected with the draft in order to regain its Constitutional power to raise Armies.

Fact: Ordinary prudent men and their families do not call an insurance premium a waste. The wasteful acts are those which would provide no insurance to preserve our way of life and this marvelous country which is ours. It is comparing apples and bananas to compare the money for this purpose with money which could be used for other purposes. Any mature student of the political processes knows to not appropriate money for one program does not appropriate money for some other program. It is normal good business, as well as Congressional practice to have each program stand on its own merits. When you knock off one appropriation, that money does not go elsewhere in the appropriations handled by some other Committee.

Once again, it is a nonsense issue to make a claim that for Congress to maintain a standby draft system whose induction authority depends upon a specific Congressional enactment, is for Congress to lose control of its power to raise Armies. It is in fact a prudent and thoughtful exercise of its power to raise Armies.

Question, "Why should the Defense Department be interested in repeal?"

NCRD urges: If those in the Defense Department do not support the destruction of the Selective Service System, it shows their heart is not in the all volunteer approach

proving that the military leaders of today do not rate with those of the 40's, who had to learn their leadership skills in forces manned solely by volunteers in World War II.

Fact: Where were these people in World War II? Twelve million men were drafted—not volunteers. It is a gross insult to claim that our present-day leaders do not rate with those of the 40's. In fact, they were leaders in the 40's. They learned their leadership skills in an Army of Americans—volunteers and draftees alike. The quality of the troops involved then as now had nothing to do with being a draftee or a volunteer. It is also an insult to the quality of the magnificent troops who served our country in World War II, Korea and Vietnam, mostly draftees, or do these people mean that the difficulty of leading volunteers is such that leadership skills thus learned are enhanced? The thought occurs, perhaps they never served at all themselves and have no firsthand experience at all.

Question, "Why should the President be interested in repeal?"

NCRD states: For reasons mentioned above, the President's interest in such repeal stems from a desire to show that he means business about all volunteer forces.

Fact: The President and the Pentagon leaders, making strenuous efforts to achieve an all volunteer force, premised their action to get such a force upon the fact that there would be a standby Selective Service System. This standby mode of operation for the Selective Service System was part and parcel of the Gates Commission recommendation to seek an all volunteer peacetime force. This fact seems to be conveniently forgotten by the NCRD and its adherents.

Question, "Will draft repeal bills be introduced in this session of Congress?"

NCRD says: "Yes".

Fact: Yes, in the first and last responses only does the NCRD give an answer with a reasonable resemblance to accuracy.

The CHAIRMAN. The Chair recognizes the gentleman from Virginia (Mr. DAN DANIEL).

Mr. DAN DANIEL. Mr. Chairman, the dismantling of the Selective Service System at this time would be a grave mistake. While the Department of Defense has expressed some optimism about the success of the all-volunteer force concept, many others do not in the least share this optimism.

The General Accounting Office, the Brookings Institute, my own committee, have all examined the potential for success and find only moderate encouragement.

The Department of Defense is at best hopeful. Indeed, the only group which finds the all-volunteer force concept successful are those who propose here today to eliminate the selective system. Would that we might solve all our national problems so easily. We would simply announce they had been solved, even in the face of contradictory evidence, and move on to other things.

A true all-volunteer force must be composed of three separate elements: (1) the volunteer active force: (2) the volunteer reserve force: and (3) a backup selective service system.

After some 6 months of operation in the absence of the draft, we have not had an ample opportunity to test recruiting for the first element, and the second element is in serious difficulty at the present time, with a 67,000-man undermanning expected. This is especially disturbing, since under the total-force concept these Reserves must be relied upon for manning in the event of a national emergency.

We are in a period of changing political, social and economic patterns. There are uncertainties about the structure and content of our U.S. military forces for the future. After living with the draft for more than a generation, and having existed for generations before that with a minimum military structure, we are embarking on uncharted waters. There is only one hard fact available to us—in any future national emergency, we will be denied the one element previously provided, and which we will never have again. That element is time. In a world of instantaneous attack and response, we cannot afford this luxury heretofore enjoyed in acquiring the manpower for our defense.

It is not my intent to depreciate the all-volunteer force concept, but simply to emphasize it is a concept. Despite all our wishful thinking, it is not a reality. It is not an accomplished fact.

We are all hopeful of detente. But at this point, detente is a dream—a goal. Detente is not a reality, either. And if it is achieved, it is at best only an interim state on the path to real and lasting peace.

Until such time as more concrete evidence than now exists is developed, I urge my colleagues to join in support of the modest Selective Service System budget for fiscal year 1974—$47 million is a reasonable price to pay for a national security insurance policy.

The CHAIRMAN. The Chair recognizes the gentleman from Wisconsin (Mr. STEIGER).

(By unanimous consent, Mr. STEIGER of Wisconsin yielded his time to Mr. BOLAND.)

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

(By unanimous consent, Mr. PEYSER yielded his time to Mr. GERALD R. FORD).

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

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

As we consider the matter of the appropriation for the Selective Service System for fiscal year 1974, I believe we need to look back in time. A standby draft system is not something that the Selective Service System dreamed up in order to stay in business next year. When you look at the record, it is evident that a standby draft system has been an integral part of the all-volunteer army concept from the very beginning of the all-volunteer Army discussion a few years ago. As you well remember, it was the Gates Commission which the President appointed to study the feasibility of implementing the all-volunteer Army. In his charge to the Gates Commission, the President not only requested that it study the all-volunteer Army concept but that it also study what sort of standby draft machinery should be maintained. That was in 1969—4 years ago. A year later, in 1970, when the Commission made its now famous report recommending the establishment of an all-volunteer Army, it addressed an entire chapter of its report to the question of a standby draft. The Commission's recommendations echo the plans made for selective service's operation during fiscal year 1974. The Commission recommended that a register of all males who might be conscripted when essential for national security be maintained. Selective service will be doing that during fiscal year 1974. The Commission recommended that a system for selection of inductees be maintained.

Selective Service will be doing that during fiscal year 1974, but of course will not be drafting anyone. The Gates Commission recommended that specific procedures for the notification, examination and induction of those to be conscripted be maintained, and Selective Service will be doing that in fiscal year 1974. Finally, the Gates Commission recommended that an organization be kept to maintain the register of young men and to administer the procedures for induction. And Selective Service will be doing that in fiscal year 1974. In fact, it appears that Selective Service will be doing those things recommended by the Gates Commission, but will be doing no more than that.

Hence, just as the President and the Congress have accepted the Gates Commission's recommendation for the adoption of an all-volunteer armed force, so we should now also accept the Commission's recommendations regarding the maintenance of an active standby draft system. For, as the Gates Commission stated—

> The rationale for providing a standby draft is the possible urgent need for the nation to act quickly.

Even if the first man were inducted on the first day of a mobilization, he would not be available for combat for 4 to 6 months because of the necessity to train him. The Gates Commission in their planning for the all-volunteer army aptly realized that the draft mechanism must be kept intact in order to supplement the all-volunteer force and the Reserves in time of national emergency. If the Gates Commission, as innovative and bold as it was, concluded after much study of the problem that a standby draft system was necessary, I believe that we can have faith in their recommendation.

In conclusion, I firmly believe that if we are to implement the all-volunteer army concept, we should implement it all the way, not just half the way. I believe it is absolutely necessary for us to approve the appropriation for Selective Service so that a standby draft system, which has always been part of the all-volunteer army concept, will remain in existence.

Mr. BOLAND. Mr. Chairman, will the gentleman from Alabama (Mr. NICHOLS) yield?

Mr. NICHOLS. I yield to the gentleman from Massachusetts (Mr. BOLAND).

Mr. BOLAND. Mr. Chairman, in response to the inquiry, let me say that the Director of the Selective Service System requested $55 million for their activities in fiscal year 1974. I might also say that the original request to the Office of Management and Budget was $65 million, although it was cut to $55 million.

That was the amount requested of the Committee on Appropriations.

The CHAIRMAN. The Chair recog-

nizes the gentleman from California (Mr. ROUSSELOT).

Mr. ROUSSELOT. Mr. Chairman, I rise in support of the Tiernan amendment to reduce funding for the Selective Service System in this fiscal year 1974 appropriations bill from $47.5 million to the phaseout level of $28 million.

The induction authority expires June 30, and neither the Armed Services Committee nor the administration has indicated that a last minute extension of this authority will be sought. Without the main purpose of its existence—to draft—it does not seem reasonable or a wise use of public tax dollars that the Selective Service should continue to receive operating appropriations. Former Secretary of Defense Laird stated on January 27, 1973:

> Use of the draft has ended. Henceforth, the Armed Forces will depend exclusively on volunteers.

Former Assistant Defense Secretary for Manpower and Reserve Affairs Kelley stated on April 25, 1973:

> The draft has ended and we have achieved an all-volunteer force. It has been demonstrated that we don't need the draft to meet our peacetime military requirements.

Arguments that full funding is needed in fiscal year 1974 to support a Selective Service "standby" operation that plans to register and classify 2 million young men in order to insure against military manpower shortages just cannot be historically substantiated. In past emergencies such as World War I, and prior to our entry into World War II, the draft has effectively been implemented without such a "standby" operation. In addition, under this operation, the Selective Service would be classifying young men without physical examinations. Such classifications would, therefore, not be legitimate or accurate.

During the 17-month period prior to the outbreak of the Korean war, the Selective Service was operating under a "standby" system registering, classifying, and examining young men, but it was still 67 days before the first men were drafted. In 1940, over a year before our declaration of war, the Selective Service without a "standby" operation started inducting men 63 days after a draft bill was enacted. The real insurance against military manpower shortages is for the Congress to continue to improve salaries and fringe benefits of military personnel in order to compete for manpower just as all employers must do.

Including the $15 million for building rent in the GSA budget, the total amount for the Selective Service would be $62.5 million in fiscal year 1974 with no inductions if the House approves the $47.5 million recommended in this bill, H.R. 8825. Compare this with the $71 million in fiscal year 1967 when an estimated 288,000 men were inducted. The fiscal year 1974 "standby" operation would provide for 925 board locations, 56 State and 1 national headquarters, and a yearend strength of 4,340 paid employees—from approximately 7,200 paid employees in February 1973. All this to perform a function that no longer exists.

A compulsory system of military service is neither necessary for the defense and security of the United States nor consistent with the rights, freedoms, and responsibilities of young Americans. The Tiernan amendment gives the House the opportunity to totally affirm its support of the all-volunteer military.

The CHAIRMAN. The Chair recognizes the gentleman from New Jersey (Mr. HUNT).

Mr. HUNT. Mr. Chairman, I am opposed to the amendment.

(By unanimous consent, Messrs. HUNT and RHODES yielded their time to Mr. GERALD R. FORD.)

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

Mr. GERALD R. FORD. Mr. Chairman, I rise as a firm, strong supporter of the voluntary military force. I think it is working as well as we could hope in a short period of time. I think it will work. If this amendment is approved, I think you will see the end of the all volunteer military force.

I would like to challenge, if I may, one or two comments of my friend from Hawaii. As I said earlier, if this amendment is approved, in effect, you are putting those who went into the military service and served, whether it was in Vietnam or Europe, under double jeopardy. You are going to ask them to have served on one occasion and to be most eligible to serve a second time. You are going to eliminate from even registering the newcomers at the age of 18. I think that is double jeopardy.

Mr. BOLAND. Will the gentleman yield?

Mr. GERALD R. FORD. Let me answer, if I might, the gentleman from Hawaii.

He said at the time of Korea it took 63 days, as I recall his comment, to get the first Selective Service draftee in the military. The gentleman from Hawaii was not in the Congress in 1950 when the war in Korea began. I had been here for a year or two. The facts are that as soon as Mr. Truman sent our forces into Korea he called up the National Guard and he called up the Army Reserves, which makes the precise point that I am trying to make—the fellows who had served in World War II and who were still in the Reserves and were still in the National Guard when Mr. Truman sent our troops into Korea were called back for a second tour of service.

That is exactly what the Tiernan amendment will force, whoever is President in the future to do. I do not think that is fair, and I do not think it is equitable, and it amazes me that my friend from Hawaii would want to put 5.5 million young men in double jeopardy.

Mr. MATSUNAGA. Will the gentleman yield?

Mr. GERALD R. FORD. I will be glad to.

Mr. MATSUNAGA. The gentleman definitely misunderstood me, because I mentioned the Korean conflict and World War II as contrasting cases to show that there is no need for a standby Selective Service. At the outbreak of the Korean war we did have a standby Selective Service System, whereas in 1940, immediately preceding World War II we had no Selective Service System. Yet it took less time to draft our first men into service in 1940 than it did during the Korean conflict.

Mr. GERALD R. FORD. But you put people in double jeopardy under the program that you are talking about.

The CHAIRMAN. The Chair recognizes the gentleman from California (Mr. TALCOTT).

Mr. TALCOTT. Mr. Chairman, I oppose the amendment offered by the gentleman from Rhode Island (Mr. TIERNAN).

Br. Chairman, I think it should be pointed out that there are several misrepresentations that have been unintentionally made here this afternoon. The $28 million is to phaseout the Selective Service System; it is not to operate the Selective Service System for 1 year. I repeat, it is to phaseout the Selective Service System. That is quite different from operating the system for 1 year.

Mr. Chairman, this is a civilian agency. It is not a military agency, and we have probably gotten the most dollar value from the Selective Service System that we have from any other agency of the Government, because there are so many volunteers connected with it. We need planning, we need personnel, we need boards, we need procedures. I think that it is extremely important that we do keep them ready, so that if we do need them they can respond rapidly and effciently.

The CHAIRMAN. The Chair recognizes the gentleman from Massachusetts (Mr. BOLAND) to close the debate.

Mr. BOLAND. Mr. Chairman, I appreciate the gentlemen yielding their time to me.

Mr. Chairman, one of the matters that I think ought to be cleared up is with reference to the statement of the Director of the Selective Service System requesting only $27 million for fiscal year 1974.

Let me read from the hearing:

> Mr. PEPITONE. My original request was made on the 15th of September. The original request in terms of dollars was for $65 million as opposed to the $55 million which we are now requesting.
>
> Mr. BOLAND. Was there any indication by the Office of Management and Budget that you ought to get a lot less than $55 million?
>
> Mr. PEPITONE. We had some very serious discussions about it.
>
> Mr. BOLAND. Of course, you are at liberty to tell the Congress what those serious discussions were, I suppose?
>
> Mr. PEPITONE. I wouldn't mind telling the Congress. We ranged from $27 million to $55 million, as reflected in this budget. However, as a determinant in what we came up with, we actually measured our ability to react in a national emergency against the requirements that the Department of Defense could predict for their manpower needs on the basis of their ability to accept people and train people over a period of time.

Mr. Chairman, the $28 million proposed in this amendment will absolutely kill the Selective Service System.

The Selective Service System will, and must—see section 4(a), Military Selective Service Act—continue to classify all registrants in one of the 21 different classifications when it is functioning in a standby role after July 1, 1973. By this action a pool of 20-year-old men will be

identified as available each calendar year if the Congress should remove the restrictions on the authority to induct men into service. It may be that the sequence of events is not clear to people not familiar with the system.

Every man must register when he becomes 18. At this time he is given an administrative classification of 1–H. At this age he is not eligible to be in the pool of men available to be drafted.

During the calendar year in which the man reaches his 19th birthday he receives his lottery number, technically known as "Random Sequence Number." This number is assigned to him according to the date of his birth as determined in the annual lottery held early in the calendar year for each year group. During all the time after registering, he has kept his local board informed of his correct address.

As this 19-year-old group approaches the year in which they reach their 20th birthday, the local boards will begin the classification of the lowest numbered men. They will classify out of class 1–H into one of the 20 other classifications about one-fourth of the men of that particular year group. Thus when this year group reaches the year in which they are eligible for induction, the Nation will have identified a reasonably sized pool of men as available if the Congress provides the authority for their induction.

As a part of this classification process each man is asked to fill out a questionnaire disclosing his circumstances. It is at this time he begins the process of establishing to the local board his eligibility for some other classification than 1–A, available for induction. The local board will then, based on the facts disclosed in each man's file, classify him in the lowest classification for which he is eligible.

It should be noted that the classification process does not include any of the work done at the Armed Forces examining and entrance stations in examining the man to see if he is acceptable by the standards of the Defense Department. The determination of acceptability for service is made by the agencies of the Defense Department. When made known to the local board, this material supports the man's correct classification.

Do we need a Selective Service System? That is a determination that the Members on the floor of the House have to make.

The Committee on Armed Services has said that they want a standby Selective Service System.

The Gates Commission, which is responsible more than anyone else for the volunteer concept, indicated we need a standby system.

The National Security Council says we need it.

The American Legion and the Veterans of Foreign Wars say that we need it.

So, Mr. Chairman, I would think that we ought to preserve the standby system, and I urge that you support the $47.5 million level recommended by the committee.

Mr. WYLIE. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Rhode Island (Mr. TIERNAN).

Mr. Chairman, we are in the process of going to an all-volunteer Armed Forces. To say that we could get along without any armed force is to be naive in the extreme.

History shows that no nation has ever been able to maintain an all-volunteer armed force without the encouragement of a draft or some form of selective service.

We are launching on a program that has never worked. That is not to say it won't work and I think the all-volunteer Armed Forces concept is an idea whose time has arrived.

We are trying to make the concept succeed by providing sufficient incentive—through salaries and other benefits so we don't have to resort to a draft in case of emergency.

But, we need some system to respond in case of emergency. Fortunately, the Selective Service Act prevailed by one vote in 1940. Otherwise, we could have been in serious trouble when attacked by the Japanese the following year.

The budget will be reduced from $92 million for fiscal year 1973 to $47.5 million.

We need to maintain a standby reserve capability—and we need to know the extent of our manpower capability in case of an emergency.

The Selective Service system must be prepared to respond to the national security requirements in a world where few things are certain, especially national defense requirements. We cannot reduce their budget below $47.5 million.

I urge defeat of the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Rhode Island (Mr. TIERNAN).

The question was taken; and on a division (demanded by Mr. TIERNAN) there were—ayes 45; noes 113.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. BLACKBURN

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

The portion of the bill to which the amendment relates is as follows:

COMMUNITY DEVELOPMENT

MODEL CITIES PROGRAMS

For financial assistance in connection with planning and carrying out comprehensive city demonstration programs, as authorized by title I of the Demonstration Cities and Metropolitan Development Act of 1966, as amended (42 U.S.C. 3301), $150,000,000, to remain available until June 30, 1975.

The Clerk read as follows:

Amendment offered by Mr. BLACKBURN: Page 4, Line 18, strike $150 million" and insert in lieu thereof "$50 million".

The CHAIRMAN. The gentleman from Georgia is recognized.

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

Mr. BLACKBURN. I yield to the gentleman from New Jersey.

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

Mr. HUNT. Mr. Chairman, if I may at this time, I feel that it would be appropriate to relay some comments relevant to our discussion made by the two most recent Secretaries of Defense, the Honorable Elliot L. Richardson and the Honorable Melvin R. Laird.

Mr. Richardson, in his special report of March 1973, quoted the conclusion of the Gates Commission, which stated:

We unanimously believe that the nation's interest will be better served by an all-volunteer force, supported by an effective standby draft, than by a mixed force of volunteers and conscripts.

Mr. Laird, in his report to the President and chairman of the Armed Services Committee of August 1972, stated:

Our experience to date in reducing reliance on the draft confirms the wisdom of having extended the authority to July 1, 1973, thus allowing sufficient time to phase out of draft reliance and test the effectiveness of a variety of programs for the all-volunteer force while maintaining the strength and quality of our military forces.

Mr. Laird goes on to say:

Some may be tempted to compromise the strength of our forces in the haste to eliminate the draft. This Administration cannot be placed in the position of reducing forces below the levels necessary for national defense, or denigrating their quality, because it has acted too soon to eliminate the draft.

Both of these men are acutely aware of the delicate discussions in which we have been, and even now are, involved concerning disarmanent and mutual force reductions. If we place ourselves in a position of dismantling Selective Service before the all-volunteer force concept has had sufficient time to prove that it is a viable alternative to conscription, then we incur the risk of bargaining from a weakened position—something we can ill afford.

At present, several important bills are before Congress that are all aimed at improving the chances of success of the all-volunteer army.

The Brookings Institution report to the Senate Armed Services Committee raises serious questions as to the advisability of adopting various proposals aimed at bolstering the number and qualifications of volunteers until more intensive study on their effectiveness can be accomplished.

At a time when it appears that we are making great strides toward making the all-volunteer army a reality—something never before accomplished by a nation of this size—let us not make irresponsible or emotional decisions in shaping a course for this Nation that future generations will be forced to live with. Patience and well-planned action must be our watchword.

We would be less than prudent in dismantling the "old" before thoroughly testing the "new."

Mr. BLACKBURN. Mr. Chairman, I have this amendment and one other, which I would hope I can offer and have considered immediately after we have considered this amendment, because the arguments for and against are both the same. We only deal with the amounts of money in my amendments.

Mr. Chairman, we have heard a great deal of discussion about the Better Communities Act, and we have had some say, in effect, "We never heard of such a bill, or at least none is pending before the Congress at this time, and, therefore, we should not consider it in our deliberations here this afternoon."

But, let me call the attention of every member of the committee to the fact

that the Better Communities Act was adopted as part of the Housing Act last year. There was no substantial opposition to it, and I do not want to misstate the facts, but the best memory I have is that the Better Communities part of the Housing Act was adopted without a dissenting vote. That is my best and my most honest memory about it. I have every reason to be confident that when a Better Communities Act is presented on the floor of this House—and the only reason it was not presented last year was because the Housing Act of last year was so large in money; I think we were talking in terms of $10½ or $11 billion—it covered such a broad range of subject matters that the Committee on Rules, and I think properly so, said that at that late hour of the session it would not be wise to bring a bill of that scope and size and variety of subject matters to the floor of the House.

So the Better Communities Act died as a part of the death of the Housing Act of last year.

Mr. Chairman, the purpose of my amendment is to reduce the amount of money that is being appropriated for the Model Cities program. There are many horror stories that I could repeat at this time about the problems that have arisen, about the waste, the mismanagement, and the lack of tangible successes in the Model Cities program, but I am not going to reiterate all of that for the benfit of those who are familiar with them anyway.

What I am going to say is this. We are not legislating in a vacuum. We know that other proposals and other methods of dealing with the problems of our cities are going to be presented to the Congress.

We are trying to get away from the categorical grant programs that we have now before us. We are trying to get away from the redtape. We are trying to get away from the delays. We are trying to get away from the bureaucracies. We are trying to get away from the regulations that are causing so many headaches in so many of our cities.

It is the Better Communities Act that does present the alternative and realistic method of approach toward solving the problems of our cities.

Mr. Chairman, the purpose of my amendment, which would reduce the amount of money which is called for by the Appropriations Committee, is to permit an easy dovetailing, a realistic dovetailing of the cessation of the categorical grant programs into the beginning of the Better Communities Act, which we hope and expect will have become effective the first part of next year.

Mr. Chairman, the amount I have substituted for the amount recommended by the Appropriations Committee is an amount that was recommended by the Department of Housing and Urban Development after long and careful consideration. The amount that is recommended is the amount that is necessary to not create undue hardships on those cities that now have ongoing Model Cities programs. Once they begin to function under the Better Communities Act, then it is up to the mayors and then it is up to the individual county commissioners and others to make their own decisions as to where they will channel the money.

The President's budget proposed no appropriation for the Model Cities program in fiscal year 1974. It assumed that the funds provided through 1973 would permit cities to sustain a substantial level of activity through the transition to the implementation of the Better Communities Act. The act, proposed for enactment in time to be effective on July 1, 1974, would replace the Model Cities program and six other community development programs with a program of special revenue sharing.

As indicated in testimony before the Appropriations Committee, however, the Department invited mayors in to review their individual situations. This review has now been completed. As a result of this review, HUD found that some substantial inequities and hardships would exist in some communities as a result of the assumptions built into the 1974 budget. In their judgment, an appropriation of from $50 to $75 million would be sufficient to cover these situations.

In providing funding in fiscal year 1973, program levels for nonplanned variation cities averaged about 70 percent of past levels. Within this grouping those cities which received over 85 percent appear to be reasonably capable of a smooth transition to funding under the Better Communities Act.

The HUD review indicated, however, that in the case of many of the cities funded at below the 85-percent level, the sharpness of the cut results in reductions of service-oriented programs, personnel and services incompatible with a proper transition to funding under the Better Communities Act. To rectify this situation for these cities would require an increase in funding levels by an amount of from $50 to $75 million. The total required would depend on actual performance as well as determinations of need in the course of the year.

The specific amounts for each city would depend on the following factors:

The number of months from the start of a city's next program or action year to July 1, 1974.

The amount of funds that the city is expected to carry over into its next action year from its present one; and

The performance of each city in its present as well as past action years.

Within the funds made available, each city would be encouraged to work out the method of transition to Better Communications Act funding that is most suitable to that city. At the time the new program is implemented a city can decide whether to maintain its model cities programs with such special revenue sharing funds. The funds requested would give all cities in the program a comparable option on that decision.

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

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

Ms. ABZUG. Mr. Chairman, where is the gentleman from?

Mr. BLACKBURN. I am from Decatur, Ga.

Ms. ABZUG. Mr. Chairman, I find it fascinating. There are many Members from the urban areas who have been voting for many projects which will benefit many of the rural areas and rural programs.

Mr. BLACKBURN. I ask that the lady stop at this point.

Ms. ABZUG. May I continue?

Mr. BLACKBURN. No, the gentlewoman may not on my time.

I decline to yield further.

Mr. Chairman, I happen to represent a part of the city of Atlanta. My district includes part of the city which has a population of 1.6 million people at this time, so please do not think I have cockleburs in my shoes at this time.

Mr. Chairman, I submit that the amendment I have recommended is one that has been considered by the Department of Housing and Urban Development. It is one that is realistic. It is one that in my opinion will come realistically to grips with the problem of dovetailing the new act with the ongoing programs.

Mr. BOLAND. Mr. Chairman, I rise in opposition to both amendments. My remarks will be directed at both amendments.

What the gentleman from Georgia says with reference to the Special Revenue Sharing Act as it was proposed last year is perfectly correct. I think it is fair to say that the Better Communities Act proposed for this year is also a form of special revenue sharing except that last year the Department did provide funding for the ongoing programs. This year the Department does not provide funding for these programs. It terminates both these programs—the Model Cities programs and the open space programs—to which both of these amendments inure.

We put in $150 million for Model Cities. Why? There are 147 cities throughout the United States that operate under this program. The funding levels for 1974 are cut back in the budget program to 55 to 80 percent of previous levels. The committee took the position that we ought not to create a one year hiatus in the Model Cities program during the fiscal year 1974.

We provided $150 million for Model Cities to continue funding at the same level as 1973 and not be cut back at this time—and until the Congress makes a determination on the Better Communties Act or some other new legislation.

What about the open space program? Last year the administration asked for and we provided $100 million for open space. This year they requested no funds. We provided $70 million in this bill for open space. This amount, together with the $28 million which the Department will not spend in fiscal year 1973, will make available a total of $98 million for the open space program in 1974.

Mr. Chairman, we tried to come here with a bill acceptable to both sides of our committee. I think we have. We tried to have a bill that was acceptable to most of the members of the Committee of the Whole. I think we have. We tried to have a bill which will be signed by the President of the United States. I think we have. Of course, everybody cannot be in agreement with it on every item.

What I am saying is that we ought to

continue these programs which have been terminated. We disagree with the administration on the question of terminating these programs, and both of these programs which the gentleman's amendments refer to are proposed to be terminated in the budget as of June 30th of this year, or last January 5. The fact of the matter is that this should be a decision which Congress itself ought to make. We propose the law; we are the ones to pass the laws; and we appropriate funds to carry out these programs under the law.

Do the Members not believe that there ought to be some responsibility on the part of the Congress to continue these programs? I do, and that is what this committee recommends for fiscal year 1974. If the Better Communities Act or some other legislation is passed, then it will be up to the local communities to determine what they want to do. We think in fiscal year 1974 that these programs ought to be provided for, and we do it.

Mr. Chairman, I hope the Members on this floor will support the action of the committee.

Mr. TALCOTT. Mr. Chairman, I rise to oppose the amendment.

Mr. Chairman, I concur with the gentleman from Massachusetts in opposing both the Blackburn amendments. However, I want to compliment the gentleman from Atlanta for giving us a good dissertation on revenue sharing for the cities through the Better Communities Act. I agree with him, that we ought to pass it.

However, this is not the time to do it. These programs have to continue until we get this act passed. I urge every Member to oppose both amendments.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Georgia (Mr. BLACKMAN).

The amendment was rejected.

AMENDMENT OFFERED BY MS. ABZUG

Ms. ABZUG. Mr. Chairman, I offer an amendment.

The portion of the bill to which the amendment relates is as follows:

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION RESEARCH AND DEVELOPMENT

For necessary expenses, not otherwise provided for, including research, development, operations, services, minor construction, maintenance, repair, rehabilitation and modification of real and personal property; and purchase, hire, maintenance, and operation of other than administrative aircraft, necessary for the conduct and support of aeronautical and space research and development activities of the National Aeronautics and Space Administration, $2,194,000,000, to remain available until expended.

CONSTRUCTION OF FACILITIES

For advance planning, design, rehabilitation, modification and construction of facilities for the National Aeronautics and Space Administration, and for the acquisition or condemnation of real property, as authorized by law, $87,800,000, including (1) $660,000 for replacement of transportation facility, Goddard Space Flight Center; (2) $710,000 for rehabilitation of vibration laboratory, Goddard Space Flight Center; (3) $740,000 for modifications of and addition to 25-foot space simulator building, H. Allen Smith Jet Propulsion Laboratory; (4) $580,000 for modification of planetary mission support facilities, H. Allen Smith Jet Propulsion Laboratory; (5) $2,410,000 for rehabilitation and modification of 600 p.s.i. air supply system, Langley Research Center; (6) $1,620,000 for construction of systems engineering building, Langley Research Center; (7) $570,000 for rehabilitation of airfield pavement, Wallops Station; (8) $575,000 for rehabilitation of communication system, Wallops Station; (9) $1,885,000 for modification for fire protection improvements at various tracking and data stations; (10) $980,000 for modification of space launch complex 2 West, Vandenberg Air Force Base; (11) $1,085,000 for modification of power system, Slidell Computer Complex; (12) $43,000,000 for Space Shuttle facilities at various locations, as follows:

The Clerk read as follows:

Amendment offered by Ms. ABZUG: Page 9, lines 2 and 3, strike out "$2,194,000,000, to remain available until expended." and insert in lieu thereof "$1,719,000,000, to remain available until expended: *Provided*, That none of the fund appropriated in this Act shall be used to further in any way the research, development or construction of any reusable space transportation system or space shuttle or facilities therefor."

And on page 10, lines 2 through 19, strike out all of subparagraph (12) and redesignate the succeeding subparagraphs accordingly.

Mr. TALCOTT. Mr. Chairman, I reserve a point of order against the amendment.

Ms. ABZUG. Mr. Chairman, this amendment would remove from the bill the over $500 million appropriated for the Space Shuttle program and prohibit NASA from using any of its funds for fiscal 1974 for the development of such a system.

For fiscal 1972, we appropriated $100 million for research and development for the shuttle in response to the claim that it was merely to determine whether development was feasible. The same explanation was offered when we appropriated $200 million for the fiscal year just coming to a close.

Since it was first proposed, the principal claim underlying the development of the Space Shuttle is that it was incredibly economical. We have been told that it would cost far less than the kind of disposable systems we have been using up to now in our space program. I have always doubted the accuracy of this claim, and a GAO report on the shuttle issued just 3 weeks ago bears out that doubt.

NASA has been planning nearly 800 missions using the shuttle for the period from 1978 and 1990. They say that such missions would cost $50 billion using conventional space systems, but only about $36 billion using the Space Shuttle. But the GAO states that it—

Is not certain that the Space Shuttle is economically justified . . . even though NASA's calculations show that it is. * * * GAO does not consider it prudent to place too much confidence in the projected cost savings. Technical problems and the cost overruns that usually follow such problems are more likely on the Shuttle and, if they occur, could turn the projected savings into increased costs by 1990.

Despite the fact that there is as yet no proof of its feasibility, the Space Shuttle is now presented to us as a full-scale project. No definitive evidence of man's ability to withstand the effects of weightlessness for long periods of time has yet been developed.

MILITARY USE OF THE SHUTTLE

After years of denials and evasions, it has been admitted that at least 30 percent of the use of the Shuttle will be military. Now that we have destroyed most of Indochina, we are prepared to try our hand in space.

I think that at a time when such powerful nations as the United States, the Soviet Union, and China are moving toward vastly improved relations and a reduction of armaments, it is wrong for us to be pushing a program a significant purpose of which includes the expansion and exacerbation of the arms race.

NATIONAL PRIORITIES

As Senator FULBRIGHT said last week, when the NASA authorization bill was being debated in the other body—

Between 1959 and 1973 we have spent some $72 billion on space activities. * * * I submit most of them have no immediate effect on the welfare of the people of this country.

Or, as the director of the Cornell Center for Radiophysics and Space Research asked, in a letter recently published in the New York Times—

Does a country suffering from a drastic sudden decline in its scientific effort really want to spend huge sums on the showpiece of manned space flight instead of using these funds and facilities for the best in science and the most important in technology?

Mr. Chairman, this country has other needs which are far more pressing than the Shuttle. Millions of our people live in grossly substandard housing. Hundreds of thousands need new housing units which could be constructed with the funds to be used for the Shuttle and by the people who will construct it.

I cannot in good conscience vote to put over $500 million of the taxpayers' money into so questionable an item as this one. Even if it has some potential value, I see no reason why we cannot wait a few years before beginning it in earnest, especially in the absence of proof of its feasibility and usefulness.

By taking the step into actual construction now, we are committing ourselves to future expenditures of around $20 billion for this system, expenditures that we may be utterly unable to afford, expenditures that will sap the resources we so desperately need for decent housing, for jobs for the millions who want them and can't get them, for pollution abatement, and for child care so that mothers can work and not be compelled to accept welfare.

The Space Shuttle may or may not be feasible. There is increasing indication that it will not be economical. There is substantial question as to whether it is necessary or appropriate.

I urge the adoption of my amendment.

POINT OF ORDER

Mr. TALCOTT. Mr. Chairman, I make a point of order against the amendment.

The CHAIRMAN. The Chair will hear the gentleman from California.

Mr. TALCOTT. Mr. Chairman, my point of order is quick and clean. This is more than just a reduction of funds. It is legislation on an appropriation bill when it says:

none of the funds appropriated in this act shall be used to further in any way the research, development or construction of any reusable space transportation system or space shuttle or facilities therefor.

This is completely changing the authorization by the Committee on Science and Astronautics.

The CHAIRMAN (Mr. O'HARA). The Chair is prepared to rule on the point of order.

It seems to the Chair that the provision in the gentlewoman's amendment is pretty clearly a limitation on an appropriation. It does not impose any affirmative obligation on the administration, nor does it provide any legislative direction. It is simply a limitation on the use of the funds to be appropriated.

The Chair therefore overrules the point of order.

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

Mr. Chairman, I would just like to ask the distinguished chairman of the subcommittee, the gentleman from Massachusetts (Mr. BOLAND) if he could tell us what portion of the Space Shuttle project has military application, or what portion is expected to be used by the military in their operations.

Mr. BOLAND. Mr. Chairman, I am not aware of any portion in this bill that will specifically be used by the military. I presume that there could be some military application eventually for the Space Shuttle, I do not think anybody can doubt that, but I am not aware that there are any funds in this bill for this purpose. I can say that to the gentleman from Ohio.

Mr. SEIBERLING. Mr. Chairman, last year when we had the authorization before this committee, the distinguished chairman of the Committee on Science and Astronautics made the statement that there was a military application and that a definite proportion of the entire Space Shuttle project was for military uses, and at that time he did not have figures.

I just wonder if there is some way that we can get before the Congress some idea as to how much of this is military and how much is civilian.

Mr. BOLAND. There are some members of the Committee on Science and Astronautics present on the floor. My knowledge of what is in this bill tells me that there is no money in here insofar as any military application of the program is concerned.

Mr. TEAGUE of Texas. Mr. Chairman, will the gentleman from Ohio (Mr. SEIBERLING) yield?

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

Mr. TEAGUE of Texas. Mr. Chairman, I would like to say that in the authorization bill for the space program which we passed this year, so far as I know there was not one military penny in that bill, and I think every Member of the Committee knows that.

Ms. ABZUG. Mr. Chairman, will the gentleman from Ohio (Mr. SEIBERLING) yield for just one moment?

Mr. SEIBERLING. Mr. Chairman, no, I do not wish to yield at this moment. My question is not whether there is a penny in here for the military.

My question is this: Last year it was stated that the Space Shuttle had a dual function, that the military was expected to use the Space Shuttle for some of their purposes, and I just wondered if we could get an idea of how much that is likely to be.

Mr. TEAGUE of Texas. Mr. Chairman, there is not any question that there is a close working relationship between the military and our space program, and it is true that anything the military can learn or anything the space people learn in space, the military is going to pick it up: For example, communications and weather satellites.

There is no question the military has gained information from that, but as far as putting anything in that program, I do not think they have put in a dime.

Mr. SEIBERLING. Well, my question is: Perhaps they should help defray part of the cost of this program.

Mr. TEAGUE of Texas. Mr. Chairman, I would agree with that.

Mr. SEIBERLING. Mr. Chairman, I happen to think that the Space Shuttle is a very important program. There are such things as solar satellite power stations which we are going to need some day, and we can only get those through this technology.

I am only trying to make the point that since there is a military application, the Defense budget should bear its pro rata share of this program, and I hope the next time we come around to the consideration of this we can get some kind of a picture of what that pro rata share should be.

Mr. ROUSH. Mr. Chairman, will the gentleman from Ohio (Mr. SEIBERLING) yield?

Mr. SEIBERLING. I yield to the gentleman from Indiana (Mr. ROUSH).

Mr. ROUSH. Mr. Chairman, our hearings reflect the fact that the DOD is going to have to invest $500 million to bring the Western Test Range around to the point where it can launch the shuttle. So the military is making a contribution.

Mr. SEIBERLING. Mr. Chairman, I thank the gentleman. That is a step in the right direction.

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

Mr. Chairman, I rise in opposition to the amendment offered by the persistent and constant gentlewoman from New York (Ms. ABZUG).

The Space Shuttle is the cutting edge of our space program in the future.

The magnificent job which Commander Conrad and his colleagues have completed with their safe return this morning proves beyond a shadow of a doubt the value of having a man in our space program.

The repairs these astronauts made to the Skylab spacecraft in turning adversity into an unqualified success prove the versatility of man in space.

The shuttle will make it possible for man to venture into space at will. We do not know all the benefits this will bring to mankind. We know enough now to know they will be vast.

To fail to build the shuttle would risk technological inferiority to other nations, a decline in foreign exchange, stagnation in a major industry, and a lack of flexibility in space. Without the shuttle, we would find many advances in our space program too expensive to consider. Opportunities which will be readily available with a Space Shuttle system would be beyond the reach of a nation dependent on the technology of the 1960's.

We are not so poor a nation that we must forgo building for the future. Nor are we so foolish as to believe that the economic pressures of the past few years are so great that they should hamstring our space program for the next two decades.

Mr. Chairman, I urge that the amendment be rejected.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from New York (Ms. ABZUG).

The amendment was rejected.

Mr. HECHLER of West Virginia. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I am disturbed that zero funds are in this fiscal 1974 bill to finance the legislation which Congress passed last October to establish eight medical schools in conjunction with Veterans' Administration hospitals. Although $20 million is being provided in the fiscal 1973 supplemental bill, there is nothing for next year, as yet. Mr. Chairman, it is time for the Nixon administration to fish or cut bait on the Marshall University Medical School, and the seven other medical schools to be established. Every step of the way, the White House and the Office of Management and Budget have blocked our progress toward these new medical schools.

First, they failed to include a penny of money in the President's budget, thus making it extremely difficult for Congress—which the President always condemns as big spenders—to go over the budget in order to appropriate the necessary money. Second, the Office of Management and Budget has delayed the guidelines for the medical schools for over 6 months. Third, we cannot even be sure after appropriating the money whether the President will impound the funds and cause further delay.

It strikes me that the Nixon administration is going full speed backward on this issue. This is not a partisan issue, and we have had remarkable unity in the sponsorship from both parties. But unless the Nixon administration gets off the dime and starts to show some interest in this vital project, there is danger it might die on the vine from benign neglect.

There is intense interest in this program by Marshall University in my hometown of Huntington as well as intense interest throughout the country with between 30 and 40 State universities expressing a desire to be selected as one of the sites for the eight medical schools being created under the program.

Despite the fact the Nixon administration has not asked for a single cent to implement this program, $20 million is provided in the conference report on the supplemental appropriations bill for

fiscal year 1973 coming up for a vote on the House floor next week.

Much of the credit should go to my West Virginia colleagues, Senator ROBERT C. BYRD and Congressman JOHN SLACK, members of the conference committee, and to Senator JENNINGS RANDOLPH, all of whom have helped spearhead this project with which I am proud to be associated.

Donald Johnson, VA Administrator, told the House Appropriations Committee on March 6, 1973, that one of the reasons the VA has not taken the initiative to seek funds to implement the law was because the VA had not completed the steps necessary to be in position to receive and approve grants.

There is a shortage of 50,000 doctors. The sick, the lame, the crippled can't wait for the bureaucratic redtape to be unsnarled. We should be moving full speed ahead—not backward.

There is no money for the medical program in the Veterans' appropriations for the 1974 fiscal year, but I am hopeful that once we get this program rolling with the $20 million, the gloomy prospects of no funds being appropriated for the next fiscal year will be reversed so we can get on with the vital job of training more young people as doctors.

Mr. BOLAND. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with the recommendation that the bill do pass.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. O'HARA, 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. 8825) making the appropriations for the Department of Housing and Urban Development; for space, science, veterans, and certain other independent executive agencies, boards, commissions, and corporations for the fiscal year ending June 30, 1974, and for other purposes, had directed him to report the bill back to the House with the recommendation that the bill do pass.

Mr. BOLAND. Mr. Speaker, I move the previous question on the bill.

The previous question was ordered.

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

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

MOTION TO RECOMMIT OFFERED BY MR. ROUSSELOT

Mr. ROUSSELOT. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. ROUSSELOT. I certainly am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. ROUSSELOT moves to recommit the bill H.R. 8825 to the Committee on Appropriations.

Mr. BOLAND. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

The motion to recommit was rejected.

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

Mr. TALCOTT. 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 316, nays 21, not voting 96, as follows:

[Roll No. 271]

YEAS—316

| | | |
|---|---|---|
| Abdnor | du Pont | Madden |
| Abzug | Eckhardt | Madigan |
| Adams | Edwards, Ala. | Mahon |
| Addabbo | Eilberg | Mailliard |
| Alexander | Esch | Mallary |
| Anderson, Ill. | Evans, Colo. | Mann |
| Andrews, N.C. | Evins, Tenn. | Maraziti |
| Annunzio | Fascell | Martin, N.C. |
| Archer | Findley | Mathias, Calif. |
| Armstrong | Flood | Matsunaga |
| Ashley | Foley | Mayne |
| Aspin | Ford, William D. | Mazzoli |
| Baker | Forsythe | Meeds |
| Barrett | Fountain | Mezvinsky |
| Beard | Fraser | Milford |
| Bennett | Frelinghuysen | Miller |
| Bergland | Fulton | Minish |
| Bevill | Gaydos | Mink |
| Biaggi | Gettys | Minshall, Ohio |
| Biester | Giaimo | Mitchell, Md. |
| Bingham | Ginn | Mizell |
| Blackburn | Goldwater | Moakley |
| Blatnik | Grasso | Montgomery |
| Boland | Gray | Moorhead, Calif. |
| Bolling | Green, Pa. | Moorhead, Pa. |
| Bowen | Grover | Mosher |
| Brademas | Gubser | Murphy, Ill. |
| Brasco | Gude | Murphy, N.Y. |
| Bray | Gunter | Myers |
| Breckinridge | Guyer | Natcher |
| Brinkley | Haley | Nedzi |
| Brooks | Hamilton | Nichols |
| Broomfield | Hanley | Nix |
| Brotzman | Hanna | Obey |
| Brown, Calif. | Hansen, Idaho | O'Brien |
| Brown, Mich. | Hansen, Wash. | O'Hara |
| Broyhill, N.C. | Harrington | O'Neill |
| Buchanan | Harsha | Owens |
| Burgener | Harvey | Parris |
| Burke, Calif. | Hechler, W. Va. | Passman |
| Burke, Fla. | Heckler, Mass. | Patten |
| Burke, Mass. | Heinz | Pepper |
| Burleson, Tex. | Helstoski | Perkins |
| Burlison, Mo. | Henderson | Pettis |
| Burton | Hicks | Peyser |
| Butler | Hillis | Pickle |
| Byron | Hogan | Pike |
| Carey, N.Y. | Holifield | Poage |
| Carter | Holt | Podell |
| Casey, Tex. | Holtzman | Price, Ill. |
| Cederberg | Horton | Price, Tex. |
| Chappell | Hosmer | Pritchard |
| Chisholm | Howard | Quie |
| Clancy | Huber | Quillen |
| Clark | Hungate | Randall |
| Cleveland | Hunt | Rangel |
| Cohen | Hutchinson | Rees |
| Collier | Jarman | Regula |
| Collins, Ill. | Johnson, Colo. | Reuss |
| Collins, Tex. | Johnson, Pa. | Rhodes |
| Conlan | Jones, Ala. | Rinaldo |
| Conte | Jones, N.C. | Roberts |
| Corman | Jones, Okla. | Robinson, Va. |
| Cotter | Jones, Tenn. | Robison, N.Y. |
| Coughlin | Karth | Rodino |
| Daniel, Dan | Kastenmeier | Roe |
| Daniel, Robert W., Jr. | Keating | Rogers |
| Daniels, Dominick V. | Kemp | Roncallo, N.Y. |
| Davis, Ga. | Kluczynski | Rooney, Pa. |
| Davis, Wis. | Koch | Rose |
| de la Garza | Kuykendall | Rosenthal |
| Delaney | Kyros | Rostenkowski |
| Dellenback | Latta | Roush |
| Dellums | Lehman | Roy |
| Denholm | Lent | Roybal |
| Dennis | Litton | Ruth |
| Dent | Long, Md. | St Germain |
| Dickinson | Lott | Sarasin |
| Diggs | McClory | Sarbanes |
| Donohue | McCloskey | Satterfield |
| Dorn | McCollister | Scherle |
| Downing | McDade | Schneebeli |
| Drinan | McFall | Schroeder |
| Dulski | McKay | Sebelius |
| Duncan | McSpadden | Seiberling |
| | Macdonald | Shipley |
| Shoup | Teague, Calif. | Charles H., Calif. |
| Shriver | Teague, Tex. | Wilson, Charles, Tex. |
| Sisk | Thone | Winn |
| Slack | Thornton | Wolff |
| Smith, N.Y. | Tiernan | Wyatt |
| Spence | Towell, Nev. | Wydler |
| Stanton, J. William | Treen | Wylie |
| Stanton, James V. | Udall | Yates |
| Stark | Ullman | Yatron |
| Steed | Van Deerlin | Young, Alaska |
| Steelman | Vander Jagt | Young, Fla. |
| Steiger, Wis. | Vanik | Young, Ga. |
| Stephens | Veysey | Young, Ill. |
| Stokes | Vigorito | Young, S.C. |
| Stratton | Walsh | Young, Tex. |
| Stubblefield | Whalen | Zablocki |
| Studds | White | Zion |
| Sullivan | Whitten | Zwach |
| Talcott | Wiggins | |
| Taylor, N.C. | Williams | |
| | Wilson, Bob | |
| | Wilson, | |

NAYS—21

| | | |
|---|---|---|
| Arends | Hanrahan | Powell, Ohio |
| Camp | Hudnut | Rarick |
| Crane | Ichord | Rousselot |
| Eshleman | Ketchum | Shuster |
| Ford, Gerald R. | Landgrebe | Skubitz |
| Goodling | Michel | Symms |
| Gross | Nelsen | Ware |

NOT VOTING—96

| | | |
|---|---|---|
| Anderson, Calif. | Frenzel | Morgan |
| Andrews, N. Dak. | Frey | Moss |
| Ashbrook | Froehlich | Patman |
| Badillo | Fuqua | Preyer |
| Bafalis | Gibbons | Railsback |
| Bell | Gilman | Reid |
| Boggs | Gonzalez | Riegle |
| Breaux | Green, Oreg. | Roncalio, Wyo. |
| Brown, Ohio | Griffiths | Rooney, N.Y. |
| Broyhill, Va. | Hammer-schmidt | Runnels |
| Carney, Ohio | Hastings | Ruppe |
| Chamberlain | Hawkins | Ryan |
| Clausen, Don H. | Hays | Sandman |
| Clawson, Del | Hébert | Saylor |
| Clay | Hinshaw | Sikes |
| Cochran | Johnson, Calif. | Smith, Iowa |
| Conable | Jordan | Snyder |
| Conyers | Kazen | Staggers |
| Cronin | King | Steele |
| Culver | Landrum | Steiger, Ariz. |
| Danielson | Leggett | Stuckey |
| Davis, S.C. | Long, La. | Symington |
| Derwinski | Lujan | Taylor, Mo. |
| Devine | McCormack | Thompson, N.J. |
| Dingell | McEwen | Thomson, Wis. |
| Edwards, Calif. | McKinney | Waggonner |
| Erlenborn | Martin, Nebr. | Waldie |
| Fish | Mathis, Ga. | Wampler |
| Fisher | Melcher | Whitehurst |
| Flowers | Metcalfe | Widnall |
| Flynt | Mills, Ark. | Wright |
| | Mitchell, N.Y. | Wyman |
| | Mollohan | |

So the bill was passed.

The Clerk announced the following pairs:

Mr. Thompson of New Jersey with Mr. Leggett.

Mr. Hébert with Mr. Patman.

Mr. Rooney of New York with Mr. Mitchell of New York.

Mr. Waggonner with Mr. McEwen.

Mr. Breaux with Mr. Hammerschmidt.

Mr. Andrews of North Dakota with Mr. Johnson of California.

Mr. Roncalio of Wyoming with Mr. Gilman.

Mrs. Boggs with Mr. Cronin.

Mr. Mollohan with Mr. Froehlich.

Mr. Staggers with Mr. Conable.

Mr. Morgan with Mr. Hastings.

Mr. Preyer with Mr. Chamberlain.

Mr. Davis of South Carolina with Mr. Hinshaw.

Mr. Fuqua with Mr. Broyhill of Virginia.

Miss Jordan with Mr. McCormack.

Mr. Melcher with Mr. Derwinski.

Mr. Metcalfe with Mr. Badillo.

Mr. Riegle with Mr. Steele.

Mrs. Green of Oregon with Mr. Brown of Ohio.

Mr. Carney of Ohio with Mr. Devine.

Mr. Clay with Mr. Ryan.

Mr. Long of Louisiana with Mr. Lujan.

Mr. Culver with Mr. Del Clawson.

Mr. Danielson with Mr. Bell.

Mr. Dingell with Mr. McKinney.
Mr. Edwards of California with Mr. Conyers.
Mr. Fisher with Mr. Bafalis.
Mr. Flowers with Mr. Frey.
Mr. Flynt with Mr. Erlenborn.
Mrs. Griffiths with Mr. Martin of Nebraska.
Mr. Hays with Mr. Ashbrook.
Mr. Hawkins with Mr. Kazen.
Mr. Landrum with Mr. King.
Mr. Mathis of Georgia with Mr. Don H. Clausen.
Mr. Symington with Mr. Fish.
Mr. Smith of Iowa with Mr. Frenzel.
Mr. Reid with Mr. Widnall.
Mr. Moss with Mr. Railsback.
Mr. Gibbons with Mr. Snyder.
Mr. Anderson of California with Mr. Thomson of Wisconsin.
Mr. Mills of Arkansas with Mr. Sandman.
Mr. Sikes with Mr. Saylor.
Mr. Stuckey with Mr. Steiger of Arizona.
Mr. Waldie with Mr. Wyman.
Mr. Wright with Mr. Ruppe.
Mr. Runnels with Mr. Wampler.
Mr. Gonzalez with Mr. Whitehurst.
Mr. Cochran with Mr. Taylor of Missouri.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## GENERAL LEAVE

Mr. BOLAND. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill just passed (H.R. 8825) and to include charts, tables, and other extraneous matter.

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

There was no objection.

## LEGISLATIVE PROGRAM

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

Mr. GERALD R. FORD. Mr. Speaker, I take this time for the purpose of asking the distinguished majority leader the program for the remainder of this week, if any, and the schedule for next week.

Mr. O'NEILL. Mr. Speaker, will the distinguished minority leader yield?

Mr. GERALD R. FORD. I yield to the gentleman from Massachusetts.

Mr. O'NEILL. Mr. Speaker, I will be happy to inform the gentleman of the schedule for next week, which is extremely interesting.

The program for the House of Representatives for the week of June 25, 1973, is as follows:

Monday is District Day and there are no bills.

On Monday we will have H.R. 7447, second supplemental appropriations for the fiscal year 1973, conference report.

H. Res. 454, authorizing suspensions during the week of June 25.

H.R. 8662, Atomic Energy Commission authorization, under an open rule with 1 hour of debate.

We will also have the following bills from the Ways and Means Committee to be called up by unanimous consent:

H.R. 2261, suspension of duty on istle.

H.R. 2323, suspension of duty on copper.

H.R. 2324, suspension of duty on metal scrap.

H.R. 3630, suspension of duty on dyeing and tanning materials.

H.R. 4200, tax treatment of survivor benefit plans of uniformed services.

H.R. 6394, suspension of duty on caprolactam monomer in water solution.

H.R. 6676, suspension of duty on manganese ore.

H.R. 8215, suspension of duty on copying shoe lathes.

H.R. 8217, exemption from duty of equipment and repairs for vessels operated for agency of the United States.

We will also have House Joint Resolution 542, War Powers Act. There will be general debate only. Three hours of general debate have been granted with an open rule.

On Tuesday, continuing appropriations, fiscal year 1974; H.R. 8877, Labor-HEW appropriations, fiscal year 1974.

On Wednesday, the Interior appropriations, fiscal year 1974; House Joint Resolution 542 and the war powers bill in which we will go into the amendments and the passage of the bill.

On Thursday, Public Works-AEC appropriations, fiscal year 1974; H.R. 8548, International Economic Policy Act, subject to a rule being granted.

Friday, State, Justice, Commerce and Judiciary appropriations, fiscal year 1974; H.R. 8538, Public Broadcasting Corporation authorization, subject to a rule being granted.

Conference reports may be brought up at any time, and any further changes or announcements in the program will be made later.

The House will recess from the conclusion of business on Friday, June 29, until Monday noon, July 9.

## ADJOURNMENT TO MONDAY, JUNE 25, 1973

Mr. O'NEILL. Mr. Speaker, I ask unanimous consent that when the House adjourn today, it adjourn to meet on Monday next.

Mr. GROSS. Mr. Speaker, reserving the right to object, is it planned to come in early on Monday?

Mr. O'NEILL. It is planned to come in at 12 o'clock on Monday. There is a great possibility later on in the week that we may come in at an earlier hour. However, on Monday we ask to come in at noon.

Mr. GROSS. Mr. Speaker, I have no doubt of that at all but can we take any assurance from that midnight session which was the best amateur night since Ted Mack, last night, can we take any assurance from what has been going on here recently that this first session of the 93d Congress will adjourn before we go out on August 3?

Mr. O'NEILL. I just have to assume from looking at the schedule, we would probably run into evening sessions next week.

Mr. GROSS. Mr. Speaker, I thought this marked a drive. I would say to the distinguished majority leader that last week marked a drive to adjourn the first session of the 93d Congress before August 1.

Mr. O'NEILL. The gentleman from Iowa may have gathered that, but I surely would like to see the House adjourn sometime before the middle of October.

Mr. GROSS. We will be back in session Labor Day?

Mr. O'NEILL. There is no question about that. I am sure we will be back after the August vacation.

Mr. GROSS. Mr. Speaker, I hope some of us old gaffers can do it at this pace.

Mr. O'NEILL. Mr. Speaker, if anybody can stand the gaff, I am sure the gentleman from Iowa can.

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

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

There was no objection.

## DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. O'NEILL. Mr. Speaker, I ask unanimous consent to dispense with business in order under the Calendar Wednesday rule on Wednesday next.

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

There was no objection.

## GENERAL LEAVE

Mr. KETCHUM. Mr. Speaker, I ask unanimous consent that all Members may be permitted to revise and extend their remarks during debate on the Hanna amendment.

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

There was no objection.

## ADDRESS BY THE HONORABLE LARRY HOGAN

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

Mr. DERWINSKI. Mr. Speaker, this has been a typical week in the House, in which a number of issues were debated in sharp detail and occasionally in a partisan manner. This, of course, is the very essential of debate in the House as we address ourselves to specific legislative items.

However, we certainly have among us, men who possess the ability to see the broad picture of the American scene, and to do so in the light of our great national heritage.

One of our colleagues, whom I hold in the highest regard for his dedication and objectivity, is the Honorable LARRY HOGAN of Maryland. My attention has recently been directed to an address by Congressman HOGAN before the American Concrete Pipe Association on April 2 of this year. It is a scholarly, yet inspirational message. Its theme, I believe, will be subscribed to by the vast majority of House Members. Therefore, Mr. Speaker, I insert Congressman HOGAN'S address into the RECORD so that

other Members might have the opportunity to ponder his message:

THE RETURN OF BENJAMIN FRANKLIN

Recently I was on a plane traveling to make a speech out in the midwest, and I picked up one of the little magazines the airline puts in the pocket of the seat in front of you to help you while away the time. I was reading a story in there about the upcoming Bicentennial of the United States, and the story opened up by saying that Benjamin Franklin had once said that he would like to return to the United States in 200 years to see if Americans still value their freedom.

I leaned back in my chair, and I closed my eyes, and I thought, "What would it be like if Benjamin Franklin did in fact come back?"

He was an outstanding scientist, one of our first in this country, so I know he'd be most impressed with some of our marvelous scientific achievements. I know color television would be one that would please him. But I can see him turning on that color television set and watching commentators constantly criticizing the government, our military, our police and all those who are striving to protect and improve this country.

I wonder if he'd be pleased with what he saw.

And we'd flip over the channel for him and he'd see a beautiful movie actress, who has earned millions of dollars in this country under our way of life, criticizing her country, praising her country's enemies, and urging American soldiers to lay down their arms and surrender to our foes.

And I can hear Dr. Franklin saying, "Why, that's treason! In my day we hanged people for that!"

We'd explain to him that she has freedom of speech to say these kinds of things about her country.

And I can hear him answering, "Freedom of speech? Freedom of speech? We never intended that freedom of speech would be an unrestricted license to preach treason or to libel others or to incite others to riot. You're abusing what we intended by freedom of speech."

We'd turn on a radio station, and we'd hear the announcer engaged in conversations with men and women about the most intimate details of their sex life . . . how many orgasms they had last night and how they achieved them and how they prefer their sex . . . for everyone in the world to hear, including youngsters. And Dr. Franklin would shake his head in amazement. We'd say, "Well, that's freedom of speech. That's freedom of the press, Dr. Franklin."

I'm sure he'd be as upset as many of us are. "Freedom of speech does not mean flouting the consensus morality and good taste of the majority of the people in this country," he'd inform us.

Dr. Franklin was such a staunch supporter of education, I know he'd want to visit some of our schools. He couldn't help but be impressed by the beautiful, air-conditioned, well-equipped buildings. But then he'd hear teachers—again—ridiculing the country and feeding into the minds of the impressionable youngsters under their control what a decadent and oppressive government this is and how it ought to be destroyed.

And then we take our founding father to one of our college campuses, and he'd witness college professors claiming that academic freedom gave them the right to refuse to teach returning veterans from Vietnam, because the professors didn't agree with the war.

Do Americans still value their freedom? Do we really know what freedom is?

Then we'd follow Dr. Franklin as he'd pause outside of a beautiful library building and, since he was the founder of the first lending library in America, I know he'd be most interested. He'd go in, and again he'd be impressed with all the technical advances, the competence, the beauty, the audio-visual equipment, and so forth. But then I can see him scanning the shelves to see revolutionary literature, pornography—the basest kind of propaganda against this country and our moral standards.

Dr. Franklin was also a journalist. He published newspapers in this country back in the early days, so he'd certainly want to visit some of our newspapers. I can see him admiring the high-speed presses and the automatic type-setting equipment, and he'd be really impressed. But then he'd see on page after page vilification of our government leaders and our country, always carping about what's wrong with this country and never giving adequate treatment to the things that are right about it.

Then we'd take Benjamin Franklin to one of our sports arenas. As the athletic event is about to begin, he'd hear the National Anthem played and the flag unfurled. On the floor he's see a young athlete, feeling alienated from our society and our government, showing his disrespect for the flag.

I can hear Dr. Franklin shouting down from the stands, "Young man, you're a fool! When you insult that flag, you insult yourself and your relatives and your friends—and me. Because that flag represents all Americans—black and white, rich and poor, good and bad, alive and dead, just and unjust. Do you despise us all? There's no separate flag for black Americans and for white Americans. There's no separate anthem for black Americans and white Americans. There's only one flag, one emblem, and it represents all of us."

I know Dr. Franklin would be interested in our court system. He'd witness the United States Supreme Court usurping legislative prerogatives of Congress. He'd learn that it's now unconstitutional to pray in school. (He'd be amazed at that, because prayer was at the root of all the deliberations of the founding fathers.) And he'd learn that it's unconstitutional now to execute convicted murderers, but it's perfectly legal to kill innocent unborn babies. And he'd learn that the same court which said a few years ago that it's unconstitutional to assign a child to a particular school because of his race now saying it's unconstitutional unless you assign him to a particular school because of his race.

And he'd see these same courts turning dangerous criminals loose on technicalities to prey again on law-abiding members of society.

He'd learn that the new guiding philosophy of our judicial system is not ascertainment of guilt or innocence, but rather a gamesmanship which weaves and reweaves loopholes to allow the guilty to escape justice and which puts restriction upon restriction in the paths of police and prosecutors.

Dr. Franklin would hear political leaders clamoring for amnesty for deserters and draft dodgers who fled this country rather than serve in its military services. I can hear him saying, "Amnesty? Amnesty for those who turned their backs on their country when it needed them?"

And we'd say, "But you see, they didn't agree with that war, so they refused to serve, Dr. Franklin."

"Agree with the war!" he'd answer. "Does the individual in this country now have the right to disobey the law? Does he have the right to choose the laws that he's going to obey and the laws he's going to disobey? Didn't he elect the people by majority vote who are making those laws?"

He'd remind us that rights carry with them responsibilities and that people ought not to be able to enjoy the blessings of this country without making sacrifices that are necessary to preserve them.

We'd try to calm him down, "Lower your voice, Dr. Franklin. People are staring. They'll think that you're crazy."

And he'd say, "Crazy! You mean they'd think I would be crazy to say these things that I'm saying in America in 1973? Aren't there any patriots around anymore?"

We'd say, "Please don't use that word 'patriot,' Dr. Franklin, because we use that now to designate a bunch of right-wing extremists. So lower your voice. We don't want people to get upset. Patriots are those kind of people that are always talking about the flag and prayer in school and all those kinds of old-fashioned things."

I wonder what Benjamin Franklin would say if he were here making this speech instead of me. I think he'd say . . .

"Let me tell you something: Throughout history a great many Americans have invested their effort and creativity and their talents and their energy and their blood to ensure that a government based on freedom could survive in the world. And it wasn't always easy. In fact, it wasn't ever easy; especially in our day when we wrote the machinery for this government.

"But maybe now it's too easy. Maybe your airconditioned buildings and your electric razors and your popup toasters and your myriad of mechanical and electronic servants have made life so soft for you that you don't really know what hard work and sacrifice mean any more.

"The Roman Empire achieved the pinnacle of civilization in the world of its day, and it, too, went soft. It lasted for nearly 500 years, and then it collapsed, because those who benefited most from it lost the determination to ensure that it survive.

"America is a young country. Two hundred years is a mere twinkling in the annals of recorded history. And there is no guarantee that without effort, dedication and heroic acts of preservation that it will endure.

"I'm proud of what my associates and I contrived back in the 1700's. We fought a war against insurmountable odds that nobody expected us to win. But the idea of freedom was so precious to us that we felt that it was worth fighting for. And a great many Americans, then and throughout American history, have felt that it was worth *dying* for.

"Now, if all those Americans could die to help this country to endure, it seems to me that the least that your current generation can do is to *live* to ensure that it endures.

"America has problems. But all through her history America has had problems. But we've also had enough patriots with enough love of country and enough dedication and enough plain guts to get involved to help the country to *solve* its problems.

"In my day we had a war to fight, but we had no soldiers. So our farmers and our fishermen and our shopkeepers formed themselves into a rag-tag army of citizen-soldiers who, through sacrifice and determination, defeated the strongest military aggregation in the world.

"And then we needed a government. So doctors and lawyers and farmers and businessmen and me, a lowly printer, got together, and in the face of unbelievable obstacles, we hammered together a governmental structure to ensure citizens freedom and opportunity. A system which gives to all Americans, regardless of their birth, a chance to stretch their talents as far as they'll go and to share in the blessings and the rewards which this country offers.

"As citizens of this country, we share America's blessings, and they are many. But we also share her problems, and they are many. America has never promised her citizens prosperity without work or reward without effort or security without sacrifice.

"My associates and I, who formed this type of government back in the 1700's, never promised you Utopia. We promised to try to create a more perfect union. Never did we promise *the* perfect union. And because

America is still struggling to improve that union doesn't attest to her weakness, but rather to her strength. Regardless of what the carping and nearsighted critics say, America has succeeded in her quest for perfection as no nation in the history of the world has succeeded.

"There are those among you today who say that our system is wrong and that the government has inadequacies. They say the only way to correct them is by revolution. They're so wrong! America *had* her revolution back in *my* day. And when it succeeded, my associates and I gathered in Philadelphia and created a system of government more enlightened than the world had ever known—a government based on freedom and the worth of the individual.

"Now, if you're unhappy with things as they are, you have the power to change the things in a peaceful, orderly way. Because the kind of government we gave you has built into it a mechanism which the people control. It allows you to bring about change without destroying the system itself. So you don't need another revolution. That mechanism is politics. Politics allows you to strike out against the deficiencies and inadequacies of government without destroying the structure itself.

"So America offers you today, in 1973, what it has always offered—freedom and opportunity.

"By working together, there isn't anything that Americans can't achieve. And unless they do work together, there is nothing that they can achieve.

"So I came back to the United States 200 years later to see if you Americans still value freedom. And, you know, I found out a very interesting thing. The Americans who value freedom most are the Americans who know what it's like to not have it: those who fled here from Communist countries and our former prisoners of war.

"Our returning prisoners of war came back and reminded us what a great country we have. They weren't afraid to demonstrate before national television their patriotism, their love of country, their respect for the flag, their respect for the President.

"Isn't it paradoxical that 1973 Americans, who have let these freedoms slip into disrepair, don't really cherish them, because they don't know what it's like to not have them.

"You Americans have a great legacy of freedom. It carries with it tremendous responsibilities to see that it is passed on intact to those who come after you. That's a sacred responsibility, to ensure that freedom does not perish from the earth."

## MEAT PLANT IRREGULARITIES

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

Mr. CULVER. Mr. Speaker, early this week some of you may have seen press reports about several meat plants throughout the Nation that were found to have some irregularities according to an internal random survey report by the U.S. Department of Agriculture Inspector General's Office. The report was made public by the gentleman from Montana (Mr. MELCHER). I believe that his purpose was to make the public aware of some of the difficulties and problems of the USDA inspection procedures. He stated that he inserted the report in the RECORD on Tuesday in order that "the public can see just where we stand in regard to the meat and poultry inspection program." Unfortunately the publication of the results of inspections that occurred more than a year ago may have had the effect of reducing public confidence in some of the plants mentioned.

As an example of the unfortunate effects of the report, some news sources cited irregularities at the Dubuque Packing Co., leaving the impression the inspections were recent and the problems were still there. In fact I was informed today by Dr. V. M. Berry, Assistant Deputy Administrator for Field Operations, meat and poultry inspection program of the USDA Animal and Plant Health Inspection Service, that an inspection of the Dubuque Packing Co. on May 11 of this year revealed satisfactory fulfillment of meat inspection requirements. He stated specifically: First, there was no contamination of meat products. Second, the wholesomeness of meat and meat food products from the Dubuque plant was assured. Third, structural and equipment improvements have been programed, some of which have been completed and others of which are underway.

Mr. MELCHER. Will the gentleman yield?

Mr. CULVER. I yield.

Mr. MELCHER. The gentleman is correct. This inspection report was a year old and, of course, it does not reflect current conditions.

I also talked to Dr. Berry yesterday and heard his report about the clean bill of health given the Dubuque Packing Co. in the May inspection. I certainly have no problem in relation to Dubuque Packing Co. products. We have relatively new meat inspection laws, requiring extremely high standards. Many plants have had to modernize to meet them. Dubuque Packing Co. is entitled to commendation for its well-planned improvement program to meet all of the new requirements.

## A CHALLENGE TO MR. BREZHNEV: REMOVE THE WALLS TO REPRESSION AND CONFINEMENT

The SPEAKER. Under a previous order of the House, the gentleman from New York, (Mr. KEMP) is recognized for 15 minutes.

Mr. KEMP. Mr. Speaker, the current talks and negotiations between our President and Soviet leader Brezhnev augur well for the possibilities of future generations of peace, indeed, progress for all mankind.

The summit—which, hopefully, will lead to a reduction of the arms race cooperation in the peaceful development of atomic energy, bilateral trade pacts and other beneficial agreements—is an historic and vital step toward closer world cooperation instead of confrontation. But the path beckoning toward undreamed-of progress for inhabitants of a rapidly shrinking world challenges Mr. Brezhnev to quicken his pace with bolder steps.

The accelerating rush of history is so great it can obscure tremendous opportunities along this path.

Only a dozen years ago this summer, in 1961, the muzzles of Soviet and U.S. tanks were in confrontation in divided Berlin, threatening to erupt and plunge the world into a possible world war III. And an ugly wall was built to divide not only Germans but the family of man—human beings seeking political, intellectual, cultural and other natural freedoms.

Now, in the growing spirit of rapprochement, Mr. Brezhnev should hasten the dismantling and removal of this and other barriers.

No wall, physical or imposed by unjust laws or decrees, can confine the human spirit. The talents of a Solzhensitsyn or Rostropovich transcend such barriers.

The Exodus from Egypt, the return of the Jews to Palestine and the emergence of modern Israel from the horror of Hitler's extermination camps are lessons Mr. Brezhnev and all of us cannot misinterpret.

Surely, Mr. Brezhnev, a contemporary of 7.5 million of his countrymen who died during World War II can understand the spirit of fellow human beings, the Jews who lost some 6 million at the hands of the same murderous Nazis.

Whether built in fear, for confinement, protection or a combination of these reasons, walls will not silence the voices of a reported 116,000 Soviet Jews who, it is believed, have filed affidavits declaring their desire to emigrate, without success to date.

I cannot accept numbers games applied to human beings and human freedom.

But if we accept Mr. Brezhnev's reported statement that 60,200 Soviet Jews have been permitted to emigrate, what of the 66 percent who are estimated to have officially sought to leave and been refused? If we accept the report that 10,100 exit visas were issued during the first 5 months of this year, how can he explain that the rate, projected on a yearly basis, is 25 percent lower than last year?

How many thousands more long for freedom but are reluctant to expose themselves and their families to oppression as the result of applying for emigration?

The barrier thrown up against Soviet Jews is not the only hindrance to the greater improvement of United States-Soviet relations.

There remains the continuing persecution of hundreds of Ukrainian intellectuals. From 1965 to the present, under Mr. Brezhnev's leadership, the Soviet Government has pursued a campaign of repression, tantamount to cultural annihilation. Writers, poets, literary critics, journalists, professors, teachers, artists, engineers, and research workers are victims of this campaign. In 1972 alone, over 100 of these intellectuals were arrested. Many are serving lengthy prison terms.

Mr. Brezhnev must be made aware of our enduring concern for the fate of millions in all the Captive Nations, our historic allies and friends, the courageous people of Poland, Hungary, Lithuania, Latvia, Estonia, Bulgaria, and Czechoslovakia. Like the Soviet Jews, they must be given the right to emigrate and return to countries of their choice.

Mr. Stefan Korbonski, the chairman of the Assembly of Captive European Nations, put the plight of the people in these nations in proper perspective, when, from New York City, he recently wrote the Washington Post the following:

In connection with the visit of Mr. Brezhnev, the Assembly of Captive European Nations feels dutybound to recall the unhappy fate of the people of Bulgaria, Czechoslovakia, Estonia, Hungary, Latvia, Lithuania, Poland and Rumania deprived of their freedom and independence by the Soviet imperialism represented by the originator of the "Brezhnev Doctrine." These heroic people did not reconcile with the Soviet rule which was dramatically proven by the workers' revolt in Pilsen in 1953, the Poznan Uprising in 1956, the Hungarian Revolution in 1956, student riots in Poland in 1968, the self-immolation of a youth in Prague in the wake of the Soviet armed invasion of Czechoslovakia in 1968, the bloody workers' revolt in the Polish Baltic port cities in 1970, and the self-immolation of several young people and widespread demonstrations in Kaunas and other Lithuanian cities in 1972.

Mr. Brezhnev's visit provides a good opportunity to remind him of these events which prove that there can be no lasting peace built on the subjugation of one hundred million Europeans belonging to historic nations and that "dente" dictated by expedience can not deprive them of their inalienable right to self-determination.

STEFAN KORBONSKI,
*Chairman, Assembly of Captive European Nations.*

Mr. Speaker, the tension which existed just 12 years ago during the Berlin Crisis has been significantly reduced.

East and West Germany have recently reached new understandings. Trade and other exchanges are beginning to flower between East and West. At a time when we are exchanging space technology with the Soviets, cannot we free people to cross borders here on Earth to exchange political, intellectual and other ideas? Now that we have taken beginning steps toward mutual, better understanding, can't we hasten our steps?

I believe we must prevail upon Mr. Brezhnev to announce his intention to help bring down the Berlin Wall and all the barriers symbolized by it.

I believe he could allow Mr. Solzhensitsyn, Mr. Rostropovich and many others to travel to the West and share their talents and ideas; that he could allow the Jews and Christians, alike, and all wishing to emigrate, to enrich us and his countrymen with shared ideas. I believe that his great nation and those of the West would be the stronger for such deeds.

Finally, Mr. Speaker, I would direct the attention of this Soviet leader to the words of Robert Frost who wrote:

Before I built a wall, I'd ask to know
what I was walling in or walling out.

## WATER POLLUTION CONTROL

The SPEAKER. Under a previous order of the House, the gentleman from Virginia (Mr. PARRIS) is recognized for 10 minutes.

Mr. PARRIS. Mr. Speaker, on June 12, 1973, I introduced H.R. 8602, a bill to amend the Water Pollution Control Act Amendments of 1972. This legislation will be of immense assistance to our municipalities in providing the sewage facilities we so desperately need at the lowest possible cost, and to some degree will help control inflationary forces.

We in Virginia, and every other State in the Union, presently have a situation whereby construction of vitally needed sewage treatment facilities are being needlessly delayed while costs are being driven up. This is a very grave situation at a time when we are striving for effective control of pollution in our country. I, therefore, encourage you to give deep consideration to my proposed amendments in our continuing quest for an improved environment.

In 1966, Public Law 84–660 provided 55 per cent financial assistance grants to communities for construction of waste treatment plants, with funds allocated to States on the basis of population. This law further provided that communities could finance their own construction programs with the expectation of receiving Federal reimbursement at some future date. Many communities throughout the Nation made use of this provision, even though reimbursement was not guaranteed. In 1972, Public Law 92–500 provided for 75 grants through a "contract" procedure rather than the previous appropriation process, authorized $17 billion in "contracts" over a period of 3 fiscal years, and allocated funds to the States on the basis of validated needs instead of population. Although the Congress appropriated all funds authorized by the act, the President elected to utilize only a portion—$2 billion out of $5 billion in fiscal year 1973 and $3 billion out of $6 billion in fiscal year 1974. Apparently, the Presidential action was based upon last-minute amendments to section 207, "Authorization" which introduced the words "not to exceed" into this section.

Unfortunately, this widely acclaimed environmental act also eliminated the reimbursement provision on the apparent assumption that Congress had solved the problem of financing community sewerage needs, although it increased the water quality goals, thereby increasing needs for construction dollars. We are now faced with a situation in which our vaunted Water Pollution Control Act is slowing construction activity and increasing construction costs. Experience in Virginia, and we believe in many other States, makes it imperative that we restore a limited reimbursement provision to compensate for the appropriation language change. I want to emphasize the word "limited." Experience with the earlier bill indicated that unlimited reimbursement is not a sound financial concept. Thus, I propose that Congress allow the Administrator to approve reimbursement only to the limit of the authorization. This approach would give the States and municipalities the needed flexibility, but would not be an open-ended financial commitment on the part of the Federal Government. Since this would permit municipalities to use least-cost contracting, it should be less inflationary than the present restrictive situation which is driving up construction costs.

Regulations adopted by EPA deny State agencies any real flexibility in use of moneys allotted by Public Law 92–500, although it appears that Congress intended that the States should have this opportunity. I specifically want to direct attention to the conference report on S. 2770 (section 203) which stated:

When funding the construction of waste treatment plants, the Administrator, upon the request of a State, should encourage the use of a phased approach to the construction of treatment works, and funding thereof, on a State's priority list. Such a phased program, which the committee notes has been developed and approved in the State of Delaware, has enabled the State to accelerate the construction of sewage treatment facilities, and thus accelerate the attainment of clean water.

If our State water control agencies are to make meaningful progress in pollution control they must divide large projects into subprojects, or "operable units," each requiring separate grant applications and awards, and consequently separate construction contracts. As a result of this approach, there is a substantial increase in paperwork and construction costs due to the division of projects. A series of small units will be much more expensive and time-consuming. For example, in Virginia, the county of Arlington is constructing an advance waste treatment facility similar to the Blue Plains facility here in Washington. In their attempt to comply with the operable unit concept, it has been necessary to do additional design work which already has added $55,000 to the project cost. The present estimated cost for all the necessary redesign is approximately $150,000. It should be further noted that as a result of having to construct this facility by operable units, the construction period has been extended by 2 years, with a resulting overall cost increase of approximately $6 million. The original estimated cost for this project was $40 million, with a construction deadline of December 1974.

In Virginia's Fairfax County, also in the Washington metropolitan area, construction has begun on a similar facility as that in Arlington. Delays in construction up to 6 months have been incurred in an attempt to satisfy EPA's operable unit concept, with a considerable amount of administrative time and expense also incurred. There still remains approximately $12 million of construction which will be delayed for approximately 18 months before commencing. This project was originally scheduled for completion in December of 1974. At this time, predictions indicate a completion date of 1976 and a final total cost of approximately $52 million. This project was originally estimated at $36 million.

Again, within my own district, the Occoquan Water and Sewer Authority is moving ahead with the design of the most modern advance waste treatment facility on the east coast at an originally estimated cost of $40 million. Having to construct this facility by the operable unit concept at the exclusion of any reimbursable procedures, the construction phase will be extended approximately 12 months and a $50 milliion price tag is now predicted.

The most recently proposed water quality standards cannot possibly be met by 1974 as required when communities are not proceeding with construction of facilities to treat waste. Water quality standards cannot be met on schedule if communities are denied use of the reimbursement route and must use the operable unit system of construction which, in itself, will prolong construction time and result in increased costs. On the other hand, if the degree of reimburse-

ment was guaranteed, and contracts could be awarded on the basis of construction elements, as recommended by the House-Senate conference committee, costs will be reduced by approximately 30 percent and construction may be completed within a shorter time frame.

We now have communities in Virginia which have been forced by population pressure to proceed without grant assistance and without hope of "future reimbursement." An outstanding example of this situation is the case of Hampton Roads Sanitation District, which serves a rapidly growing area of Newport News and Hampton. Several of HRSD's sewage treatment plants are extremely overloaded. To meet sewerage needs, avoid building moratoriums and increased cost due to inflation, HRSD has chosen not to wait for Federal assistance and has moved ahead with a $25 million bond sale with no promise for reimbursement. But yet there are communities where the people will not have to suffer the burden of additional taxes, because we have the money to support a limited number of projects. At the present time we have the option of financing one large project or several small ones. How do we determine which projects will receive assistance, assuming that the need is critical in all cases? Although the EPA regulation does not require "splitting" of projects, no meaningful progress could be made if this process is not used. For example, Virginia was alloted approximately $58 million in Federal grants in fiscal year 1973. Any single one of the Northern Virginia construction projects, if fully funded, would have immobilized the entire State allocation and would have prevented any substantial progress elsewhere in the State. Definite progress could certainly be made if, after approval of contracts, construction proceeds at once because grant assistance is guaranteed to be available at some time. The interest amount on loans to communities would certainly be less than the amount of additional inflationary cost due to small-unit construction contracts which add to actual construction time.

My bill, H.R. 8602, contains two amendments. The first would provide for guaranteed reimbursement up to the appropriation limits in section 207 of the act. The second would give additional administrative flexibility to permit any necessary project splitting along cost lines.

In adopting these amendments, the most efficient contracting procedure may be employed which will reduce the overall cost of building sewerage systems. The amount of paperwork required of communities will be diminished. Construction will be accelerated and the States will be better equipped to meet the required water quality standards set by EPA. In short, the active participation of communities in combating pollution of our waters is desperately needed. We need money to create a more perfect environment for our people. The money is available, but extremely difficult to secure for our communities. These amendments which I have proposed can result in rewards for all.

I hope the House will give these amendments expeditious consideration.

## THE SOFTBALL WOUND

The SPEAKER. Under a previous order of the House, the gentleman from Illinois (Mr. CRANE) is recognized for 5 minutes.

Mr. CRANE. Mr. Speaker, I am sure most of my colleagues realize the variety of perils that accompany this particular occupation. One that is not readily apparent, however, is the softball wound.

Last week, when the team representing my office met the team representing my friend from Utah (Mr. OWENS), an unfortunate case of torn tendons forced Mr. OWENS to the sidelines.

My team and I would like to offer our best wishes for a speedy recovery. We are particularly anxious to have Mr. OWENS in good health for next year's game, when we plan to avenge the 18 to 12 loss administered to us.

## THE 25TH ANNIVERSARY OF THE NATIONAL INSTITUTE OF DENTAL RESEARCH

The SPEAKER. Under a previous order of the House, the gentleman from Illinois (Mr. MICHEL) is recognized for 5 minutes.

Mr. MICHEL. Mr. Speaker, I should like to call attention to the observance by the National Institute of Dental Research of its 25th anniversary on June 24, 1973. It was the third of the National Institutes of Health to be created. Over the years the Institute has carefully and painstakingly developed a strong base of dental research. The outstanding contributions made by the National Institute of Dental Research and the international recognition it has achieved is in large measure the product of its dedicated scientists and administrators.

Although precise figures are not available, it is generally estimated that the National Institute of Dental Research has provided at least 80 percent of the funds spent in dental research and training in the United States since World War II. In the beginning the sums available for distribution were modest. In 1949, the first year of operation, the Institute had a budget of only $511,000. The 1972 National Institute of Dental Research budget of $42,366,000 is a reflection of the great strides that have been made since the initial years as well as an indication of the impressive scope of its present research programs.

From the beginning the Institute recognized that the dental research effort had to become an integral, respected part of the total research community. However, a limited amount of funds and a shortage of trained investigators required the National Institute of Dental Research to initially concentrate on areas of interest that were exclusively dental. Spearheaded by earlier studies of its forebear units in the Public Health Service, the Institute placed a primary emphasis on developing an understanding of the anticaries effects of fluoride. The soundness of that decision can be seen in the fact that over 96 million people currently enjoy the benefits of fluoridation. This public health measure has spared countless youngsters from the onset of dental caries and their parents from unnecessary dental bills.

With the development of a dental research community from the ground up, the National Institute of Dental Research is now able to undertake highly complex biomedical projects. These activities aline the efforts of the clinical researcher with the skills of the pathologist, biochemist, microbiologist, geneticist, the bioengineer and other basic scientists. Today over 30 research disciplines are represented in work conducted at or supported by the Institute. These interdisciplinary studies have substituted a scientific for an empirical approach to oral problems and have focused attention on the oral cavity as an integral part of the human body. Indeed, the mouth is a complex system of organs and tissues that not only affects general health but our behavior and personality as well. No other part of the body is so versatile in the vital functions of nourishment, appearance and communication.

The flow of new knowledge that has resulted from the programs of the National Institute of Dental Research has had an immediate and direct impact on the practitioner and his patients. Still greater achievements are now ready to emerge. One of the most promising developments is a sealant, still under study, which has provided near complete protection to the chewing surfaces of children's teeth for extended periods of time. Other means for the reduction of tooth decay may also be expected to flow from the Institute's national caries program that was launched in 1971. Research in periodontal disease, which affects two-thirds of all middle-aged Americans, has yielded significant data on the interplay of immune responses to bacteria in the destruction of supporting tissue. Unchecked, this disease can lead to the loss of teeth and the erosion of supporting bones in the jaw. Dramatic improvements in diagnostic and surgical procedures, as well as speech therapy, have helped thousands of children born with cleft lip and palate achieve a near normal appearance and function.

In addition to disease oriented projects, investigation into such areas as cell biology, enzyme chemistry, genetics and immunology has placed the National Institute of Dental Research in the company of the health world's search for a better understanding of the principles underlying the functioning of the human organism.

The National Institute of Dental Research has good cause to celebrate this 25-year record of accomplishment. With the support and encouragement of Congress, the Institute can look forward to another quarter century of contributions to our Nation's pool of research knowledge.

## CONGRESSIONAL CONTROL OF SPENDING

The SPEAKER. Under a previous order of the House, the gentleman from Arkansas (Mr. ALEXANDER) is recognized for 15 minutes.

Mr. ALEXANDER. Mr. Speaker, today and for the next week the House is considering appropriations bills which have been generated by the operation of the Federal budget-making process. Begin-

ning on June 20, I have been daily inserting an article from a series of five prepared in an effort to assist me, and others of my colleagues who may wish to use them, in assembling a clear, concise explanation of how this process functions.

Today, if there is no objection, I would make the third of these articles a part of the RECORD.

III. CONGRESSIONAL CONTROL OF SPENDING

"No money shall be drawn from the Treasury except in consequence of appropriations made by law."—Article I, Section 9

By these words, written into the Constitution in 1787, the Founding Fathers required that the President and the executive branch obtain congressional approval of any activity involving the spending of money.

Why Congress? Why not let the President alone determine how much should be spent and for what purposes? Wouldn't that be simpler, especially since the President commands a vast workforce with great expertise on the requirements of the federal establishment and federal programs?

It would never work. The people would not permit themselves to be taxed at the bidding of one man for purposes determined by the decree of the same man.

That is why the spending and taxing powers are vested in a council of many—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.

That principle of collective determination by the people's representatives has underlain the establishment of legislative councils since the first English Parliament in 1295. Early kings called councils of the affluent in order to raise money to run their governments and to fight their wars. Gradually, over centuries, the councils came to insist upon their right to approve public programs before they would agree to raise funds for them.

These same conditions of approval apply today. Congress is a policy-making body that represents the diverse interests and sections of the country. The budget which emerges out of congressional action expresses and resolves the many different points of view held by groups and citizens in our society. Second, through its spending power, Congress serves as an indispensable check on executive discretion. If the President were able to decide by himself what expenditures are to be made, he would be accountable to no one, and the United States would move close to one-man control. Take away its power of the purse, and Congress is no longer an equal partner; the checks and balances built into the Constitution lose their vitality.

The words which give Congress control over money still are in the Constitution, exactly as they were written 185 years ago. But the effectiveness of this control has been eroded over the years as the President has taken the initiative; bit by bit the spending power has gravitated from the legislative chamber to the executive suites. Today the President can marshal the enormous resources of the federal bureaucracy in behalf of his budget, and he can take advantage of his leverage to bend the spending policies in accord with his preferences, even if this means changing or twisting congressional intent.

Why have the scales of budgetary power shifted in favor of the executive branch? The answer is tied very closely to the size and cost of federal operations. Through much of the nineteenth century, Congress had little difficulty in maintaining its control of federal purse strings. Government spending was incredibly small by today's standards; one century ago, for example, less was spent in one year than the federal government now spends in a single day.

Spending for all of 1873 was $290 million, and income was $333 million, leaving a $43 million surplus which was used to reduce the national debt.

However, the financial situation began to change early in this century as the United States assumed leadership as a world power and also increased its responsibilities at home. This changing role is dramatically reflected in the size of the federal budget which first exceeded the billion-dollar mark in 1917 (World War I), the ten-billion-dollar level in 1942 (World War II), the one-hundred-billion dollar level in 1963 (Cold War), and the two-hundred-billion mark in 1972 (Vietnam War).

The same pattern was repeated in the size of the national debt which has escalated from $1 billion at the turn of the century to almost $500 billion today. More than $100 billion of that debt has been accumulated in President Nixon's four years in office.

As the federal budget grew, Congress gave—or the President and his administrators took—more discretion over spending. For example, the average appropriation account today is so large that the President often can juggle within an account so that he can spend on purposes disapproved by Congress. A recent illustration of this abuse was the announcement by Elliot L. Richardson, then serving as Secretary of Defense, that even if Congress should deny funds for U.S. bombing in Cambodia, the bombing would continue; the President simply would take funds appropriated for another defense purpose.

Budgetary growth brought the need for a more coordinated process for the determination of spending policy. Until 1921, each administrative agency presented its budget requests to Congress individually, without any attempt to combine all spending estimates into a single budget.

The complexities of financing World War I brought that carefree approach to an end. When a new Administration took office, Congress decided to make the President responsible for coordinating the spending requests of all government agencies. Under the Budget and Accounting Act of 1921, the President for the first time was directed to prepare an annual budget containing his spending recommendations to Congress. Hereafter, agencies would have to operate through the new Bureau of the Budget which developed rapidly into a powerful force within the executive branch.

Congress acted differently upon its own budgetary procedures. House and Senate restored to a single committee the responsibility for overseeing all appropriations matters. However, as government activities grew and became more complex, the Appropriations Committees relied increasingly upon their subcommittees to examine executive funding requests and to pass upon their merit. Usually, Congress cut the request so the chance of overspending was slight, and the lack of central financial control was not critical. In fact, it was quite consistent with the congressional experience of decentralization during the nineteenth century.

As the financial monitoring responsibility had grown more demanding, Congress had distributed the workload more widely among its Members. The venerable Ways and Means Committee which had handled all financial matters since 1802 was so overburdened by Civil War business that in 1865 the House split off an Appropriations Committee and a Banking and Currency Committee. Left to Ways and Means was the critical tax writing function which it exercises today.

The specialized committee system functioned well, but events overtook it. President Roosevelt inaugurated deficit finance to pull the nation out of a crippling depression; World War II required massive deficit spending; President Kennedy and President Johnson deliberately built deficits into their budgets to stimulate the economy.

By the early 1970's Congress was looking for a mechanism by which it could exercise a comprehensive review of the entire budgeting procedure. Needed was a way to compare the various components of the budget, to weigh one appropriations bill against another in light of national priorities, to consider the spending totals in light of estimated tax revenues and the national economic situation.

Early this year, both Houses of Congress appointed a joint committee to study ways of improving congressional control of the budgeting process. Congress now is considering legislation which for the first time would establish a ceiling by law on the total of federal expenditures in one fiscal year. Finally, Congress is moving to counter the President's impoundment practices as unduly and unconstitutionally intrusive upon the people's right to participate in the making of national policy.

Steadily, the Congress is moving to reassert its authority to take better control of its single most important function so that in a new era, it can continue to exercise its old responsibilities as guardian of the purse.

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## EXPLANATION OF VOTE ON LEGAL SERVICES BILL

The SPEAKER. Under a previous order of the House, the gentlewoman from New York (Ms. ABZUG) is recognized for 10 minutes.

Ms. ABZUG. Mr. Speaker, when the House passed H.R. 7824, the Legal Services Corporation Act, last night, I voted "present."

I am and have always been a strong supporter of the OEO Legal Services program and an equally strong advocate of insulating it from political pressure by creating a national, independent legal services corporation. I supported the bill reported by the Committee on Education and Labor and so stated in my remarks during yesterday's general debate.

The inscription over the portal of the U.S. Supreme Court reads, "Equal justice under law." That means—or should mean—that an individual's economic status should not affect his access to the courts and to legal representation. Unfortunately, the amendments agreed to by the House make such a mockery of this principle that I could not in good conscience cast my vote for passage; on the other hand, I do support the concept of the independent corporation and am hopeful that the bill will be rendered acceptable in the other body, so I did not wish to vote against the measure either.

The bill we passed last night does not offer the poor people of this country the assistance of counsel; rather, it offers them the semi-assistance of semi-counsel:

They may not have counsel if they have a draft or military problem.

They may not have counsel if they are refused their constitutional right to an abortion.

They may not have counsel who observes the codes of ethics of the American Bar Association—not exactly a hotbed of radicalism.

They may not have counsel who advocates their position in administrative or legislative forums.

They may not have counsel who use the assistance of experts in backup centers, people who are specialized in the various areas to a greater degree than most legal services lawyers in the field.

They may not have counsel if their problem is one involving segregation in education.

And what of the counsel, the able, dedicated individuals who eschew the higher salaries and relative comfort of private practice or traditional types of government service. What does the bill offer them?

It in essence revokes their citizenship by denying them the right to engage in political activities.

It prevents them from having a proper attorney-client relationship with those whom they are supposed to help.

The bill which this House passed last night is a blot on the promise of equal justice under law in this country.

## RODINO OUTLINES HOUSE JUDICIARY COMMITTEE'S ANTICRIME PROPOSALS

The SPEAKER. Under a previous order of the House, the gentleman from New Jersey (Mr. RODINO) is recognized for 10 minutes.

Mr. RODINO. Mr. Speaker, during the past 2 decades, crime has so infested our Nation's cities that no urban resident can live without fear of becoming a crime victim. This fear denies to our urban citizens their true freedom, for who is free that fears to walk in his own neighborhood? One of the first duties of this Congress must be to eliminate this fear and make our streets and homes safe.

At the beginning of this Congress, I was privileged to be elected chairman of the House Judiciary Committee. It is this committee that has the responsibility to oversee virtually all legislation relating to crime and criminal justice, and I have just completed a reorganization of the committee including creation of a permanent subcommittee with jurisdiction over crime. My committee well knows that it is much easier to talk about ridding our cities of crime than to do something about it. But reducing the crime rate is just what the committee intends to do, and I want to outline a few of the major anticrime programs the Judiciary Committee is considering under my chairmanship.

### ANTICRIME FUNDS

The war against crime cannot be won without money. To provide the necessary funds the committee developed a bill, passed by the House June 18, extending the Law Enforcement Assistance Administration—LEAA—created under the Omnibus Crime Control and Safe Streets Act of 1968. These LEAA amendments are designed to speed the flow of $2 billion over the next 2 years to local governments. This is where the battle against crime must be fought and won.

The bill also expands coverage of LEAA to include aid to the whole criminal justice system, encouraging development of crime control systems that range from prevention to penitentiaries. By concentrating on areas with the highest crime rates we should be able to significantly reduce our city crimes.

### POLICE BENEFITS

In 1971, 126 policemen were killed in the line of duty. The men and women whose job it is to protect us have increasingly become targets of assault. No citizen can fail to be outraged at these attacks on those who seek to protect us. We can no longer ask these public safety officers to risk their lives without knowing that their families will be well taken care of, should tragedy occur. In the last Congress I introduced a bill providing $50,000 compensation to the survivors of officers who sacrifice their lives carrying out their responsibilities to the public. It passed the House, but so late in the session that Congress adjourned before final action could be taken. I am pressing for early consideration of the bill by my committee.

### THE COURTS

The number of serious crimes committed by persons out on bail has reached alarming proportions, and it is imperative that society be protected from the menace of people likely to commit crimes while released on bail. In our system an individual is presumed innocent until proven guilty, and for the safety of all of us that judicial principle must be preserved. But our courts have become so overworked that it often takes 6 months to a year for a case to come to court. We can no longer countenance such delays, for it is swift justice that allows the innocent to be quickly freed, and the guilty to be quickly imprisoned.

The solution to this problem is to provide fair and speedy trials—within 60 days of indictment—in keeping with the Sixth amendment of the Constitution. To meet this need, the Judiciary Committee is considering legislation to create additional judgeships for the Federal Courts of Appeals and District courts. Approval of these new judgeships should provide the manpower to help wipe out the backlog in our courts.

### JUVENILE OFFENDERS

It is important to realize that each day hundreds of convicts are released from prisons throughout the country. Unfortunately, offenders confined in our present prison system find few, if any, training or rehabilitative opportunities to prepare them for an honest and productive life upon their return to freedom. This is a matter of particular concern in the case of juvenile offenders. Our jails have been termed "colleges of crime" and as a result many young delinquents emerge from prison as embittered and hardened criminals ready and inclined to perpetrate violent and vicious crimes.

Presently the Judiciary Committee is studying proposals aimed at reforming our penal system, including bills on prison reform, prisoners' legal representation, parole and the problems of ex-offenders. Not until our prisons begin rehabilitation will we reap the reward of reduced crime rates.

### NARCOTICS

No battle against crime can be won until narcotics are removed from our streets and the drug pushers have been caught and penalized. It has been estimated that addicts spend some $6 billion a year on heroin. Addicts in search of money to support their habit prey on society by stealing from, injuring and even killing their victims to raise the money to pay for their dope. Over the years I have formulated a number of proposals to wipe out the narcotics problem. Some have already been enacted, and their effect is already being felt.

This year, I have again introduced a bill developed late in the last session to provide treatment for addicts arrested for Federal offenses while awaiting trial. Until the supply of illegal narcotics is completely cut off, we must work vigorously to rehabilitate narcotics addicts so they can become contributing members of society rather than parasites and criminals.

### VICTIMS OF CRIME

Whether perpetrated by the street hoodlum, the narcotics addict or the paid professional, every criminal act has its victim. Unfortunately, most of everyone's attention is focused on the criminal and the victim's plight is ignored.

To rectify this problem, I have just introduced the "Victims of Crime Act" to help compensate the victims of crime who are least able to bear its burden. The bill would provide up to $25,000 to a victim, or his survivors, and is similar in approach to the Workman's Compensation program that protects persons injured on the job.

### FREEDOM

Mr. Speaker, I have outlined above only the most important measures being considered by the House Judiciary Committee to combat crime. Many other proposals are also awaiting committee action to contribute to this struggle against crime.

Crime threatens our free society. Until men and women can walk unafraid on our streets at night, our freedom is in jeopardy. It is in jeopardy as long as we cannot remain secure in our homes without fear of intrusion. Only when the war against crime has been finally won will we be truly relieved of the constant threat of crime and free from the fear of it. I am committed to assuring these freedoms.

## NATIONAL AUTISTIC CHILDREN'S WEEK

The SPEAKER. Under a previous order of the House, the gentleman from Massachusetts (Mr. HARRINGTON) is recognized for 10 minutes.

Mr. HARRINGTON. Mr. Speaker, this Sunday, June 24, marks the beginning of National Autistic Children's Week.

Many times we find that the designation of a certain week is frivolous or funny. This week is neither. Autism is a form of childhood mental illness—of physical and mental origin—which strikes over 100,000 children in America. Because it is relatively rare and because it was not diagnosed as a specific and separate illness until recently, almost nothing is known or has been written about autism.

Autism is derived from the Greek word meaning "self." It connotes a child apart—in fact, autistic children have been called "children apart" because they have such great difficulty relating to others. Autistic children are usually beautiful and physically very healthy. But they do not seem to want human contact. They have difficulty understanding language—the language of words, or touch, or any other type of communication. The definition of autism established by the National Society for Autistic Children is as follows:

The term "autistic children"—shall include persons, regardless of age, with severe disorders of communication and

behavior whose disability became manifest during the early developmental stages of childhood. "Autistic children" includes, but is not limited to, those afflicted with infantile autism—Kanner's syndrome—profound aphasia, childhood psychosis, or any other condition characterized by severe deficits in language ability and behavior and by the lack of ability to relate appropriately to others. The autistic child appears to suffer primarily from a pervasive impairment of his cognitive and/or perceptual functioning, the consequences of which are manifested by limited ability to understand, communicate, learn, and participate in social relationships.

Such children are typically multihandicapped in their abilities to receive and communicate informaton, resulting in behavior inappropriate to physical and social demands of their environment. As in aphasia, the dominant communication disorder or learning disability appears to result from the inability to use and to understand language appropriately. The difficulty is often accompanied by impairment in motor, visual and auditory perception. The behavior of an autistic child is typically improved by the application of appropriate educational procedures. A combination of some or all of the following behaviors characterize the autisitic child. These behaviors vary from child to child and time to time in severity and manner.

First. Severely handicapped speech or complete lack of speech.

Second. Impaired or complete lack of relatedness and social inaccessibility to children, parents, and adults.

Third. Extreme distress for no discernible reason due to minor changes in the environment.

Fourth. Lack of intellectual development or retardation in certain areas, sometimes accompanied by normal or superior abilities in other areas.

Fifth. Repetitive and peculiar use of toys and objects in an inappropriate manner, and/or similar repetitive and peculiar body motions, such as incessant rocking.

Sixth. Unusual reaction to perceptual stimuli, such as seeming not to hear certain sounds and overreacting to others—for example, holding hands over ears—or "looking through" objects, poor eye contact, or unable to perform certain gross and/or fine motor activities—walking with peculiar gait, limpness in fingers, inability to hold a pencil appropriately.

Seventh. Onset of disorder at birth or apparent normal early development followed by deterioration in functioning.

Eighth. Hyperactivity or passivity.

Ninth. Apparent insensitvity to pain.

The words in this formal definition, however, fail to communicate the terrible torture of autism to the individual and the parents.

Autistic children are lonely because they refuse human contact. Parents of autistic children are lonely because few understand the nature of their child's illness.

For the past 18 months, I have placed inserts in the CONGRESSIONAL RECORD describing autism and various theories as to its cause. Each insert has generated several calls and letters from parents grateful that the literature on this disease has finally become accessible to them, and grateful too that someone outside of the medical community has discussed the illness.

Imagine your child coming down with a crippling illness which no one had ever heard of, and which is almost impossible to diagnose, and which once diagnosed is almost impossible to understand or do anything about. Imagine your feelings of helplessness and loneliness, and then I think you can understand some of the frustrations of the parents of autistic children.

National Autistic Children's Week should help to shed some light on this disease. But there is more that can be done and Congress can play a major role in doing it.

In September 1971, I wrote to Elliot Richardson, then Secretary of the Department of Health, Education, and Welfare, urging him to include autism under the Developmental Disabilities Act. His response at that time was to wait a year to allow his Department to study the situation. This year, Secretary Caspar Weinberger, in his testimony of March 29 before the House Interstate and Foreign Commerce Subcommittee on Public Health and Environment, urged passage of a new authorization for the Developmental Disabilities Act which would include autism.

Secretary Weinberger said:

> As you are aware, some States have wished to include services for autistic individuals. It is not clearly established that autism is "neurological" in character. We believe that coverage should not be denied to those autistic persons who require services similar or identical to those presently provided under the Developmental Disabilities Act. Thus, we recommend that the word "autism" be included in the definition. This change would not affect the existing requirements that the disability (a) occur before the age of 18, (b) is expected to continue indefinitely, and (c) is a substantial handicap. We believe that this definitional change is consistent with the original intent of the law to deal with disabilities related to the retardation of mental development.

Congress can accept this recommendation and pass H.R. 6589.

In both the last Congress and the present Congress, I have introduced legislation (H.R. 5785) to authorize the Director of the National Institute of Child Health and Human Development to plan a coordinated research program on autism, and to establish diagnostic techniques that provide for the early detection of autism. Because of the nature of the disease, there is great difficulty in determining whether a child is just a slow learner and noncommunicative, or is autistic. Autism afflicts infants during the period between birth and the second birthday. Its origin, as stated, is not known. There has been research into the possibility that it is a neurological disorder, but this has not been proved or disproved.

H.R. 5785 would also provide grants and loans to public or private nonprofit institutions which operate education programs to treat the victims of autism. At present, there are few facilities that can adequately treat the autistic children, but it has been proven that given enough care, these children can be educated. Such a program would establish more facilities and help reduce the overwhelming costs of providing care for these children. These costs often exceed $2,000 a year for special education classes and $20,000 a year for residential schools providing intensive care for the more disturbed children.

Congress should pass this bill.

Congress can pass national health insurance to provide comprehensive health coverage for those suffering from autism. Autistic children are sometimes self-destructive and are always difficult to treat for physical and mental illnesses. Their parents have to rely on the services of physicians specializing in the physical problems of disturbed children—and the prices can be overwhelming. For psychiatric care to be effective in the treatment of autism, it must be long-term and intensive. The cost is astronomical.

I have received letters from parents citing these additional expenses as the final blow to their efforts to keep the child at home. I have introduced legislation providing for comprehensive national health coverage for all forms of mental illness, and have cosponsored legislation for health insurance for physical illness.

Congress must pass these bills.

Mr. Speaker, these are but a few suggestions of the actions which Congress can take. But the first step for Congress is to learn about and understand this terrible illness. Therefore, I intend to put an insert on autism into the RECORD each day next week which I urge all Members to read.

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## THE VERY LARGE ARRAY RADIO TELESCOPE

The SPEAKER. Under a previous order of the House, the gentleman from New Mexico (Mr. RUNNELS) is recognized for 15 minutes.

Mr. RUNNELS. Mr. Speaker, I was quite disturbed to learn this week that the Appropriations Committee has recommended that $10 million requested in the National Science Foundation's fiscal year 1974 budget to initiate construction of the National Radio Astronomy Observator's very large array radio telescope be denied.

The committee report says this action was taken because of budget constraints and other NFC priorities—and, thus, funding of this project can be deferred.

Mr. Speaker, in the field of priorities, this specific project has one of the highest priorities among the members of the scientific community. The National Science Board has placed the VLA as the number one priority in the field of astronomy.

Last year, Congress approved the start of this project with the initial funding of $3 million. During the last few months significant progress has been made toward the day when construction of the project can begin. The Army Corps of Engineers have begun the task of acquiring the site 60 miles west of Socorro, N. Mex., in the San Augustin plains, numerous design activities for the various systems have begun, and the engineer architect for the project has been selected after a competitive review of the qualifications of 78 of the top firms throughout the country.

The schedule for fiscal year 1974 calls for awarding initial contracts, the fabrication of the first antenna, completion of the site design and initial construction of the site facility.

This is a project which will take approximately 7 years to complete—and to stop the project now would not only result in a loss of the scientific community, but it just does not make good business sense. Do we just halt the project, which everyone agrees is a good project, and watch inflation take its toll on the cost of the American taxpayer?

The VLA is certainly not what one would describe as an average construction project, it involves some of this Nation's top scientific and engineering talent. The VLA will consist of 27 dish-shaped radio telescopes, each 82 feet in diameter, each movable along three 13-mile arms of a Y-shaped layout of railroad tracks.

To construct such a system involves the installation of electronic systems, computers, the transportation system, in addition to the buildings, utilities and site work.

Aside from the economics aspect, this project is expected to make major contributions in understanding the laws of gravity, the nature of gases between the galaxies, and the origin and evolution of the universe.

In discussing the VLA with Dr. Clyde Tombaugh of New Mexico State University, who is known for his discovery of the planet Pluto, he expressed concern in any delay of this project, noting that some very important and innovative experiments have already been planned for this facility.

Dr. Tombaugh told me:

We really can't afford to cut out basic research, because then you need it later and you have to go on to a crash program to recover.

This is a fact often true of U.S. Government programs, we delay and then go on a crash program. It has happened in military and space research—and just recently we began hearing demands for a crash program to find the answers for our energy crisis.

Here we have a project, where a highly talented scientific and technological staff has been assembled, planning has begun and obligations made by the Government, based on Congress decision last year to begin the project. Now we face the possibility that the project will be delayed, the talented personnel will take on new tasks in their field—and maybe next year Congress will decide that there is a need to complete the project. But in the meantime, if past history is any indication, the costs will have increased to the taxpayer. It will again be necessary to expend funds to gather together qualified talent to undertake the project.

Mr. Speaker, in view of the amount of funds, $10 million, being sought for this year, we could be pinching the pennies and not watching the dollars.

The VLA is a scientific instrument that is essential to the future needs of researchers in the field of astronomy. Without modernization of the basic tool, the telescope, U.S. scientists cannot progress in the field. For unlike optical telescopes, radio telescopes have not reached their limitation and the field of study is unlimited.

The VLA will be operated as a national facility and be made available to the entire scientific community. Many answers depend on the completion of this project and the scientific community wants and needs our support.

The following is a fact sheet on the VLA:

THE VERY LARGE ARRAY (VLA) FOR RADIO ASTRONOMY

DESCRIPTION

The Very Large Array is a major new instrument which will make possible important advances in radio astronomy. The VLA will consist of 27 dish-shaped radio antennas, each 82 feet in diameter, distributed along three arms consisting of double railroad tracks, arranged in the form of a wye, with 120 degrees between each arm. Two of the arms are 13 miles long and the third, 11.8 miles long. VLA construction and operations will directly affect approximately 3,500 acres of which an estimated 2,800 acres are required for the three arms of the wye.

SITE

A site has been identified in New Mexico, fifty miles west of Socorro, in the counties of Socorro and Catron, in the eastern end of a broad valley known as the Plains of San Augustin.

SCIENCE

This sensitive, high-resolution, image-forming instrument is designed to produce pictures of radio sources in the sky comparable with the finest optical photographs. By positioning the antennas along their tracks, the field of view of the VLA may be varied within wide limits. In this respect the VLA is the radio equivalent of a zoom lens. The antenna system will produce detailed two-demensional maps of radio sources over most of the observable sky, including regions where most other arrays can resolve sources in only one direction. In addition, the VLA will have the ability to detect and measure the properties of the very faint radio sources. These sources are faint, either because of their low intrinsic brightness or their locations at remote distances. Radio astronomers also will be able to measure the properties of radio sources superimposed upon complex backgrounds such as the Milky Way. The VLA is expected to make major contributions to our understanding of the laws of gravity, physical processes in interstellar gases, the origin and evolution of stars, the universe, and life itself.

| Budget: | *In millions* |
|---|---|
| Fiscal year 1973 | $3 |
| Fiscal year 1974 | 10 |
| To complete | 63 |
| Total | 76 |

HOUSE REPORT

The Committee recommends that the $10,000,000 requested to initiate construction of the Very Large Array radio telescope be denied. Although the Committee approved the initial funding for this project in 1973, it now feels that in view of general constraints and other earthbound National Science Foundation priorities, the VLA can be deferred.

PROGRAM CONSIDERATIONS

The VLA has been planned for incremental or phased construction over several years.

Funds for the VLA were authorized and appropriated in FY 1973. Work is underway. Bids have been received for antenna construction. Denial of the FY 1974 increment would produce a highly undesirable and uneconomical stop-and-start problem.

The scientific community has given highest priority to the VLA. This conclusion was made after careful study and is documented in a National Academy of Sciences Report prepared by Dr. Jesse L. Greenstein.

The U.S. has been a leader in the field of radio astronomy. No new radio astronomy facility has been undertaken by the U.S. in more than 13 years and present facilities are not capable of producing the degree of resolution needed to capitalize on recent discoveries.

## THE 25TH ANNIVERSARY OF SERVICE BY UNITED AIR LINES TO RHODE ISLAND

The SPEAKER. Under a previous order of the House, the gentleman from Rhode Island (Mr. TIERNAN) is recognized for 5 minutes.

Mr. TIERNAN. Mr. Speaker, I want to take this opportunity to extend my sincerest congratulations to United Air Lines which is celebrating its 25th anniversary of service to Rhode Island during the month of June.

United started its operations at the Theodore Francis Green Airport in Warwick in June 1948 with the venerable DC-3. During the first year of operations it boarded 2,182 passengers. Now, consistent with its faith in Rhode Island and in the economy of the State, United operates three daily Boeing 727 and 737 flights to the Midwest with connecting flights to the west coast. In 1972 some 101,849 passengers used its aircraft to enter and leave the State, and the airlines projection indicate that during 1973 the passenger totals on its flights will be even higher.

In 1972 United moved 1,768,000 pounds of cargo out of the State along with 884 tons of mail express and freight. United received almost as much cargo, mail, and freight during that year.

Figures like these indicate that this carrier is fully involved in the industry and economy of the State of Rhode Island. I might add that Mr. Albert R. Tavani, Assistant Director of Transportation, Division of Airports, has made possible the kind of progress that United Air Lines and the Green Airport are now experiencing. It gives me pleasure to congratulate United on its silver anniversary of service to Rhode Island and my best wishes for continued success.

## EMIGRATION OF SOVIET JEWS

The SPEAKER. Under a previous order of the House, the gentleman from Washington (Mr. ADAMS) is recognized for 5 minutes.

Mr. ADAMS. Mr. Speaker, while General Secretary Brezhnev is here in the United States, I would like to take the opportunity to reiterate my appeal for the free exercise of human rights—particularly the right of emigration—for the Jews in the Soviet Union.

I applaud the summit talks between Mr. Brezhnev and Mr. Nixon and sincerely wish to see the development of a true detente between our two countries. At the same time, I believe we must not overlook the necessity for our two countries to reach agreement on matters other than diplomacy and trade. Most importantly, I think we should strive for a Soviet commitment to the basic human rights and freedoms of all people.

Realization of these freedoms, especially the freedom to emigrate, is essen-

tial to the Jewish communities of the Soviet Union. Such freedom should not be particular to some countries. It is a universal freedom, a human right, and it was agreed to by all of the member countries of the United Nations—including the Soviet Union—in the Universal Declaration of Human Rights. The theory must be practiced.

We were all relieved somewhat in March when the Soviet Government announced suspension of the education or exit tax imposed on emigrating Soviet Jews. However, Soviet emigration practices still remain discriminatory and arbitrary. The Nixon administration, in its eagerness to set up the Brezhnev summit and to achieve quick passage of its trade bill, appears to be satisfied with Soviet assurances that high education taxes on emigrants have been suspended. But contrary to what the administration might think, the emigration problem is not solved. We must look beyond such obstacles as the education tax to the basic problem—the harassment of the Soviet Jews and the infringement on their freedom to emigrate.

At this juncture, if Mr. Nixon and Mr. Brezhnev are so eager to establish better relations, particularly in the area of trade, we in the Congress should double our efforts to pass trade legislation incorporating freedom of emigration provisions. I have cosponsored and have been working actively for this legislation, because I feel it provides the kind of leverage we need to persuade the Soviet Government to adopt fair and unrestricted emigration policies. By prohibiting "most favored nation" status and other special trade treatment to any country which denies to its citizens the right to emigrate or which imposes unreasonable restrictions on emigration, we are insisting that the terms of our trade with the Soviet Union be equal—that the Soviets will get their goods if we can see a real decrease in the harassment of Soviet Jews as well as an increase in emigration application acceptances and in actual emigrations.

We cannot forget the oppressed Jews in the Soviet Union. Yes, we have a responsibility based on our past record to fight for the rights of the Jews. But beyond that, we have the responsibility as human beings to help those people who need assistance—to work to assure to others the rights and freedoms which we enjoy.

I urge the leadership of the United States and of the Soviet Union to recognize the rights of the Soviet Jews. And I urge Secretary Brezhnev, upon his return to the U.S.S.R., to set in motion emigration policies which will provide to Soviet Jews the rights and freedoms to which they are entitled.

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## SENATE UNIT VOTES TO END MORATORIUM ON HOUSING PROJECTS

The SPEAKER. Under a previous order of the House, the gentleman from New York (Mr. RANGEL) is recognized for 5 minutes.

Mr. RANGEL. Mr. Speaker, the Senate has again proved itself more responsive to the needs of the Nation than the House. While we are here busying ourselves over whether or not Federal housing programs should be saved at all, the other body has passed legislation ordering the President to end his illegal and unconstitutional freeze on these crucially necessary programs.

I insert, at this point, an account of that body's action.

SENATE UNIT VOTES TO END MORATORIUM ON HOUSING PROJECTS

WASHINGTON.—The Senate Banking Committee voted to force President Nixon to end the moratorium on federally subsidized low-income and moderate income housing projects.

The committee approved the provision, offered by Sen. William Proxmire (D., Wis.), by an 11-to-three vote. Only three Republicans, all Nixon administration loyalists, opposed the move—John Tower of Texas, Wallace Bennett of Utah and William Brock of Tennessee.

The provision was tied to a bill extending most government housing programs, including the Federal Housing Administration's mortgage guarantee authority, for one year. The House has already approved an extension of the programs, which are scheduled to expire June 30.

The ban on the housing moratorium is expected to pass the Senate next week as part of this overall housing package, and there appears at least an even chance it will eventually be accepted by the House. Tying it to the FHA authority makes it more difficult for President Nixon to veto.

The administration declared the housing moratorium earlier this year and said it would remain in effect until a review of all government housing programs is completed.

The Banking Committee's measure would require the Secretary of Housing and Urban Development to "immediately cease any suspension" or withholding of funds for federal housing-assistance programs. It also would specifically prohibit delaying or withholding applications for these programs.

In other action, the committee voted to extend the Treasury's seldom-used authority to borrow from the Federal Reserve System for one year, to June 30, 1974. The House is expected to act on a similar measure soon.

Mr. Speaker, the House has before it today an appropriations bill, H.R. 8825, containing funds for the Department of Housing and Urban Development. I ask, Mr. Speaker, indeed, demand that this body find the guts that it appears to have lost and take action at least as strong as that of the Senate.

It is not just for my 19th Congressional District of New York City that I make this statement, but for the sake of our three-branch system of government that is rapidly being destroyed by the inaction of Congress, especially this body.

But the damage being wrought on my district is a good example of how human lives are being shattered by the President's freeze on housing funds and Congress' unwillingness to end this freeze. Following are descriptions of some of this damage in my district and the Nation.

EFFECTS OF FEDERAL HOUSING MORATORIUM AND IMPOUNDING OF FEDERAL MONEYS ON THE WEST SIDE OF MANHATTAN—50TH STREET THROUGH 110TH STREET

Approximately 6,314 apartments will never be built—1,114 low income families will lose their apartments between 96th St. and 110th St.!

*1. What is the Federal Housing Moratorium and Impounding?*

Effective January 5, 1973, the Nixon Administration announced an 18 month freeze, or "temporary hold" on new commitments of money for a number of important housing and housing-related programs, pending "a . . . review." This is in addition to housing money already allocated by Congress which has been withheld or impounded by President Nixon.

Affected programs include: rent supplements, mortgage supplements under Sections 235 and 236, assistance to nonprofit sponsors of low and moderate income housing, construction of low-rent public housing, the college housing program, the open space land program, grants for basic water and sewer facilities and loans for rehabilitation of property in urban renewal, neighborhood development, or code enforcement project areas.

The current status of the Moratorium is that it remains in effect. HUD has indicated that it may give ground on some projects which were already "in the pipeline" on January 5, 1973. (According to the HDA, it could involve up to $50 million for New York City, or 23,194 new housing units over the next 2 years.)

The effect of the impoundment is that monies already approved by Congress cannot be spent!

*2. What is the Federal Administration Position?*

Briefly put, the Administration position is this: Federal direct housing subsidy programs have been plagued with problems since they were initiated, even though enormous financial resources have been committed to them. A more effective approach must be developed. In the meantime, additional tax dollars cannot be committed to those programs which imposed a heavy burden on future budgets, yet have proved to be ineffective.

("The Budget of the United States Government, Fiscal Year 1974," p. 114)

NOTE.— Fiscal Year 1974 is the period from July 1, 1973 through June 30, 1974.

*3. How Much Federal Subsidy Money for Housing has been impounded by President Nixon Nationally for Urban Areas?*

The amounts of money caught up in the impounded categories are as follows:

[In millions]

| | |
|---|---|
| Section 236 | $171 |
| Rent supplements | 39 |
| Section 235 | 221 |
| Water and sewer grants | 400 |
| Rehabilitation loans | 72 |
| Open space grants | 50 |
| Public facility loans | 20 |
| Nonprofit sponsor loans and grants | 7 |
| Total housing funds impounded | 980 |

There is no Federal money allocated by Congress for low income public housing for the next year (Fiscal Year 1973–1974).

There is no public Housing money left unused in New York City for this year (Fiscal Year 1972–73). However, there appears to be approximately 160 million dollars of Public Housing money unused in other nearby Eastern cities. This money could be used in New York City, and construction could start on 10,000 low income public housing apartments this year if these other cities don't use this money. This leftover money appears to be caught up in the Federal impoundment.

*4. Will the Nixon Freeze permit construction of housing for moderate income apartments in New York City?*

According to HDA, approximately 23,194 housing units are being frozen by the Moratorium and the Impoundment of money appropriated by Congress under the Section 236 and Section 235 Programs.

*5. What does the Moratorium and Impoundment of Federal Subsidy Monies mean for the West Side (50th Street through 110th Street)?*

There are 4 urban renewal neighborhoods between 50th St. and 110th St.: Clinton, Lincoln Square, West Side, and Cathedral.

In order to provide construction of new

housing in 3 of these renewal areas, two categories of federal money are needed:

A. PUBLIC HOUSING

There is no projected Federal continuance of the low income public housing program in the 1974 Federal Budget. Therefore, 844 apartments of public housing planned for the Cathedral Parkway Urban Renewal will never be built for low income relocatee families.

In addition, in the West Side Urban Renewal Area, 270 apartments of public housing will also be lost to West Side relocatees.

Therefore, a total of 1,114 apartments for low income families in Public Housing will never be built between 96th St. and 110th St., unless the Federal Government appropriates more public housing money.

It is important to note that public housing money is not in the 1974 Federal budget. The issue here is the fight for Congress to vote and appropriate more money for this program. The concern is that even if Congress would vote for this money, President Nixon would impound the money.

B. SECTION 236 INTEREST SUBSIDY

This is an interest subsidy program which should cut apartment rents in about ½, when used in City or State buildings constructed under the Mitchell-Lama program. Instead of $88.00 per month per room—$44.00 per month per room.

Strycker's Bay Neighborhood Council and many members of City government have recognized and agreed that this program is an inadequate one to provide housing for true moderate income families (between $10,000 and $20,000 annual income) in New York City. These same forces agree that for the Federal Government to impound monies and stop construction without providing a proper program for moderate income families is, to quote HDA Administrator Kerr, "a massive breach of faith with all New Yorkers."

The effect on the West Side of this "massive breach of faith" is:

Apartments that cannot be constructed:

[Approximately]

| | *Apartments* |
|---|---|
| Clinton urban renewal | 2,514 |
| Cathedral Parkway urban renewal | 766 |
| West Side urban renewal | 2,000 |
| Total: for moderate middle income families | 5,280 |

SUMMARY

Therefore, in these 3 neighborhoods, when we include the loss of 1,114 apartments for low income families, there will be a total of 6,394 families who will lose their rights to newly constructed apartments.

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HARLEM URBAN DEVELOPMENT CORP.,
*New York, N.Y., January 11, 1973.*

To: HUDC Board of Directors and Other Key
From: Jack E. Wood, Jr.
Re: Federal Moratorium on FHA 236 Housing Subsidies—Implications for Harlem

For the past two weeks it has been a matter of public record that the Nixon Administration was considering imposing an 18-month moratorium on all housing subsidy programs administered by the Department of Housing and Urban Development (HUD).

On Monday, January 8, that possibility was confirmed with the announcement by HUD Secretary George Romney that a moratorium was in effect and that the freeze would continue as long as is necessary to re-evaluate all programs in the Federal housing system. In addition, the freeze will halt all new commitments for water and sewer grants, open space land grants and public facility loans "until these activities are folded into the special revenue sharing program" not yet approved by Congress. Urban Renewal and Model Cities programs that already are approved for funding will be allowed to continue for the remainder of the Federal fiscal year, which closes on June 30, 1973.

As a matter of background, I am attaching a copy of Circular A-70 issued by the Office of Management and Budget in the White House, which formulated the initial basis for this policy decision by the Nixon Administration. Please note paragraph C on page 5 of that circular, which makes clear the Administration's intention to foreclose the availability of Federal subsidies and guarantees to all state and local housing agencies whose programs are undergirded by the sale of tax exempt bonds and securities.

As you know, all of the residential projects developed with the assistance of UDC/HUDC are financed by the sale of tax exempt bonds and securities. In short, UDC sells bonds on the open market at regular intervals, and the proceeds from the sale of these bonds are used to provide 95% mortgages for UDC projects. Institutions which purchase these bonds do not have to pay tax on the interest dividends they yield. The Nixon Administration wants to close out this type of financing, since it does not directly add to the national Treasury.

The long-range effect of the Administration's objective, if not reversed, could bring about the elimination of UDC, as well as 11 to 13 similar state housing finance agencies across the country. The more immediate effect of the 18-month moratorium on 236 interest subsidies would be to reduce to a mere trickle the volume of new low- and moderate-income projects developed in the City and State of New York during the year 1973.

The implications of all of the foregoing are, of course, potentially disastrous for Harlem. In the Harlem community the shortage of housing for low- and moderate-income families is far more severe than almost any other community in the state. Without the benefit of Federal 236 subsidies, housing simply cannot be built at rents and prices these families can afford.

Toward the end of 1972, before the moratorium went into effect, UDC registered an additional 17 projects with HUD. These projects, dispersed throughout the state, had already passed the feasibility stage, and 236 subsidies tentatively have been earmarked for their use. Two of these projects are located in Harlem and, barring any unforeseen difficulties or delays, they are expected to go forward. It is not clear at this point, however, what subsidy money will be available for additional projects in the Harlem community. Secretary Romney has indicated that carry-over 236 appropriations from preceding years may be available to take up the slack in 1973. A great deal of this money, however, will be used to honor prior commitments that have been delayed or held up. UDC officials are now engaged in efforts to ascertain how much of the remaining money will be allocated to the State of New York. HUDC officials are concerned with the proportion that will be available to underwrite projects in Harlem.

It is not clear at this moment what form of protest or organizational expression is likely to be effective. Even the Congress appears to be in a strait jacket, with this assumption of authority by the Executive branch of government. HUDC officials already have begun to meet on this issue, and we will keep you advised of any new developments.

This data represents just one district's staggering toll at the hands of this President of ours who apparently lacks any concern at all for tolls in laws broken or lives crushed.

In light of this high-level insensitivity, it is left up to us to include language in this appropriations bill that would make it clear that what the President is doing is against the will of this body, as well as the other.

I urge that this action be taken.

## AMERICA WILL MISS A GREAT COACH, FRANK LEAHY

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

Mr. KEMP. Mr. Speaker, I rise today in this distinguished House to mourn with my colleagues and the people of this country the passing of a great American, Coach Frank Leahy of Notre Dame. Mr. Speaker, few men if any have equaled the remarkable coaching career of Frank Leahy. But it is not just his athletic career we will miss, but his devotion to those ideals of America to which, both on and off the "fields of friendly strife," he devoted his long and successful life. All of us here in these Chambers and in this Congress, as Representatives of the people, are deeply indebted to Frank Leahy as a private citizen, whose leadership on behalf of a strong national defense, a competitive free enterprise economy, and a respect for the rule of law, contributed so much to preserve and promote those values upon which our great Nation was founded.

Mr. Speaker, Frank Leahy loved coaching, loved competitive athletics, and loved winning, to be sure, but he loved God, his family, his country, and Notre Dame even more.

One of the great honors of my life was to have Coach Leahy get out of a sick bed, in 1970, to come to Buffalo, N.Y., to support me in my move from the competitive world of pro football to the even more competitive world of the U.S. Congress. I first met Coach Leahy when he was general manager of the Los Angeles Chargers of the AFL, in 1960.

As a young football fan, I felt like I had always known Frank Leahy, the great Notre Dame coach. He was not only my idol, but that of every young boy in the country, plus all those who were fortunate enough to have played football for him. But, of course, you did not just play football for Frank Leahy, you lived football with him. He and Notre Dame influenced, profoundly, the lives not just of those who played for him, but the lives of millions of young athletes who were moved to accomplish great things, because of the example of this man, Frank Leahy, and this great university, Notre Dame.

Frank Leahy was a great American and he will be missed. But that which Frank Leahy represented, those lessons he helped us learn, those eternal qualities to which we all hold, will be a source of increased strength and purpose. For that, my sorrow is tempered with hope.

Mr. Speaker, at this point I include articles from the June 22 Washington Post and Evening Star concerning this great "Fighting Irishman":

[From the Evening Star and Daily News, June 22, 1973]

FRANK LEAHY: A FIGHTING IRISHMAN LOSES CANCER BATTLE

PORTLAND, OREG.—Frank Leahy, one of college football's most successful coaches with seven unbeaten seasons at Notre Dame, is dead, following a five-year battle against leukemia and other crippling ailments.

Leahy, who would have been 65 Aug. 21, succumbed to massive heart failure Thursday at Good Samaritan Hospital. He also had

been suffering from spinal arthritis, an infected bladder and diabetes.

He fought the ailments as he coached his football teams—to win.

"His death was no surprise," said Johnny Lattner, one of four Heisman Trophy winners Leahy coached. "He'd known it for two years, and when he first found out he had leukemia, he told me, 'John, I'll be the first to beat it.'"

Lattner said Leahy was taking acupuncture treatment for his arthritic spine, and said Leahy's decision to take the treatment was symbolic of his character.

"It eliminated a lot of the pain, and he wanted to beat leukemia through acupuncture. He just wanted to win," said Lattner.

Leahy rekindled the football legend ignited at Notre Dame by Knute Rockne, his former coach. Leahy coached the Fighting Irish to an 87–11–9 record from 1941 to 1953, with the exception of 1944–45 when he was in the U.S. Navy.

His Notre Dame clubs captured the mythical national championships in 1943, 1946, 1947 and 1949.

Prior to going to Notre Dame, Leahy coached Boston College to a 20–2 record, including a 19–13 Sugar Bowl victory over Gen. Bob Neyland's Tennessee Volunteers—a game which went a long way towards establishing the Sugar Bowl as a major event.

Leahy, who at the time of his death was an executive for Canteen Corp., a vending operation, and lived in nearby Lake Oswego, Ore., is survived by his widow, Florence, and seven children.

Mrs. Leahy said she would decide sometime today whether to hold the funeral services in Portland or Long Beach, Ind., where the Leahys lived for many years.

Players who played for Leahy at Notre Dame have left their own mark on the game, both professional and collegiate. All America honors were won by 36 of his players.

Among the stars he coached at Notre Dame were quarterbacks Johnny Lujack and Angelo Bertelli, halfbacks Lattner, Terry Brennan and Bernie Crimmins, end Leon Hart and tackle George Connor.

Unlike Rockne, whose locker room orations became a part of his legend, Leahy's dressing room remarks were brief. During halftime of the big game against Army in 1947, the blue-eyed Irishman sent his players out on the field by simply telling them: Gentlemen, Army is waiting for us out there." The Irish won that one, 27–7.

Leahy was only 45 when he resigned as coach in 1954 because of poor health, running up a 107–13–9 record as head coach of Notre Dame and Boston College.

Born in O'Neill, Neb., Aug. 21, 1908, Leahy, a promising amateur boxer, was thinking of a ring career. But he decided to come to Notre Dame to play football after listening to Rockne make an after-dinner speech.

When Leahy, graduated in 1931 there was no doubt football would be his life.

He served as an aide at Georgetown, then joined the staff of one of Notre Dame's "Four Horsemen," Jim Crowley, at Michigan State. Leahy moved on to Fordham with Crowley as a line coach. It was there that Leahy helped mold the great line known as "the Seven Blocks of Granite," one of them being another future coaching great—Vince Lombardi.

Leahy coached at Boston College in 1939–40 and Notre Dame called him "home" in 1941.

Last week he said he was "absolutely crushed" because he was unable to attend an annual award dinner in his honor at Chicago. But he managed to speak on a telephone hookup with such former pupils as Lujack, Lattner and Connor.

"He put up a great battle," said Chicago Bears owner George Halas. "It was characteristic of him."

[From the Washington Post, June 22, 1973]

FRANK LEAHY, NOTRE DAME COACH, DIES

(By Kenneth Denlinger)

Frank Leahy, one of the giants of collegiate football, died yesterday at Good Samaritan Hospital in Portland, Ore. He was 64.

Mr. Leahy, who had six undefeated seasons at Notre Dame and maintained the tradition established by his former coach, Knute Rockne, had been suffering from several ailments, including a heart condition and a pre-leukemia blood condition.

A player and assistant under Rockne at Notre Dame, he became coach of the Irish in 1941 and compiled an 87–11–9 record before retiring because of poor health in 1953.

His overall winning percentage, which included a 20–2 performance at Boston College before he assumed the Notre Dame position was a remarkable .888.

While a student at Notre Dame, Mr. Leahy played both center and tackle for two seasons before a knee injury forced him to miss his senior season in 1930.

A native of Nebraska who received his early education in the appropriately-named Winner, S.D., Mr. Leahy was an assistant at Georgetown, Michigan and Fordham universities, where one of his pupils was Vince Lombardi.

When he became head coach at Boston College in 1939, a local newspaper headlined the story: "B.C. Signs Unknown Leahy." He was not unknown for long.

His first team lost just one regular-season game and the Cotton Bowl to Clemson. In 1940, Boston rocketed to the Eastern championship with 10 regular-season victories and Sugar Bowl triumph over Tennessee.

The next year, with the coaching spot open because of the retirement of Elmer Layden, Mr. Leahy returned to Notre Dame and cautioned giddy supporters who predicted he would be "another Rockne."

"We'll do our best and you'll be proud of your team, but the day of the undefeated Notre Dame team is over," he said. The Irish were 8–0–1 that year.

His coaching career at Notre Dame was interrupted by World War II, when he served in the Navy and rose to the rank of lieutenant.

Scrapping the traditional Irish box formation for the T formation, his teams of 1946–49 went 38 games without a loss.

"When you are a coach at Notre Dame," he said in 1949, "you don't control your personal life. You belong to the people, to the priests, to the radio. I notice now that I become fatigued a little earlier each day. My family would be happy if I decided to discontinue coaching.

"During the fall, I get home twice a week. The other nights I stay at the university. In 1947, during the winter months, there was one stretch when I was home only six nights in 90. The rest of the time I was out, speaking."

Among the well-known football players Leahy coached at Notre Dame were Angelo Bertelli, Johnny Lujack, Bob McBride, Terry Brennan (who succeeded Leahy as Irish coach), Ralph Guglielmi, Leon Hart, Connor, Bob Dove, Creighton Miller, Mill Fisher and Johnny Lattner, George Emil Sitko.

In 1953, during his final season as coach, Mr. Leahy collapsed during the second half of the game with Georgia Tech and given the last rites of the church. He later recovered.

He seconded Gen. Dwight D. Eisenhower's presidential nomination at the Republican convention in 1956 and was made a Knight of Malta by Pope Pius XII. He was elected to the National Football Foundation Hall of Fame in 1970.

"Everyone here at Notre Dame and thousands of Frank Leahy's friends, teammates and players mourn his passing," said longtime Notre Dame athletic director Edward (Moose) Krause. "We all cherish his dedication, friendship and his love for Notre Dame."

There were many memorable Notre Dame games under Mr. Leahy and one was the 0–0 struggle in 1946 against the Glenn Davis-Doc Blanchard Army team in Yankee Stadium.

The record of his 1946 team was marred only by one tie, as were the performances of his 1948 and 1953 teams. The Irish were 4-4-1 in 1950.

In 1947 and 1949, the Irish went unbeaten and untied, scoring 291 points and allowing 52 in '47 and scoring 360 points and allowing 86 two years later.

Mr. Leahy was a promising amateur boxer who seriously considered a professional career after graduation from high school. But Rockne came along and persuaded him to enroll at Notre Dame.

He chose Notre Dame, Mr. Leahy once said, after listening to Rockne make an after-dinner speech.

Mr. Leahy once recalled an incident when he was playing tackle under Rockne and was assigned to open a hole against the scrubs. Three times, the back never got past the line of scrimmage.

"Then Rockne called me over and let me have it," Mr. Leahy said, "He said, 'Leahy, I never knew how really fine a defensive tackle you were until just now. You've just succeeded in stopping three of our own plays while playing on offense.'"

In his last season, when they finished second to Maryland in the wire-service polls, the Irish stirred a terrific controversy when feigned injuries gave them a 14–14 tie with Iowa.

"There was nothing wrong with feigning an injury until we did it," Mr. Leahy said. "Now it's a sin."

After retiring from Notre Dame, Mr. Leahy became associated with various business ventures, then returned to football in 1960 as general manager of the Los Angeles Chargers of the American Football League.

After a year in professional football, he reentered the insurance business. He moved to Lake Oswego, Ore., a Portland suburb, in 1963 and continued as an executive vice president of Canteen Corp., which operates refreshment dispensing machines.

Only last week, Mr. Leahy was unable to attend an annual award dinner in his honor in Chicago because of illness. "I was absolutely crushed over the fact that I couldn't participate," he told the group via telephone.

A hospital spokesman said Mr. Leahy was admitted Wednesday and developed complications early yesterday.

He is survived by his wife, Florence, and six children, Frank Jr., Gerald and Christopher, all of Lake Oswego, James, of Pasco, Wash., Mary Leahy, of Lake Oswego, and Sue Muostakas, and Florence Harter, both of Chicago.

## PERSONAL EXPLANATION

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

Mr. EDWARDS of California. Mr. Speaker, on June 6, 1973, rollcall No. 190, final passage H.R. 7935, the minimum wage bill, I was present and voted "aye." The electronic device apparently did not register, because the CONGRESSIONAL RECORD shows me as "not voting." I regret that I am shown as being absent, but want to make it clear that I supported the bill on final passage.

## ADMINISTRATION'S MEDICARE PROPOSAL UNDERMINES HEALTH SECURITY OF AMERICA'S ELDERLY

(Mr. PRICE of Illinois asked and was given permission to extend his remarks

at this point in the RECORD and to include extraneous matter.)

Mr. PRICE of Illinois. Mr. Speaker, one of the most disturbing budget recommendations the Nixon administration has made for fiscal year 1974, is the proposed doubling of medical care costs of our elderly, the segment of our population which can least afford increased costs and the sector of population most in need of medical care.

In a recent editorial, the Metro-East Journal, a Lindsay-Schaub newspaper in East St. Louis, Ill., presented a cogent and incisive rebuttal to the administration's fallacious assumptions and rationale for undermining health care security for the elderly.

At this point in the RECORD, I include the editorial:

PUTTING BURDEN ON INDIGENT ELDERLY WRONG WAY TO REDUCE MEDICAL COSTS

President Nixon's proposal to require older persons to pay more of their Medicare insurance costs is not a good way to try to cut government spending.

The administration proposes to save $616 million annually at the start and much more in later years.

Under the current plan, the patient pays for the first day of hospitalization at a national average cost of $72. He then pays nothing until the 61st through 90th days when he bears 25 per cent of the cost. The 60 days following he pays 50 per cent.

Under the administration's plan, the patient would pay the actual cost of the first day's room and board which range from $15 in small hospitals to $100 in some large city hospitals. He then would pay 10 per cent daily for all succeeding days.

In regard to doctor's bills, the administration proposes the patient pay out the first $85 of any costs rather than $60 at present. Then the patient would pay 25 per cent of all costs instead of the present 20 per cent.

The administration has estimated that its plan would, on the average, double a patient's hospital costs.

The administration argues that its plan would work no hardships on the elderly and that it would reduce "over-utilization" of Medicare.

While it is true that Social Security benefits have increased 70 per cent since 1965, it does not follow as the administration claims that this increase in medical insurance cost would not work a hardship on many thousands of elderly persons.

There are many elderly so poor that medical costs not paid by Medicare are paid for by the Medicaid welfare program.

But there are many elderly persons who qualify for welfare payments who have not applied for them because of their pride. They are "making do" with just barely enough to get along on. If their medical costs go up, they may feel forced to go on the welfare rolls.

There are also many elderly persons who are just a little bit above the income level that qualifies for welfare payments, but who don't have enough income for the "health and decency" living standard of the Bureau of Labor Statistics.

If these persons had to pay more for medical care, many of them would do without needed care. In other cases they would go ahead and get the medical care, and they would do without needed food, clothing or heat.

There is no clear evidence that Medicare is being overutilized.

The administration argues that these higher costs for the elderly would make physicians more cost-conscious, that it would cause them to cut down on unneeded costly tests, and would encourage patients and their physicians to use cheaper hospitals.

In Illinois, the state government has commissioned the Illinois State Medical Association to organize and operate the Hospital Admission and Surveillance Program (HASP).

Under HASP, the physician's professional organization is working actively to hold down medical and hospital costs of the Medicaid program. The same organization could be used to make doctors and hospitals cost-conscious in regard to the Medicare program, if it has not already done so.

The Social Security program was amended in 1972 to provide for the Professional Standards Review Organization (PSRO). According to this new statute, each state is to select an organization to perform quality control on hospital and medical services produced under the Social Security program.

Illinois authorities believe that HASP should be expanded and eventually replaced by the Professional Standards Review organization.

We do not believe many Illinois physicians are ordering unneeded costly tests of the elderly. We believe that physicians will send patients to cheaper hospitals where available for treatment of ailments not requiring expensive equipment that ups the rates of expensive hospitals.

In other words, organizations such as HASP and PSRO used nationwide should make physicians cost-conscious without making the elderly pay higher costs.

Elderly persons have enough problems and worries, without removing some of their security in regard to health care.

## BALTIC STATES ANNIVERSARY

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

Mr. PRICE of Illinois. Mr. Speaker, the latter half of June is especially important to Americans of Baltic origin and their friends. This month marks several sad and glorious anniversaries for the Baltic States which affect Americans and indeed all free men. I find it particularly fitting in this time of detente and summitry that we recall these events, in hopes of drawing closer to the solution of the problems they pose.

Thirty-three years ago, in June of 1940, the Baltic States of Estonia, Latvia, and Lithuania were overrun by the Soviet Union. On June 22, 1941, the people of Lithuania succeeded in breaking the chains of this unwanted domination, setting up an independent provisional government. Six weeks later their free government was again overthrown, this time by the harsh rule of Nazi Germany.

Suffering is not new to the Baltic peoples, nor is the strength to endure that suffering. An accident of geography has placed these people among neighbors larger and more powerful than they. Within the last three decades, however, the Baltic people have perhaps suffered more than ever before in their tragic history. This June marks the 32d anniversary of the mass deportation of over 150,000 Baltic people from their native land, placing them in danger of ethnic extinction as well as political impotency.

Mr. Speaker, 1973 has been called the "Year of Europe." Let us not forget the smaller European countries in our concern for the welfare of the greater powers. The United States has always been the defender of peaceful nations everywhere. We have witnessed in the courage of the Baltic peoples that the rights and dignity of all men cannot be denied. I salute these brave men and women and call on all freedom-loving nations to restore to them the privileges they have been denied for so long.

## WILLIAM ARBOGAST TO RETIRE

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

Mr. PRICE of Illinois. Mr. Speaker, after 30 years in the House of Representatives Press Gallery, William Arbogast will retire as an active member of the Capitol Hill press corps at the end of this month.

Bill, an Associated Press correspondent and director of the AP House news contingent, has been known for his dedication to accurate, complete, and highly professional reporting. His insights into the legislative workings of Government have made the average citizen more aware of and better informed about the Congress which makes their laws. His conversations with and suggestions to Members of this House have always been enlightening and beneficial.

During the time Bill has spent on the Hill, I have had the pleasure of his acquaintance, and as a former newsman I can attest not only to the high degree of polish which marks his reporting, but also to the high degree of integrity which marks him as a man.

Bill Arbogast came to Washington in 1938 after 7 years as an AP correspondent in Kentucky. Quickly rising in rank, Bill was promoted to the general staff in 1941 and has been chief of the House AP staff since 1944.

It may be some time before another newsman of Bill's diligence and responsibility reports the activities of this House. But we can be thankful for the three decades he has been with us.

As Bill retires from these halls I would like to join in paying tribute to his devotion and wishing him every happiness in retirement.

## FLORIDA'S GADSDEN COUNTY'S 150TH ANNIVERSARY

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

Mr. SIKES. Mr. Speaker, the people of Gadsden County, Fla., will celebrate their county's 150th birthday on June 24. I extend to them my best wishes for a very happy anniversary and in this I join my good friend and distinguished colleague DON FUQUA, who now represents this wonderful part of our State.

It was my great privilege and honor to represent Gadsden County for 22 years beginning January 1941. In 1962, when Florida gained four new seats in Congress, Gadsden County was placed in a new district now represented by Mr. FUQUA.

I have many rich and pleasant memories of those years. Gadsden County is made up of some of the finest people you will ever know. They are proud and resourceful and they have demonstrated particular ability in agricultural pursuits.

Gadsden was the fifth county established in Florida. It was named for a trusted aide to Gen. Andrew Jackson. He was Lt. James Gadsden who built a fort there in the early 1800's and it figured prominently in Jackson's campaigns of the period. Later he held the rank of colonel and, subsequent to his military career, was Minister to Mexico at the time the Gadsden purchase was negotiated for a great territorial addition to the southwestern United States. I think it most interesting that Jackson and Gadsden Counties are adjoining counties in our State, a lasting memorial to outstanding men and a vital period in our State's history.

While Gadsden County is very ably represented by DON FUQUA, I am sure that my friends there realize they continue to have my own good wishes and support. I maintain a strong interest in their development and progress. They have two Congressmen whenever our services are needed.

This anniversary is indeed an event of which they can be proud. My best wishes and heartiest congratulations are extended to the people of Gadsden County on this, the 150th birthday of their county.

## REGISTRATION AND REGULATION OF FOOD IMPORTERS

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

Mr. BINGHAM. Mr. Speaker, today I am introducing legislation which would require all importers of food which is subject to the jurisdiction of the Food and Drug Administration—FDA—to register their existence with the FDA and to notify the FDA of all food import shipments prior to entry into the United States.

Along with 27 cosponsors in the House, I introduced H.R. 323 earlier this year—see pages E65–E66, CONGRESSIONAL RECORD, January 6, 1973. That bill would sharply increase the FDA's control over the American food-processing industry in order to guarantee the sanitation of food being sold to the U.S. consumer. The legislation which I am proposing today is intended to complement H.R. 323 by insuring more effective FDA watchdog authority over foods processed in foreign lands which are imported for sale in the United States.

A secret report on an Agriculture Department investigation of lax surveillance of imported meat by Agriculture import inspectors was recently made public due to the energetic efforts of my distinguished colleague from Montana (Mr. MELCHER). Although the Agriculture Department and the FDA have separate jurisdictions over imported foods, Agriculture being responsible for live animals, poultry, meat, eggs, and fresh fruits and vegetables, and the FDA having authority over all other foodstuffs, the two agencies face similar problems. In order to enable the FDA to cope with its share of the responsibility for regulating food imports, I am urging the passage of this legislation.

At present, U.S. Government supervision of food importation is a disjointed operation which often cannot "close the barn door until after the cow has escaped." Perhaps it would be more accurate to say that existing Government import inspection procedures cannot close the country's doors until the contaminated cow already has entered the country and been sold to the unsuspecting consumer.

Today, the FDA and the Department of Agriculture learn of the entry of imported food shipments into the United States through the Customs Bureau. In the case of the FDA, a decision then must be made whether to inspect samples from the shipment or simply to authorize entry into the United States on the basis of a product's good track record or absence of a bad sanitation record. The FDA has no current listing of U.S. food importers, and it normally is not aware that a food shipment is awaiting inspection or clearance until it is contacted by customs. In addition, the agency is operating under the handicap of serious understaffing, and it simply does not have the manpower necessary to conduct widescale inspection and sampling of imported food shipments destined for U.S. consumption on the short notice afforded it.

The standard of hygiene which prevails in many U.S. food-processing plants is inadequate, and we can be certain that unsanitary conditions prevail in some food-processing plants of other nations. Yet, much of the food produced abroad enters the United States without inspection and soon finds its way onto the consumer's dinner table. As a result, there are incidents like the recent salmonella poisoning of over 200 consumers by Star Kist tuna imported from American Samoa.

The growth of imports of processed food into the United States underscores the magnitude of the danger which confronts the American consumer as a result of inadequate inspection procedures. The Department of Agriculture reports that by the end of fiscal year 1973, U.S. agricultural imports may rise more than 12 percent over last year's record $6.04 billion. In fact, according to a study made by the Harris Trust and Savings Bank of Chicago, the United States suffered a net traded deficit in processed food products of $600 million in 1972.

The proposal which I am introducing today would strengthen the effectiveness of the FDA in two ways. First, all importers of food which is subject to FDA jurisdiction would be required to register their business existence every 2 years with the FDA. This would provide the agency with an up-to-date survey of the importing industry and would facilitate surveillance of shipments made to importers with a record of bringing unwholesome food into the country. Second, all registered food importers would be required to notify the FDA directly in advance of arrival of a food shipment in the United States. This provision would relieve the FDA of its dependency on U.S. customs for shipment information, and it would give the FDA lead time in making decisions on what foodstuffs should be sampled and tested and which shipments might be considered as reasonably safe for entry without detention and testing. Ideally, all import shipments should be sample-tested by the FDA, but this would require considerably increased expenditures.

Mr. Speaker, I urge that the Congress give serious consideration to this proposed measure. Again and again, food contamination involving both domestic and foreign produced foods is in the headlines. If the health of the American consumer is to be protected, then we, the Congress, must take the step of legislatively insuring that both domestic and foreign foods offered for sale in the United States meet a high standard of hygiene and wholesomeness.

## COLLAPSING PENNSY

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

Mr. PODELL. Mr. Speaker, this morning's New York Times carried a very timely editorial concerning the bankrupt Penn Central Railroad, which is scheduled to present its plans for liquidation to a Federal judge on July 2. The Times takes note of the various proposals for continued infusion of Federal funds into this bankrupt private company, and concludes that—

> Creation of a public authority to take over and operate the new system on an interim basis would be the most practical way to carry through the reorganization and prevent a total dismantling of the Pennsy through liquidation or utter exhaustion of funds.

For the edification of my colleagues, I am inserting at this point in the RECORD the complete text of the editorial:

COLLAPSING PENNSY

The bankrupt Penn Central Railroad is back on Capitol Hill, rattling its tin cup for Federal cash to keep the trains running. The acuteness of the Pennsy's financial crunch is beyond argument, but giving its trustees a big bundle of Government funds would merely unlock the Treasury vaults for an endless drain.

Congress has shown a shameful disposition to dawdle in its own attempts to supply a sounder answer to the problem of assuring maintenance of essential rail transportation in the Northeast. Last February, when the Penn Central was shut down by a strike over elimination of unneeded freight crewmen, the legislators demanded that the Administration devise a workable long-range plan during the ninety-day strike truce mandated by Congress.

The cooling-off period has expired with no acceptable plan and no strike gun to rekindle the Congressional sense of urgency. The Penn Central, with the illogic that has characterized many developments in its three years of receivership, explains that it is too broke to withstand a renewal of the union showdown so it intends to keep right on spending money it does not have to pay brakemen it does not need.

With the threat of another strike thus removed, the next unblinkable deadline for Congress is the July 2 date set by a Federal judge for submission by the trustees of a liquidation plan unless they can come up with a practicable proposal for the reorganization of the railroad.

The trustees now say they will move to liquidate if Congress doesn't rush in by June 30 with funds to bail out the faltering carrier. That means selling off to other railroads or financial interests whatever routes offer high probability of profit and abandoning the rest, without regard for public needs. Even if they do get the Federal help, the

trustees want to scrap nearly half the 20,000 miles of railroad that are now operated by the Penn Central.

Nothing in the trustees' recommendations for "revitalization" of the system provides justification for embarking on the interminable infusion of Government money their program would entail. What remains absent is an adequate formula for protecting both the interests of the public and the equities of the creditors in a viable network covering the Northeastern states, one that makes the most rational application of the facilities of the Penn Central and the five other bankrupt roads in this section.

Creation of a public authority to take over and operate the new system on an interim basis would be the most practical way to carry through the reorganization and prevent a total dismantling of the Pennsy through liquidation or utter exhaustion of funds.

## NEW HAVEN SUPPORTS "FEDERAIL"

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

Mr. PODELL. Mr. Speaker, the impending shutdown of the Penn Central Railroad has increased the desire of the people of the Northeast for a lasting solution to the railroad crisis. A number of legislative proposals have been advanced to try to solve this problem. Last month, I introduced H.R. 7373, the Federal Railroad Transportation Authority Act. This bill, which I shall soon be reintroducing with a number of cosponsors, would establish a quasi-public corporation to purchase and operate the Northeast rail lines in the public interest. I believe that this is the only plan which will guarantee the continued operation of all of these vital lines. Surely we cannot afford to sacrifice the service upon which the economy of the Northeast depends for the sake of achieving a profit-based reorganization.

I was pleased to learn that the board of aldermen of the city of New Haven, Conn., recently passed a resolution expressing their support for H.R. 7373. New Haven is an industrial city with a population of nearly 150,000, and a metropolitan area population of nearly 400,000. The city is only one of thousands of cities and towns throughout the Northeast which will suffer if rail service is abandoned. New Haven has now taken a positive stand in favor of FedeRail, the only program which deals with improved and expanded service for the Northeast.

I would like to insert the text of the resolution adopted by the board of aldermen of the city of New Haven:

RESOLUTION

Whereas: At present eight railroads in the New England area are operating at great financial loss and there is a threatened loss of service to the many commuters involved; and

Whereas: There is now before Congress Bill HR 7373 seeking to put jurisdiction of these ailing roads under a transportation committee of the Federal Government.

Therefore, be it resolved that we the members of the Board of Aldermen of the City of New Haven do hereby strongly support Bill HR 7373; and

Be it further resolved that because of the urgency of this situation we request unanimous consent for favorable action on this resolution.

## CONGRESS MUST LEGISLATE TO GUARANTEE OIL AND GASOLINE FOR ESSENTIAL PUBLIC SERVICES

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

Mr. FASCELL. Mr. Speaker, whether the fuel shortage is real or contrived, the serious problems accompanying the inability or unwillingness of oil companies to supply independent distributors are growing more and more critical.

Independent distributors are relied on to supply local public services, bus and other transit authorities, essential fire and police facilities, garbage and refuse collection systems, hospitals, and other vital services requiring a guaranteed fuel supply.

The oil companies, by refusing to allocate supplies to these independents, are placing these essential public services in serious jeopardy. Cutbacks and cancellations in monthly allocations to independent distributors can only mean the elimination of fuel for the operations of governmentally operated public services and other emergency operations.

Specifically in Dade County, independent distributors are experiencing declining monthly allocations, and outright refusal on the part of some refiners to comply with the voluntary allocation guidelines and make any of their products available.

The city of Miami Beach City Council adopted a resolution on June 6, urging enactment of legislation guaranteeing municipalities and local government agencies their full and reasonable requirements of gasoline and oil products. I insert the city's resolution for the serious consideration of all our colleagues.

Regardless of the origin of the fuel supply problem, there must be an effective program for the orderly allocation of petroleum products to independent distributors which in turn can insure the continuation of public services, the continuation of our Nation's businesses, agricultural operations, construction, and service to private consumers. We cannot allow the price and supply squeeze to eliminate independent distributors. The effects on our economy and the health and welfare of our citizens would be disastrous. Supply priorities must be set and provision for mandatory compliance enacted.

Legislation I have sponsored with the distinguished chairman of the Communications and Power Subcommittee of the Interstate and Foreign Commerce Committee, Congressman TORBERT MACDONALD, would require refiners to treat all distributors—independent as well as company controlled—in exactly the same manner. If a refiner must reduce deliveries, he must spread the reduction evenly among all distributors.

I have urged the chairman to schedule immediate action on this bill and understand that hearings will be held early next month. We must make it clear to the major petroleum refiners that we will not allow the independents to be driven out of business.

RESOLUTION

A resolution requesting Congress to enact appropriate legislation guaranteeing adequate oil and gasoline supplies for performance of municipal government services

Whereas, the various news media have been giving great publicity to an imminent shortage of gasoline and oil supplies throughout the Nation, and

Whereas, the public health and welfare would be greatly endangered and impaired in the event that the supply of such commodities to municipalities and other local governments were to be reduced.

Now, therefore, be it duly resolved by the City Council of the City of Miami Beach, Florida, that the United States Congress be, and it is, hereby formally requested to enact immediate appropriate legislation guaranteeing municipalities and local government agencies their full and reasonable requirements of gasoline and oil products; and that such local governments and municipalities be wholly exempted from any rationing plan evolved by manufacturers or distributors of such products and that the manufacturers and distributors of such gasoline and oil products be mandatorily required to supply the reasonable requirements of all municipalities and local governments in the performance of their governmental functions,

Be it further duly resolved by the City Council of the City of Miami Beach, Florida, that true copies of this resolution be transmitted to the Senators representing the State of Florida and to each Congressman representing Dade County.

Passed and adopted this 6th day of June 1973.

## LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. KAZEN (at the request of Mr. O'NEILL), for Thursday, June 21 and today, on account of official business.

Mr. DON H. CLAUSEN (at the request of Mr. GERALD R. FORD), for today, on account of official business.

Mr. SAYLOR (at the request of Mr. GERALD R. FORD), for today, on account of official business.

Mr. Moss from 4 p.m. June 22 to close of business June 25, on account of official business.

Mr. MORGAN (at the request of Mr. O'NEILL), for today, on account of official business.

Mr. BELL (at the request of Mr. GERALD R. FORD), for June 25, on account of official business.

Mr. DERWINSKI (at the request of Mr. GERALD R. FORD), for the week of June 25, on account of official business.

Mr. ADAMS for Monday, June 25, on account of official business.

Mr. RONCALIO of Wyoming (at the request of Mr. O'NEILL), for today, on account of official business.

Mr. JOHNSON of California (at the request of Mr. O'NEILL), for today, on account of official business.

## SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. KETCHUM) to revise and extend their remarks and include extraneous material:)

Mr. KEMP, for 15 minutes, today.

Mr. PARRIS, for 10 minutes, today.

Mr. CRANE, for 5 minutes, today.

Mr. TEAGUE of California, for 60 minutes, on June 26, 1973.

Mr. MICHEL, for 5 minutes, today.
Mr. KEMP, for 15 minutes, June 25, 1973.
(The following Members (at the request of Mr. GINN) and to revise and extend their remarks and include extraneous matter:)
Mr. ALEXANDER, for 15 minutes, today.
Ms. ABZUG, for 10 minutes, today.
Mr. RODINO, for 10 minutes, today.
Mr. HARRINGTON, for 10 minutes, today.
Mr. RUNNELS, for 15 minutes, today.
Mr. TIERNAN, for 5 minutes, today.
Mr. ADAMS, for 5 minutes, today.
Mr. RANGEL, for 5 minutes, today.
Mr. DENT, for 30 minutes, on June 27, 1973.
Mr. GAYDOS, for 30 minutes, on June 27.

## EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:
(The following Members (at the request of Mr. KETCHUM) and to include extraneous matter:)
Mr. SARASIN.
Mr. GOLDWATER.
Mr. KETCHUM.
Mr. KEMP in two instances.
Mr. YOUNG of Florida.
Mr. KEATING.
Mr. HUNT.
Mr. DERWINSKI in two instances.
Mr. EDWARDS of Alabama.
Mr. HARSHA.
Mr. FINDLEY.
Mr. ZION.
Mr. SPENCE.
(The following Members (at the request of Mr. GINN) and to include extraneous matter:)
Mr. LONG of Louisiana.
Mr. STEED.
Mr. REES.
Mr. PODELL in two instances.
Mr. MINISH.
Mr. RARICK in three instances.
Mr. ANDREWS of North Carolina.
Mr. VANIK in two instances.
Mrs. MINK.
Mr. BRASCO in six instances.
Mr. ADDABBO.
Mr. JONES of Tennessee.
Mr. EVINS of Tennessee.
Mr. LEHMAN.
Mr. ECKHARDT.
Mr. TEAGUE of Texas.

## 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. 1125. An act to amend the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment, and Rehabilitation Act and other related Acts to concentrate the resources of the Nation against the problem of alcohol abuse and alcoholism; to the Committee on Interstate and Foreign Commerce.

## ENROLLED BILL AND JOINT RESOLUTION SIGNED

Mr. HAYS, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill and a Joint Resolution of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 7357. An act to amend sections 3(e) and 5(1)(1) of the Railroad Retirement Act of 1937 to simplify administration of the Act; and to amend section 226(e) of the Social Security Act to extend kidney disease medicare coverage to railroad employees, their spouses, and their dependent children; and for other purposes.

H.J. Res. 499. Joint resolution providing for an extension of the term of the Commission on the Bankruptcy Laws and the United States, and for other purposes.

## SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 1201. An act to amend the Act of October 15, 1966 (80 Stat. 915), as amended, establishing a program for the preservation of additional historic properties throughout the Nation, and for other purposes.

S. 1501. An act to amend the Water Resources Planning Act to provide for continuing authorization for appropriations.

## JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. HAYS, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, a joint resolution of the House of the following title:

H.J. Res. 499. Providing for an extension of the term of the Commission on the Bankruptcy Laws of the United States, and for other purposes.

## ADJOURNMENT

Mr. GINN. Mr. Speaker, I move that the House do now adjourn.
The motion was agreed to; accordingly (at 7 o'clock and 43 minutes p.m.), under its previous order, the House adjourned until Monday, June 25, 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:

1066. A letter from the Acting Secretary of Health, Education, and Welfare, transmitting the annual report on Federal activities related to administration of the Vocational Rehabilitation Act, for fiscal year 1972, pursuant to 29 U.S.C. 34 and 39; to the Committee on Education and Labor.

1067. A letter from the Secretary of the Interior, transmitting a report of unreserved public lands withdrawn in the State of Alaska during the period December 18, 1972 to June 17, 1973, pursuant to section 17(d)(2)(C) of the Alaska Native Claims Settlement Act of 1971 (85 Stat. 688); to the Committee on Interior and Insular Affairs.

1068. A letter from the Secretary of Commerce, transmitting notification of a delay in submission of the report pertaining to marine mammal protection, which will be transmitted pursuant to section 103(f), Public Law 92-522; to the Committee on Merchant Marine and Fisheries.

RECEIVED FROM THE COMPTROLLER GENERAL

1069. A letter from the Comptroller General of the United States transmitting a report on progress and problems of U.S. assistance for land reform in Vietnam; Agency for International Development, Department of State; to the Committee on Government Operations.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. PATMAN: Committee on Banking and Currency. H.R. 8548. A bill to amend the International Economic Policy Act of 1972 to change the membership of the Council of International Economic Policy, and for other purposes; (Rept. No. 93-318). Referred to the Committee of the Whole House on the State of the Union.

Mr. WALDIE: Committee on Post Office and Civil Service. H.R. 6078. A bill to include inspectors of the Immigration and Naturalization Service or the Bureau of Customs within the provisions of section 8336(c) of title 5, United States Code, relating to the retirement of certain employees engaged in hazardous occupations, and for other purposes; (Rept. No. 93-320). Referred to the Committee of the Whole House on the State of the Union.

Mr. STAGGERS: Committee of conference. Conference report on H.R. 7200; (Rept. No. 93-319). Ordered to be printed.

Mr. ROONEY of New York: Committee on Appropriations. H.R. 8916. A bill making appropriations for the Departments of State, Justice, and Commerce, the Judiciary, and related agencies for the fiscal year ending June 30, 1974, and for other purposes. (Rept. No. 93-321). Referred to the Committee of the Whole House on the State of the Union.

Mrs. HANSEN of Washington: Committee on Appropriations. H.R. 8917. A bill making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1974, and for other purposes; (Rept. No. 93-322). Referred to the Committee of the Whole House on the State of the Union.

Mr. STAGGERS: Committee on Interstate and Foreign Commerce. H.R. 7482. A bill to amend the Federal Cigarette Labeling and Advertising Act of 1965 as amended by the Public Health Cigarette Smoking Act of 1969 to define the term "little cigar", and for other purposes; (Rept. No. 93-323). Referred to the Committee of the Whole House on the State of the Union.

Mr. STAGGERS: Committee on Interstate and Foreign Commerce. H.R. 8538. A bill to amend the Communications Act of 1934, to extend certain authorizations for the Corporation for Public Broadcasting and for certain construction grants for noncommercial educational television and radio broadcasting facilities, and for other purposes; with amendment (Rept. No. 93-324). 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. ROONEY of New York:
H.R. 8916. A bill making appropriations for the Department of State, Justice, and Commerce, the Judiciary, and related agencies for the fiscal year ending June 30, 1974, and for other purposes.

By Mrs. HANSEN of Washington:
H.R. 8917. A bill making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1974, and for other purposes.

By Mr. ASPIN:
H.R. 8918. A bill to amend the Fair Labor Standards Act of 1938 to provide that the cost of board, lodging, or other facilities provided an employee will be included in computing his wage for purposes of determining

compliance with that act only if the employee specifically requests the board, lodging, or other facilities to be furnished; to the Committee on Education and Labor.

By Mr. ASPIN (for himself and Mr. COUGHLIN):

H.R. 8919. A bill to amend the National Traffic and Motor Vehicle Safety Act of 1966 to authorize safety design standards for schoolbuses, to require certain safety standards be established for schoolbuses, to require the investigation of certain schoolbus accidents, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. BARRETT:

H.R. 8920. A bill to amend the Lead Based Paint Poisoning Prevention Act, and for other purposes; to the Committee on Banking and Currency.

By Mr. BINGHAM:

H.R. 8921. A bill to provide for thorough health and sanitation inspection of all livestock products imported into the United States, and for other purposes; to the Committee on Agriculture.

H.R. 8922. A bill to amend the Federal Food, Drug, and Cosmetic Act to provide for the registration of food importers and to require the Secretary of Health, Education, and Welfare to be notified of food imported into the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. BROYHILL of Virginia:

H.R. 8923. A bill to amend the law of the District of Columbia relating to the practice of psychology to provide for the licensing of certain persons in the practice of psychology in the District of Columbia; to the Committee on the District of Columbia.

By Mr. DOWNING (for himself, Mrs. SULLIVAN, Mr. MOSHER, Mr. ROGERS, and Mr. MURPHY of New York):

H.R. 8924. A bill to promote safety in the operation of submersible vessels; to the Committee on Merchant Marine and Fisheries.

By Mr. DULSKI:

H.R. 8925. A bill to amend section 1(16) of the Interstate Commerce Act authorizing the Interstate Commerce Commission to continue rail transportation services; to the Committee on Interstate and Foreign Commerce.

By Mr. EDWARDS of California:

H.R. 8926. A bill to require the Secretary of Housing and Urban Development to terminate the suspension of housing assistance programs under his jurisdiction and cease the withholding of funds for such programs, to require the Secretary of Agriculture to cease the withholding of funds for rural housing programs, and for other purposes; to the Committee on Banking and Currency.

H.R. 8927. A bill to provide certain services for Government employees in order to assist them in preparing for retirement; to the Committee on Post Office and Civil Service.

By Mr. FREY:

H.R. 8928. A bill to amend the Agricultural Adjustment Act, as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, so as to authorize certain grapefruit marketing orders which provide for an assessment against handlers for the purpose of financing a marketing promotion program to also provide for a credit against such assessment in the case of handlers who expend directly for marketing promotion; to the Committee on Agriculture.

By Mr. HANLEY (for himself, Mr. WILLIAM D. FORD, Mr. BRASCO, Mr. CLAY, Mr. MOAKLEY, and Mr. LEHMAN):

H.R. 8929. A bill to amend title 39, United States Code, with respect to the financing of the cost of mailing certain matter free of postage or at reduced rates of postage, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. KEMP:

H.R. 8930. A bill to amend the Flood Control Act of 1970; to the Committee on Public Works.

By Mr. KING:

H.R. 8931. A bill to provide that railroad employees may retire on a full annuity at age 60 or after serving 30 years; to provide that such annuity for any month shall be not less than one-half of the individual's average monthly compensation for the 5 years of highest earnings, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. MINISH:

H.R. 8932. A bill to establish the Federal Food Safety Administration to assure the safety of food and its nutritional quality and conformity to accepted standards, and to control its packaging and labeling; to the Committee on Government Operations.

By Mr. NIX:

H.R. 8933. A bill to create a national system of health security; to the Committee on Ways and Means.

By Mr. RHODES:

H.R. 8934. A bill to amend the Internal Revenue Code of 1954 to provide income tax simplification, reform, and relief for small business; to the Committee on Ways and Means.

By Mr. ROE:

H.R. 8935. A bill to amend the Postal Reorganization Act of 1970, title 39, 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.

H.R. 8936. A bill to amend the Postal Reorganization Act of 1970, title 39, United States Code, to provide for uniformity in labor relations; to the Committee on Post Office and Civil Service.

H.R. 8937. A bill to amend the age and service requirements for immediate retirement under subchapter III of chapter 83 of title 5, United States Code, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 8938. A bill to increase the contribution of the Government to the costs of health benefits for Federal employees, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. SHUSTER (for himself, Mr. NIX, Mr. ROE, Mr. FLOOD, Mr. ESHLEMAN, Mrs. SULLIVAN, Mr. YATRON, Mr. THOMPSON of New Jersey, Mr. HANLEY, Mr. GILMAN, Mr. DENT, Mr. MINISH, Mrs. GRASSO, Mr. COHEN, Mr. FISH, Mr. NICHOLS, Mr. MOLLOHAN, Mr. WILLIAMS, Mr. BUCHANAN, Mr. FLOWERS, Mr. HINSHAW, Mr. CLARK, Mr. CHARLES WILSON of Texas, Mr. SAYLOR, and Mr. STEELE):

H.R. 8939. A bill to establish a temporary embargo on the exportation of certain livestock feed grains; to the Committee on Banking and Currency.

By Mr. SHUSTER (for himself, Mr. SEIBERLING, Mr. WALSH, Mr. CLEVELAND, Mr. MITCHELL of New York, Mr. VANIK, Mr. EILBERG, and Mr. PEPPER):

H.R. 8940. A bill to establish a temporary embargo on the exportation of certain livestock feed grains; to the Committee on Banking and Currency.

By Mr. STEED:

H.R. 8941. A bill to amend Public Law 874, 81st Congress, with respect to the counting of certain Indian children; to the Committee on Education and Labor.

By Mr. STEELMAN:

H.R. 8942. A bill to amend the State and Local Fiscal Assistance Act of 1972 to make it clear that local governments may use amounts freed by revenue sharing for tax reduction; to the Committee on Ways and Means.

By Mr. VANIK:

H.R. 8943. A bill to promote the development of an open, nondiscriminatory, and fair world economic system, to stimulate the economic health and growth of the United States, to provide the President with certain negotiating authority therefor, to provide adequate worker assistance, and for other purposes; to the Committee on Ways and Means.

By Mr. WAGGONNER (for himself, Mr. GETTYS, Mr. MATHIS of Georgia, Mr. MONTGOMERY, Mr. SATTERFIELD, and Mr. STUCKEY):

H.R. 8944. A bill to amend the Merchant Marine Act of 1936, as amended; to the Committee on Merchant Marine and Fisheries.

By Mr. FULTON:

H.R. 8945. 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 Mrs. MINK (for herself, Mrs. CHISHOLM, Mr. CONYERS, Mr. DAVIS of Georgia, Mr. DIGGS, Mr. DRINAN, Mr. ECKHARDT, Mr. EDWARDS of California, Ms. HOLTZMAN, Mr. MOAKLEY, Mr. OWENS, Mr. PATTEN, Ms. SCHROEDER, Mr. SEIBERLING, Mr. WALDIE, and Mr. WALSH):

H.R. 8946. A bill for the relief of certain orphans in Vietnam; to the Committee on the Judiciary.

By Mr. NELSEN:

H.J. Res. 634. Joint resolution to amend the Constitution to provide for representation of the District of Columbia in the House of Representatives in which the District would be entitled if it were a State; to the Committee on the Judiciary.

By Mr. QUIE:

H.J. Res. 635. Joint resolution proposing an amendment to the Constitution of the United States relating to the term of office of President and Vice President of the United States; to the Committee on the Judiciary.

By Mr. BRADEMAS (for himself, Mr. GETTYS, Mr. GAYDOS, Mr. KOCH, Mr. JONES of Tennessee, Mr. WIGGINS, Mr. CLEVELAND, and Mr. HANSEN of Idaho):

H. Con. Res. 256. Concurrent resolution to provide for the printing as a House document, a revised edition of the House document "Our American Government. What is it? How does it work?"; to the Committee on House Administration.

By Mr. PEPPER:

H. Con. Res. 257. Concurrent resolution providing for the printing of additional copies of the House report entitled "Street Crime: Reduction through Positive Criminal Justice Responses"; to the Committee on House Administration.

H. Con. Res. 258. Concurrent resolution providing for the printing of additional copies of the House report entitled "Drugs in Our Schools"; to the Committee on House Administration.

By Mr. BRADEMAS:

H. Res. 457. Resolution to provide for the printing as a House document the booklet entitled "The History and Operation of the House Majority Whip Organization"; to the Committee on House Administration.

By Mr. RANDALL (for himself, Mr. ASHLEY, Mr. BADILLO, Mr. BELL, Mr. BENITEZ, Mr. BRASCO, Mr. BUCHANAN, Mr. BURGENER, Mr. BURKE of Florida, Mr. CARNEY of Ohio, Mr. CARTER, Mr. COHEN, Mr. CORMAN, Mr. CONTE, Mr. DAN DANIEL, Mr. DANIELSON, Mr. DENT, Mr. EDWARDS of California, Mr. FORSYTHE, Mr. FRASER, Mr. FUQUA, Mrs. GRASSO, and Mrs. GREEN of Oregon):

H. Res. 458. Resolution to create a Select Committee on Aging; to the Committee on Rules.

By Mr. HEINZ (for himself, Mr. GUNTER, Mr. HANLEY, Mr. HARRINGTON, Mrs. HECKLER of Massachusetts, Mr. HILLIS, Mr. HINSHAW, Mr. HOWARD, Mr. HUNGATE, Mr. KOCH, Mr. KYROS, Mr. LENT, Mr. MCCORMACK, Mr. MCDADE, Mr. MCFALL, Mr. MATHIS of Georgia, Mr. MAYNE, Mr. MOSS, Mr. MURPHY of Illinois, Mr. OWENS, Mr. PEYSER, Mr. PIKE, Mr. PODELL, and Mr. PRICE of Illinois):

H. Res. 459. Resolution to create a Select Committee on Aging; to the Committee on Rules.

By Mr. RANDALL (for himself, Mr. RIEGLE, Mr. ROBISON of New York, Mr. RODINO, Mr. ROE, Mr. ROSENTHAL, Mr. ROYBAL, Mr. SARASIN, Mr. SARBANES, Mr. SATTERFIELD, Mr. SEBELIUS, Mr. SEIBERLING, Mr. SKUBITZ, Mr. STEELE, Mr. STUDDS, Mr. TALCOTT, Mr. TEAGUE of California, Mr. THONE, Mr. TIERNAN, Mr. VEYSEY, Mr. WALSH, Mr. WINN, Mr. WON PAT, Mr. YATRON, and Mr. YOUNG of Illinois):

H. Res. 460. Resolution to create a Select Committee on Aging; to the Committee on Rules.

By Mr. HEINZ (for himself, Mr. GREEN of Pennsylvania, Mr. GUDE, Mr. REES, and Mr. PRITCHARD):

H. Res. 461. Resolution to create a Select Committee on Aging; to the Committee on Rules.

By Mr. PEPPER:

H. Res. 462. Resolution providing for the printing of additional copies of the House report entitled "Reform of our Correctional Systems"; to the Committee on House Administration.

H. Res. 463. Resolution providing for the printing of additional copies of the House report entitled "Organized Criminal Influence in Horse Racing"; to the Committee on House Administration.

## MEMORIALS

Under clause 4 of rule XXII,

263. The SPEAKER presented a memorial of the Legislature of the State of Louisiana, relative to no-fault insurance; to the Committee on Interstate and Foreign Commerce.

## PETITIONS, ETC.

Under clause 1 of rule XXII,

243. The SPEAKER presented a petition of John H. Leach II, Newport Beach, Calif., relative to redress of grievance; to the Committee on the Judiciary.

# EXTENSIONS OF REMARKS

## HOMETOWN, U.S.A., IS BOTH VITAL AND VIABLE TODAY

### HON. JENNINGS RANDOLPH

OF WEST VIRGINIA

IN THE SENATE OF THE UNITED STATES

*Friday, June 22, 1973*

Mr. RANDOLPH. Mr. President, over the past few weeks there have been thousands of graduation ceremonies and commencement speeches. Most of these speeches have been predictably optimistic, designed to inspire young people on to greater heights of achievement. In recent years, however, it has become fashionable to downgrade the future, to paint a picture of gloom and doom and to rail at the system and the establishment. As a result, many young people are impressed into an attitude that is negative and foreboding. They feel that their life ahead promises only a dubious existence barren of exciting discovery, without chance or challenge.

Earlier this month I was privileged to deliver the commencement address at Salem High School, my native town in West Virginia. I told the graduating seniors:

Over the past half-century, Americans have proven they are the masters of technology. Our moon walks, satellite communications and medical marvels are the envy of the world. We have shown that we can build a life of quality unparalleled in history. We have created a society of such super-abundance that we are choking under 125 million tons of air pollutants a year, and a billion pounds of garbage each year threatens to bury us.

The challenge you face in the next half century is to build a life of quality, a life that offers an opportunity and something of grace for all—a life based, not on just machines and gadgets, but on human dignity and individual worth.

We know that life on this Earth is finite, and that the present expenditure of energy and the consumption of food coupled with a quantum leap in population every 35 years threatens to turn our planet into a mass of misery. Evidences of this macabre equation already are cropping up: Flooding and starvation in India; drought and famine in central Africa; the diminishing fish schools off heavily populated continents; blackouts and shortages and revolutionary violence—all pieces to the great puzzle of the future.

In the United States, 85 percent of our people occupy only 2 percent of our land. These mass concentrations have led to growing crime, delinquency, drug abuse, and escalating welfare. Yet, across America, there are thousands of small towns and communities who eagerly seek new industries, new neighbors and new job opportunities for their young people. These are the grassroots which hold the hope of the future if America is to remain the land of promise. We must, in our national policies and programs, strive to strengthen the undeveloped regions of our country so that all Americans can have a free choice of where they want to live. We must keep the Salems of our Nation vital and viable if we are to meet the challenge of building a life of quality for all.

The ceremony at Salem High School this month was duplicated hundreds of times throughout our country. Principal Haymond Plaugher introduced the guests, including Dr. and Mrs. K. Duane Hurley, president of my alma mater, Salem College. Mrs. Paul Green played the processional, the Honorable Mike Greer of the West Virginia House of Delegates gave the invocation; the benediction was delivered by the Reverend Robert Wheeler. Class officers were introduced. They are: James Bradley Davis, president; Janet Carol Murphy, vice president; LuAnne Hersman, secretary; Lance Cameron Sulsona, treasurer; Michelle Ann Davis, historian; and Patricia Ann Martin and Joseph Lynn Johnson, members of the Student Council.

The valedictorian address was given by Daniel Harris Underwood, and Lillian Allessio gave the salutatorian address. Mr. Underwood, in speaking of his hometown, gave what I think is a valuable profile of Smalltown, U.S.A. He told of its strengths and weaknesses, its proud history and unpredictable future. I feel some Members of the Senate, in reviewing his words, may recall their own smalltown origins, and remember the tranquil existence of another day.

Mr. President, I ask unanimous consent that the brief valedictorian address of Daniel Underwood be placed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THE SPIRIT OF SALEM

When he enters the streets of a town he has not before known, a newcomer catches distinguishing qualities of the town and forms an impression. Most outsiders, when they first arrive in Salem, have a negative impression. They see one curve-plagued, narrow street edged with ancient buildings, a railroad track, and two high hills. "But," said one Salemite, "I left in the spring after a winter's stay never to return and found that by August I could not wait to get back."

Every town, every institution has a tone, something that since it is an abstraction, has nothing to do with streets or walls of buildings, but is far more important. Maybe I could call this atmosphere the spirit of a place, and as Melville said, "it is not on a map. True places never are." The Salem I bring to you tonight is not on a map; neither can it be photographed. But the Salem which I deliver to you is a real place that although it cannot be touched, is in the minds of many of the people in this room.

Salem, settled by Christian people, has always had Christian brotherhood and a mountain spirit of make do, both helped along by the lack of affluence in the town. One philosophic resident expressed the fact thus: "The greatest virtue of Salem is its poverty." We are a simple people too, because no one can be too uppity with his own family members. And most of us are really kin either by inheritance or long-time associations. When the thought of kinship occurred to me, I looked at myself, and discovered I was a direct descendant of the man who originally owned all the land in Salem, a name so common in the town that the Senator present tonight will recognize me as Atwell's great grandson sooner than if I would use Atwell's surname. When I took a survey of the class, I learned that of the thirty members, twenty-five are direct descendants of early residents of the community. We have stayed put; outsiders have had a tendency to circumvent our rugged terrain.

In the 1880's many of the young people left Salem to attend distant colleges and never returned. To keep youth in the community, the Salem people started, in 1887, an academy that eventually developed into a college. So along with friendliness, humility born of little wealth, and community kinship, a bit of culture found its way to our hills.

Many artifacts and institutions in existence today attest to the energy and progressive spirit of Salem people who have never numbered more than 3,000 individuals.

A group of businessmen in 1896 bought a hundred acres of land west of Salem to entice the state to locate in the town the West Virginia Industrial Home for Girls, secured the institution, and inadvertently founded the third ward of the city.

In 1951 the citizens of Salem raised $10,000 to finance the deepening and widening of the creeks and thereby attracted federal attention. The Congress appropriated money for several pilot flood control dams. Salem had