large bath and fountain house complex which proved to be the best preserved monument in Corinth. Dating back at least to the 4th Century B.C., the complex originally contained a marble-encrusted courtyard, centered by a large swimming pool; an underground bath; a grotto that served as a fountain; and a large domelike portico. Among the incidental discoveries were 11th Century A.D. silver coins and 6th Century A.D. bronze coins. Portions of marble statues and inscriptions were also found.

In 1970 a joint American (largely UT)-Yugoslavian team began digging into the ruins of Stobi, Yugoslavia. The most important discovery was the large baptistery of the Episcopal Basilica. Excavation work was done on a theatre, an early Roman cemetery, the Synagogue-Basilica and residential areas. Other discoveries were 2nd Century B.C. silver denarii and 1st Century B.C. terracotta figurines.

Another mind-stretching program occurred in April, 1972, when a carefully selected faculty committee at UT-Austin brought together 30 scholars to project and exchange ideas about the next century. The occasion was the Walter Prescott Webb International Symposium. Selected to preview the opportunities and problems of the future were: Dr. Bentley Glass, professor of biology at the State University of New York at Stony Brook; Herman Kahn, director of the Hudson Institute; Dr. Harry Ransom, chancellor emeritus of The University of Texas System; Alfred Kazin, critic and author; Aaron Copeland, the composer; Raymond Aron, a French philosopher; Dr. Loren Eiseley, professor of anthropology at the University of Pennsylvania; Nathaniel A. Owings, architect and city planner; Brainislav Solkic, a Yugoslavian economist; Dr. Daniel Bell, professor of sociology at Harvard; Irving Howe, professor of English at the City University of New York and well-known critic; and Sol L. Linowitz, attorney and diplomat.

Because of their specialized knowledge, UT professors have been invited to foreign countries to participate in various studies. Programs include a school of modern language teaching for young children, a conference on quantum chemistry, a symposium on computer education for developing countries, a workshop on electromagnetic induction, a paper on the sources of German baroque, and so on. In each case UT professors contributed their expertise and gained from the other experts with whom they exchanged ideas.

From the student standpoint one of the several innovative courses initiated at UT-Austin is an interdisciplinary course entitled *The American Experience*. Through the cooperation of the Departments of English, Government, and History it enables students to satisfy University requirements in Government, History, and freshman English in a single year.

In 1972 the L. D., Marie, and Edwin Gale Professorship in Judaic Studies was established at UT-Austin through the generosity of those whose name it bears. It is now in the process of being converted into an endowed chair.

During 1971–72 the College of Arts and Sciences awarded approximately 50 scholarships to students who were both qualified and in need of financial assistance. In 1972–73 there were sufficient funds for only 33.

The University has many development foundations, and by comparison with them the A&S Foundation is incredibly small. For its larger projects, therefore, substantial assistance is needed from other sources. Help for the Corinth dig came from the Ford Foundation; for the Stobi dig, the Smithsonian Institution. Generous contributions came from C.B. Smith of Austin, J.R. Parten of Houston, and The University itself for the Webb Symposium. *The American Experience* was aided by the Moody Foundation and foreign trips for international professional meetings were partially financed by the Brown-Lupton Foundation and its managing director, Sam Woodson, Jr. The Gale family of Beaumont supplied funds for the Gale Professorship.

Since 1969, faculty members of the College of Arts and Sciences have contributed more than $30,000 for scholarships. And, Mrs. Greer Mareschal of Houston has endowed two scholarship funds in the names of George S. Heyer and Mrs. Frances Eggleston Goldbeck. Most of the support for scholarships within the College has come from these two sources.

For its less dramatic activities the Arts and Sciences Foundation cannot turn to Ford, the Smithsonian, or the Moody Foundations, or even to generous single contributors. It must depend upon the income from its small endowment or from annual contributions made by loyal alumni.

In addition to scholarships and research, The University itself has unfulfilled needs. For example, the difference between recruiting or losing a distinguished faculty member may be payment of the costs of moving him and his family or his scientific equipment to Austin. The University cannot pay such costs from state funds. And, state funds for foreign travel are strictly limited. Such expenditures must have the approval of various officials including the Governor himself. To harassed professors who often have to make commitments and personal arrangements before official approval can be secured, the Arts and Sciences Foundation is a God-send. Finally, with increasing tuition and living costs, an important function of the Foundation is to aid qualified students. The above figures show how much has been accomplished with small but well-managed funds.

At most universities' Arts and Sciences Foundations tend to be the least affluent. It is easy to see why. Many A&S College alumni go on to Law School, the Medical Schools, or the Graduate School of Business. Thereafter their interest is given to these professional schools. Other graduates choose less lucrative professions, small businesses, or become housewives and mothers. Supporting their families is all that many of them can manage.

At UT-Austin the Arts and Sciences Foundation operates under another handicap. It was established a mere seventeen years ago and has not had time to reach maturity. Even so, its executive committee has been enlarged, and under the leadership of Provost Stanley R. Ross and Chairmen Thomas D. Anderson, Gordon Appleman and Edwin Gale, the Foundation has taken on new life. Hopes are now high that it will be able to strengthen its sponsored programs, as well as to expand the scope of its operations.

HOUSE OF REPRESENTATIVES—*Monday, July 16, 1973*

The House met at 12 o'clock noon.

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

The Lord is good to all, and His tender mercies are over all His works.—Psalms 145: 9.

"Lord, what a change within us 1 short hour spent in Thy presence will avail to make."

Here burdens are lifted, darkness gives way to light, ill will changes to good will and the way to life is gained to us. May this be our experience as we face the duties of this day.

Guide our President, direct our Speaker, lead these Representatives of our people. Bless their hands as well as their hearts that they may labor and labor together with integrity and insight for the good of our beloved country.

"Land of our birth, our faith, our pride,
For whose dear sake our fathers died;
O Motherland, we pledge to thee
Head, heart, and hands through the years to be."

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 bills of the House of the following titles:

H.R. 2323. An act to continue until the close of June 30, 1974, the suspension of duties on certain forms of copper;

H.R. 2324. An act to continue until the close of June 30, 1975, the existing suspension of duties for metal scrap; and

H.R. 6394. An act to suspend the duty on caprolactam monomer in water solution until the close of December 31, 1973.

The message also announced that the Senate insists upon its amendment to the bill (H.R. 8510) entitled "An act to authorize appropriations for activities of the National Science Foundation, and for other purposes," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. KENNEDY, Mr. PELL, Mr. EAGLETON, Mr. CRANSTON, Mr. MONDALE, Mr. DOMINICK, and Mr. STAFFORD to be the conferees on the part of the Senate.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 1083. An act to amend certain provisions of Federal law relating to explosives;

S. 1191. An act to provide financial assistance for a demonstration program for the prevention, identification, and treatment of child abuse and neglect, to establish a National Center on Child Abuse and Neglect, and for other purposes;

S. 1925. An act to amend section 1(16) of the Interstate Commerce Act authorizing the Interstate Commerce Commission to continue rail transportation services; and

S. 2067. An act relating to congressional and Supreme Court pages.

CONSENT CALENDAR

The SPEAKER. This is the day for the call of the Consent Calendar. The Clerk will call the first bill on the Consent Calendar.

CONTROL OF CERTAIN OVERSEAS MEMORIALS

The Clerk called the bill (H.R. 3733) to authorize the American Battle Monuments Commission to assume control of overseas war memorials erected by private persons and non-Federal and foreign agencies and to demolish such war memorials in certain instances.

There being no objection, the Clerk read the bill as follows:

H.R. 3733

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5 of the Act entitled "An Act for the creation of the American Battle Monuments Commission to erect suitable memorials commemorating the services of the American Soldier in Europe, and for other purposes", approved March 4, 1923 (36 U.S.C. 125), is amended by inserting "(a)" immediately before "The", and by adding at the end thereof the following new subsections:

"(b)(1) The Commission is authorized, in its discretion, to assume responsibility for the control, administration, and maintenance of any war memorial erected before, on, or after the effective date of this subsection outside the United States by an American citizen, a State, a political subdivision of a State, any other non-Federal governmental agency, foreign agency, or private association to commemorate the services of any of the American Armed Forces in hostilities occurring since April 6, 1917, if (A) the memorial is not erected on the territory of the former enemy concerned, and (B) the sponsors of the memorial consent to the Commission assuming such responsibilities and transfer to the Commission all their right, title, and interest in the memorial. If reasonable effort fails to locate the sponsors of a memorial, the Commission may assume responsibility therefor under this subsection by agreement with the appropriate foreign authorities. A decision of the Commission to assume responsibility for any war memorial under this subsection is final.

"(2) Any funds accumulated by the sponsors for the maintenance and repair of a war memorial for which the Commission assumes responsibility under this subsection may be transferred to the Commission for use in carrying out the purpose of this Act. Any such funds so transferred shall be deposited by the Commission in the manner provided for in section 7.

"(c) The Commission is authorized to take necessary measures to demolish any war memorial erected on foreign soil by an American citizen, a State, a political subdivision of a State, any other non-Federal governmental agency, foreign agency, or private association and to dispose of the site of such memorial in such manner as it deems proper, if—

"(1) the appropriate foreign authorities agree to such demolition; and

"(2) the sponsors of the memorial consent to such demolition; or

"(3) the memorial has fallen into disrepair and a reasonable effort on the part of the Commission has failed—

"(A) to persuade the sponsors to maintain the memorial at a standard acceptable to the Commission, or

"(B) to locate the sponsors.

"(d) As used in this section, the term 'sponsors' includes the legal successors to the sponsors."

Mr. TEAGUE of Texas. Mr. Speaker, the purpose of H.R. 3733 is to extend the authority of the American Battle Monuments Commission, which was created by an act of Congress in 1923, to assume control over certain overseas war memorials erected by private persons and non-Federal and foreign agencies and, in appropriate cases, to demolish such war memorials.

The American Battle Monuments Commission was created by the act of March 4, 1923, as amended (36 U.S.C. 121–138b), and its authority expanded by subsequent legislation (24 U.S.C. 279a). The Commission is responsible for the construction and permanent maintenance of military cemeteries and memorials on foreign soil, as well as for certain memorials on American soil; controls as to design and provides regulations for the erection of monuments, markers, and memorials in foreign countries by other U.S. citizens and organizations, public or private.

The Commission is administered by a Secretary under the guidance of Commissioners who are appointed by the President and who serve without pay. The ABMC presently administers 23 memorial cemeteries and 14 separate monuments and memorials in 10 countries. These cemeteries are generally closed for future burial and, similar to those cemeteries which remain under the jurisdiction of the Department of Interior, are in the nature of historical shrines. The Veterans' Administration in its report to the committee last year on the bill to establish a national cemetery system in the VA noted the "operational expertise" of the ABMC—whose current annual budget is only $3.3 million—and the absence of any "compelling reason" to transfer its jurisdiction to the VA. The following table lists the cemeteries and memorials presently administered by the Commission:

ABMC CEMETERIES, MONUMENTS, AND MEMORIALS

Country		Burials	Memorializations
World War I cemeteries:			
Aisne-Marne	France	2,288	1,060
Brookwood	England	468	563
Flanders Field	Belgium	368	43
Meuse-Argonne	France	14,246	954
Oise-Aisne	do	6,012	241
St. Mihiel	do	4,152	284
Somme	do	1,837	333
Suresnes	do	1,541	974
Total		30,912	4,452
World War II Cemeteries:			
Ardennes	Belgium	5,306	462
Brittany	France	4,410	498
Cambridge	England	3,811	5,125
Epinal	France	5,255	424
Florence	Italy	4,402	1,409
Henri-Chapelle	Belgium	7,989	450
Lorraine	France	10,489	444
Luxembourg	Luxembourg	5,076	370
Manila	Republic of the Philippines	17,206	36,279
Netherlands	Holland	8,301	1,722
Normandy	France	9,386	1,557
North Africa	Tunisia	2,840	3,724
Rhone	France	861	293
Sicily-Rome	Italy	7,862	3,094
Suresnes	France	24	None
Total		93,218	55,851
Mexican War	Mexico	750	None
Memorials, World War II:			
East coast			4,596
West coast			412
Honolulu (includes Korea)			26,280
Total			31,288
Monuments, World War I:			
Audenarde	Belgium		
Bellicourt	France		
Brest	do		
Chantigny	do		
Chateau-Thierry	do		
Chaumont (tablet)	do		
Gibraltar			
Kemmel	Belgium		
Montfaucon	France		
Montsec	do		
Somme-py	do		
Souilly (tablet)	do		
Tours	do		
Grand total		124,880	91,591

Since World War I, many privately sponsored war memorials and monuments have been erected on foreign soil by American military units, citizens, States, municipalities, and associations. Often they were poorly designed and constructed; provisions for site acquisition and maintenance were inadequate; and, in some instances, the magnitude of the memorial bore little relationship to the accomplishments of the unit. Many of these memorials and monuments have deteriorated over the years to such a degree that they should be demolished, and there are some whose designs do not merit retention. Others are in fairly good condition, and with limited repairs and adequate future maintenance, can be restored and maintained in satisfactory condition.

The committee is advised that the Commission has been assisting those sponsors, who have funds or could raise them and who desire such assistance, with arrangements for the care and maintenance of their memorials and monuments. The committee believes that it is desirable to utilize and build upon these private resources; however, the sponsors of a great many of these monuments are no longer alive and the original sponsoring organization no longer exists. In these cases where there are no

sponsors, the monuments should either be demolished or maintained adequately.

It is therefore the purpose of this bill to authorize the Commission, in its discretion, to assume responsibility for the control, administration, and maintenance of any war memorial erected before, on, or after the effective date of this legislation outside the United States by an American citizen, a State, a political subdivision of a State, any other non-Federal governmental agency, foreign agency, or private association to commemorate the services of any of the American Armed Forces in hostilities occurring since April 6, 1917, if first, the memorial is not erected on the territory of the former enemy concerned; and second, the sponsors of the memorial consent to the Commission assuming such responsibilities and transfer to the Commission all their right, title, and interest in the memorial. If reasonable effort fails to locate the sponsors of a memorial, the Commission may assume responsibility therefor under the bill by agreement with the appropriate foreign authorities. A decision of the Commission to assume responsibility for any such war memorial is final.

Any funds accumulated by the sponsors for the maintenance and repair of a war memorial for which the Commission assumes responsibility may be transferred to the Commission for use in carrying out the purposes of the act. Any such funds so transferred shall be deposited by the Commission in the manner otherwise specified in the basic law.

The Commission is further authorized to take necessary measures to demolish any war memorial erected on foreign soil by an American citizen, a State, a political subdivision of a State, any other non-Federal governmental agency, foreign agency, or private association and to dispose of the site of such memorial in such manner as it deems proper, if—

First, the appropriate foreign authorities agree to such demolition; and

Second, the sponsors of the memorial consent to such demolition; or

Third, the memorial has fallen into disrepair and a reasonable effort on the part of the Commission has failed—

To persuade the sponsors to maintain the memorial at a standard acceptable to the Commission; or

To locate the sponsors.

A question has been raised as to whether the status of Pershing Hall operated by a post of the American Legion in Paris, France, might be affected at some time in the future by enactment of H.R. 3733. The committee wishes to make clear that the answer to this question is in the negative. Pershing Hall is a building located in Paris which was acquired by the U.S. Government in 1936, under the provisions of Public Law No. 171, 74th Congress, June 28, 1935 (49 Stat. 426). It is clear, therefore, that it is not a memorial erected "by an American citizen, a State, a political subdivision of a State, or any other non-Federal governmental agency, foreign agency, or private association."

The American Battle Monuments Commission feels that this limited extension of their authority with respect to additional overseas war memorials is desirable and has estimated that the annual cost of the program will not exceed $25,000. Our committee has been advised that the Office of Management and Budget has no objection to the proposal and I recommend its approval by the House.

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.

INCREASING INTEREST PAID ON THE PERMANENT FUND OF THE U.S. SOLDIERS' AND AIRMEN'S HOME

The Clerk called the bill (H.R. 8528) to provide for increasing the amount of interest paid on the permanent fund of the U.S. Soldiers' and Airmen's Home.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. WYLIE. Mr. Speaker, reserving the right to object, I wonder if I might have a brief explanation of the bill.

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

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

Mr. RONCALIO of Wyoming. Mr. Speaker, the bill would provide for increasing the amount of interest paid on the permanent fund of the U.S. Soldiers' and Airmen's Home. The trust fund of the U.S. Soldiers' and Airmen's Home is limited by an 1883 law to an annual interest rate of 3 percent. This bill would amend the law to allow the rate of interest to be determined by the Secretary of the Treasury, taking into consideration the current average market yield on outstanding marketable obligations of the United States.

The bill would allow a rate of interest equal to that of similarly situated trust funds, such as the railroad retirement fund and the civil service retirement fund.

Mr. WYLIE. Could the gentleman tell me how much that new interest rate will be? I do not see that figure in the bill. Does the gentleman have any kind of an estimate?

Mr. RONCALIO of Wyoming. No, I do not. The interest could vary from time to time. For the purpose of the Consent Calendar, Mr. Speaker, the fact that the committee recommends enactment, and the Department of Defense favors the legislation, and the Department of the Treasury favors the legislation, and the Office of Management and Budget had no objection, we felt that that was a good test to be met by the bill.

Mr. JOHNSON of Pennsylvania. The committee report points out the average rate of similar funds has been 4.8 percent. The bill allows the Secretary of the Treasury to take account of the period of availability of funds in setting the interest rate.

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

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

H.R. 8528

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 8 of the Act of March 3, 1883, chapter 130 (24 U.S.C. 46) is amended by striking out "of 3 per centum per annum," and inserting in place thereof "a rate determined by the Secretary of the Treasury, taking into consideration the current average market yield on outstanding marketable obligations of the United States with remaining periods to maturity comparable to the average maturities of such investments, adjusted to the nearest one-eighth of 1 per centum,".

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.

CIVIL ACTION NO. 1328–73, U.S. DISTRICT COURT FOR THE DISTRICT OF COLUMBIA—COMMUNICATION FROM THE SERGEANT AT ARMS

The SPEAKER laid before the House the following communication from the Sergeant at Arms:

JULY 12, 1973.

Hon. CARL ALBERT,
Speaker of the House, House of Representatives, Washington, D.C.

DEAR MR. SPEAKER: The Sergeant at Arms of the House of Representatives received on July 9, 1973, from the U.S. Marshal, a copy of the summons in a Civil Action, together with the complaint filed by Consumers Union of the United States, Inc. v. several Government officials as defendants, including Kenneth R. Harding, Sergeant at Arms of the House of Representatives, United States House of Representatives, in Civil Action File No. 1328–73 in the United States District Court for the District of Columbia.

The summons requires an answer to the complaint within sixty days after service. Both documents are attached herewith.

Pursuant to 2 U.S.C. 118, I have written to the Attorney General of the United States and to the U.S. Attorney for the District of Columbia (copies of letters attached), requesting that they carry out their assigned statutory responsibilities in defending the Sergeant at Arms of the House in this matter.

Sincerely,

KENNETH R. HARDING,
Sergeant at Arms.

JULY 12, 1973.

Hon. ELLIOT L. RICHARDSON,
The Attorney General of the United States, Department of Justice, Washington, D.C.

DEAR MR. ATTORNEY GENERAL: I am sending you a copy of a summons and complaint in a Civil Action No. 1328–73, filed against several Government officials as defendants, including Kenneth R. Harding, Sergeant at Arms of the U.S. House of Representatives, in the United States District Court for the District of Columbia, and served on me on July 9, 1973.

In accordance with 2 U.S.C. 118, I have sent a copy of the summons and complaint in this action to the U.S. Attorney for the District of Columbia requesting that he take appropriate action under the supervision and direction of the Attorney General. I am also sending you a copy of the letter I forwarded this date to the U.S. Attorney.

Sincerely,

KENNETH R. HARDING,
Sergeant at Arms.

JULY 12, 1973.

Hon. HAROLD H. TITUS, Jr.,
U.S. Attorney for the District of Columbia, U.S. Courthouse, Washington, D.C.

DEAR MR. TITUS: I am sending you a copy of a summons and complaint in a Civil

Action No. 1328-73, filed against several Government officials as defendants, including Kenneth R. Harding, Sergeant at Arms of the U.S. House of Representatives, in the United States District Court for the District of Columbia, and served on me in my official capacity as Sergeant at Arms of the House of Representatives, on July 9, 1973.

In accordance with 2 U.S.C. 118, I respectfully request that you take appropriate action, as deemed necessary, under the "supervision and direction of the Attorney General" of the United States in defense of this suit against the Congress of the United States.

I am also sending you a copy of the letter that I forwarded this date to the Attorney General of the United States.

Sincerely,

KENNETH R. HARDING,
Sergeant at Arms.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

JULY 13, 1973.

The Honorable CARL ALBERT,
The Speaker,
House of Representatives.

DEAR MR. SPEAKER: I have the honor to transmit herewith a sealed envelope from the White House, received in the Clerk's Office at 12:57 P.M. on Friday, July 13, 1973, and said to contain a message from the President concerning the 1972 annual report on agricultural export activities carried out under Public Law 480.

With kind regards, I am

Sincerely,

W. PAT JENNINGS,
Clerk, House of Representatives.

ANNUAL REPORT ON AGRICULTURAL EXPORT ACTIVITIES CARRIED OUT UNDER PUBLIC LAW 480—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 93-127)

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

To the Congress of the United States:

I am pleased to transmit to the Congress the 1972 annual report on agricultural export activities carried out under Public Law 480. This program has once again demonstrated the desire of the people of the United States to help those in other countries who are less fortunate than ourselves and stand in need of our assistance.

Through food donations and concessional sales of agricultural commodities, the Public Law 480 program in 1972 helped alleviate immediate problems arising from inadequate food supplies, and helped to lay the basis for new agricultural production in many countries throughout the world. A major impact of this program came through our assistance to the distressed victims of war and natural disasters in Bangladesh.

Other principal recipient countries of development and emergency assistance included Korea, Vietnam, Israel, Pakistan, India and Indonesia. By assisting such countries, the Public Law 480 program also helps to offset threats to internal stability and contributes to our objective of reducing the level of international tensions.

RICHARD NIXON.

THE WHITE HOUSE, *July 12, 1973.*

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

JULY 13, 1973.

The Honorable CARL ALBERT, The Speaker,
House of Representatives.

DEAR MR. SPEAKER: I have the honor to transmit herewith a sealed envelope from the White House, received in the Clerk's Office at 12:57 P.M. on Friday, July 13, 1973, and said to contain a message from the President concerning the Seventh Annual Report of the National Advisory Council on Extension and Continuing Education.

With kind regards, I am

Sincerely,

W. PAT JENNINGS,
Clerk, House of Representatives.

SEVENTH ANNUAL REPORT OF THE NATIONAL ADVISORY COUNCIL ON EXTENSION AND CONTINUING EDUCATION—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 93-73)

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

To the Congress of the United States:

I herewith transmit the Seventh Annual Report of the National Advisory Council on Extension and Continuing Education. The Council is authorized by Public Law 89-329.

The Council's study covers the impact of Federal continuing education, extension and community service programs. I especially commend its analysis of the problems and shortcomings which have resulted from too many fragmented programs operating under various narrow legislative authorities. This study lends further support to a better approach to higher education which would permit academic communities to pursue excellence and reform in the fields they choose and by the means they choose.

The new Fund for the Improvement of Postsecondary Education provides a way to support development of effective programs in continuing education, extension, and community service. Because of the wide range of support possible under the Fund's broad mandate, I shall continue to recommend the termination of other less flexible programs.

RICHARD NIXON.

THE WHITE HOUSE, *July 12, 1973.*

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

JULY 13, 1973.

The Honorable CARL ALBERT,
The Speaker, House of Representatives.

DEAR MR. SPEAKER: I have the honor to transmit herewith a sealed envelope from the White House, received in the Clerk's Office at 12:57 p.m. on Friday, July 13, 1973, and said to contain a message from the President concerning the annual report of the World Weather Program.

With kind regards, I am,

Sincerely,

W. PAT JENNINGS,
Clerk, House of Representatives.

ANNUAL REPORT OF THE WORLD WEATHER PROGRAM—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

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

To the Congress of the United States:

Through the World Weather Program, man is acquiring a means not only to cope with his atmosphere and its vagaries but also to understand and assess the impact of his activities on the quality of the global atmosphere.

As a result of recent technological improvements, we are continuing to show substantial progress in furthering the goals of this program:

—Operational geostationary satellites will soon provide a nearly continuous view of storms over a large part of the earth's surface, strengthening our ability to predict and warn of potential natural disasters. Polar-orbiting satellites making vertical measurements of the global atmosphere are already an important aid to weather forecasting.

—Significant advances in computer science are now helping to extend the range, scope and accuracy of weather predictions and to assess the impact of pollution on climate and weather.

—Intensive planning is nearing completion for a large-scale international experiment to be conducted in 1974 in the tropical Atlantic. This experiment will seek a better understanding of the effects of the tropics on global weather patterns. As a result, we expect to gain new insight into the life cycle of hurricanes that affect the coastal areas of the United States.

—Nations are planning to combine their resources in 1977 to observe the entire earth's atmosphere for the first time as a single physical system.

The World Weather Program is a distinctive example of what nations of the world are capable of achieving when united in a common purpose. A recent United Nations Conference on the Human Environment acknowledged the vital contributions of this program. It is most heartening that a program which means so much to the safety and well-being of the American people can at the same time assist in providing these same assurances to other peoples.

In accordance with Senate Concurrent

Resolution 67 of the 90th Congress, I am pleased to transmit this annual report describing the current and planned activities of Federal agencies participating in the World Weather Program.

RICHARD NIXON.

THE WHITE HOUSE, *July 12, 1973.*

PROVIDING EMERGENCY ALLOTMENT LEASE AND TRANSFER OF TOBACCO ALLOTMENTS IN CERTAIN DISASTER AREAS IN GEORGIA AND SOUTH CAROLINA

Mr. MATHIS of Georgia. Mr. Speaker, I ask unanimous consent that the Committee on Agriculture be discharged from the further consideration of the bill (H.R. 9172) to provide for emergency allotment lease and transfer of tobacco allotments and work quotas for 1973 in certain disaster areas in Georgia and South Carolina, and ask for its immediate consideration.

The Clerk read the title of the bill.

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

Mr. ROUSSELOT. Mr. Speaker, reserving the right of object, and I will not object, would the gentleman from Georgia explain briefly whether or not this bill will cost the Treasury any money?

Mr. MATHIS of Georgia. Mr. Speaker, if the gentleman will yield, the Department of Agriculture has reported that there will be no additional cost as a result of the enactment of this legislation.

Mr. ROUSSELOT. Mr. Speaker, if the gentleman from Georgia will explain further, what is the immediate need which calls for bringing up this unanimous-consent legislative request?

Mr. MATHIS of Georgia. Mr. Speaker, as the title of the bill implies, it is an emergency situation in 12 counties in Georgia and South Carolina where farmers have been affected by inclement weather. This bill allows for this year only transfer by lease of allotments or quotas by farmers to other countries within the State. As a result, it is only after the farmers in the counties have met basic minimum requirements.

Mr. ROUSSELOT. Mr. Speaker, if the gentleman could explain further, will this cause disruption in marketing quota systems and/or was there major objection to this bill in the committee?

Mr. MATHIS of Georgia. Mr. Speaker, there was no major objection to it; no objection at all in the Committee on Agriculture.

Of course, it would not be disruptive to the marketing procedure. In fact, by the financial relief to a number of small tobacco farmers who otherwise will be very much hurt financially, it will help.

Mr. ROUSSELOT. Mr. Speaker, I think that answers most of the questions I have. This is not a highly unusual procedure then, to respond to this kind of disaster?

Mr. MATHIS of Georgia. Mr. Speaker, if the gentleman will yield further, it is not without precedent.

Mr. ROUSSELOT. Mr. Speaker, I withdraw my reservation of objection, and thank the gentleman from Georgia for his explanation.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 9172

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Section 316 of the Agricultural Adjustment Act of 1938, as amanded, is amended by adding at the end thereof the following new subsection (g): "(g) Notwithstanding any provision of this section, when as a result of flood, hail, wind, tornado, or other natural disaster the Secretary determines (1) that one of the counties hereinafter listed has suffered a loss of 10 percentum or more in the number of acres of tobacco planted, and (2) that a lease of such tobacco allotment or quota will not impair the effective operation of the tobacco marketing quota or price support program, he may permit the owner and operator of any farm within Atkinson, Berrien, Clinch, Cook, Lanier, Lowndes, or Ware Counties, Georgia, or Clarendon, Lee, Sumter, or Williamsburg Counties, South Carolina, which has suffered a loss of 30 per centum or more in the number of acres of tobacco planted of such crop to lease all or any part of such allotment or quota to any other owners or operators in the same county, or nearby counties within the same State, for use in such counties for the year 1973 on a farm or farms having a current tobacco allotment or quota of the same kind. In the case of a lease and transfer to an owner or operator in another country pursuant to this subsection, the lease and transfer shall not be effective until a copy of the lease is filed with and determined by the county committee of the county to which the transfer is made to be in compliance with the provisions of this subsection.".

AMENDMENT OFFERED BY MR. MATHIS OF GEORGIA

Mr. MATHIS of Georgia. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MATHIS of Georgia: On page 2, line 4, following "Atkinson," insert: "Bacon,"

The SPEAKER. The question is on the amendment offered by the gentleman from Georgia (Mr. MATHIS).

The amendment was agreed to.

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

AGRICULTURE AND CONSUMER PROTECTION ACT OF 1973

Mr. POAGE. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 8860) to extend and amend the Agricultural Act of 1970 for the purpose of assuring consumers of plentiful supplies of food and fiber at reasonable prices.

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 further consideration of the bill H.R. 8860, with Mr. NATCHER in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on Thursday, July 12, 1973, the first section of the bill, ending on page 53, line 2, was open to amendment at any point.

Are there further amendments to be proposed to this section?

Mr. ROUSSELOT. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count.

Seventy-two Members are present, not a quorum. The call will be taken by electronic device.

The call was taken by electronic device, and the following Members failed to respond:

[Roll No. 337]

Addabbo	Gray	Mitchell, Md.
Alexander	Green, Pa.	Morgan
Ashbrook	Gross	Murphy, N.Y
Ashley	Gubser	O'Hara
Aspin	Hanna	O'Neill
Badillo	Hébert	Parris
Bell	Heinz	Pepper
Biaggi	Helstoski	Pettis
Blatnik	Hillis	Peyser
Boland	Holt	Podell
Brown, Mich.	Holtzman	Reid
Burke, Calif.	Johnson, Calif.	Reuss
Burke, Fla.	Kastenmeier	Robison, N.Y.
Chisholm	Kemp	Roe
Clark	Landgrebe	Roy
Conyers	Landrum	Ruppe
Danielson	Lott	Sandman
Dellums	McCormack	Stratton
Diggs	McDade	Stuckey
Dingell	McFall	Talcott
Dorn	McKinney	Thompson, N.J.
Edwards, Ala.	Mailliard	Ullman
Edwards, Calif.	Mallary	Vander Jagt
Fisher	Maraziti	Wilson, Bob
Fraser	Minish	
Frelinghuysen	Minshall, Ohio	

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. NATCHER, 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. 8860, and finding itself without a quorum, he had directed the Members to record their presence by electronic device, whereupon 357 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. Are there additional amendments to title I?

AMENDMENT OFFERED BY MR. FINDLEY

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

The Clerk read as follows:

Amendment offered by Mr. FINDLEY: On page 4, strike lines 10 and 11.

Mr. FINDLEY. Mr. Chairman, I have two amendments to the dairy section; both of them would help consumers of milk and dairy products. One is on the question of price support levels. The bill before us would increase the minimum price support for dairy products from 75 percent of parity to 80 percent of parity.

The other amendment which I will offer when I have the opportunity deals with the dairy import license section, which is a very novel provision under which the producers and processors of dairy products would be able to be in charge of the import of dairy products, somewhat like putting General Motors in complete charge of deciding how many

Volkswagens will be introduced into this county.

The amendment now before the Members is one to reduce the level of price supports as provided in the bill from the level of 80 percent of parity to the present minimum price support, that is, 75 percent of parity. The dairy section, as I say, will raise milk and other dairy prices. My amendment will keep the minimum price support at 75 percent.

This amendment is the Members' chance to vote against higher milk prices. If Members want to be recorded for higher milk prices, vote against my amendment.

Bear in mind that the price support is a floor and not a ceiling. If the Secretary of Agriculture at some future time gets word about milk supplies and wants more production, he will have the option of raising the minimum price supports to stimulate production. That flexibility is now in the law and is not changed at all by my amendment or by the bill that is before us. But if the 80 percent price support floor sticks, consumers will be stuck with higher milk prices.

I hope the Members will not be fooled by arguments that dairy prices are already above 80 percent of parity. These arguments are being sold by the well-fed, well-paid, well-financed milk lobby that has been churning around Capitol Hill in the past few days. The sole objective of this lobby is to legislate higher milk prices. The 80 percent floor is like the bottom rung of the extension part of an extension ladder. If the bottom rung of the extension part goes up, everything above it goes up, too. That means that the price paid by the consumer will go up if the minimum price support specified in this bill goes up.

In fact, the Department of Agriculture in a memorandum furnished to me just a couple of weeks ago estimated that the change from 75 percent of parity to 80 percent of parity will cost consumers $182 million extra the first year of this bill. The 4-year cost by my estimate would be about $800 million. But that is only a part of the price tag of this price support change.

The Department of Agriculture estimates that the increase will cost the Government, that is, in new Government expenses, new Government costs, $521 million over the 4-year life of the bill, so we are talking about a Government outlay of $\frac{1}{2}$ billion in this seemingly modest price support change from 75 to 80 percent of parity.

If we add the two items together, the increase to 80 percent of parity proposed in this bill will sock the American people to the tune of $1.3 billion over 4 years or about $320 million a year.

So if the Members want higher milk prices, vote against my amendment. If the Members would like to hold milk prices down, vote "yes."

The question occurs, Is there really broad interest in consumer prices? Here is an opportunity to test the level of that interest in this body. I will give the Members a chance to vote "yes" or "no" on the question of raising milk prices.

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

This amendment is based upon the same fallacy that has served as the basis for so many of the proposals offered by the gentleman from Illinois. It is based on the assumption that if we fix a support price at a very low level, the public will be able to buy very cheap food. Unfortunately for that philosophy, experience in the last few weeks has shown that it does not work.

Have any Members heard anything about chickens getting scarce? Have any Members heard anything about meat beginning to get scarce? That is occurring not because the price is down but because a farmer cannot get any profit for producing those things, and when he cannot make a profit he does not produce them any more than those who operate factories would produce items on which they cannot make any money.

The question is not what we are going to pay. The real problem is: Are we going to have the food?

But I want to suggest something about this particular milk price and I want every Member to hear me. I do not often demand the attention of the Members, but I would appreciate it deeply if each Member who is properly committed to protecting the welfare of the consumer will bear in mind that just about 3 months ago we had 80-percent support for milk and milk products. We had 80-percent support and it was dropped to 75 percent. I want every Member in this Chamber who has observed a drop in the retail milk price to stand up, please.

It is a perfect fallacy for the Members to be told that what the gentleman is proposing is going to protect the consumer from the high prices for milk. We had 80 percent and we were paying less for milk then than we are paying today. How in the world can the gentleman seriously insist that he is going to reduce the milk price by refusing to let producers get a fair return for their milk? He is not going to drop the price by forcing milk cows to the market for slaughter.

Oh, yes, he talks about these "big, rich" dairymen. I do not know what the situation is in his west-central Illinois area but I know what it is in central Texas. I know there are very few people on or off the farm who work more diligently and who work longer hours and who work under more adverse circumstances than do our dairymen. It is a dirty work. It is unpleasant work. Yet somebody stays at it always in the hope that he will wind up with enough to pay the mortgage and pay the feed bill and that feed bill has been going up mighty fast.

I have been in the dairy business. I got out of it as quickly as I could. But I have been in the business and I know something about the privations of those who are dependent upon milking cows for their livelihood. Of course, the gentleman may have an entirely different situation in his district, but if so it is probably the only district in the United States where dairymen are rolling in wealth and where dairymen are enjoying the easy life or where dairymen are even getting a fair price.

Do Members think it is unreasonable to expect dairymen to get 80 percent of a fair price? That is all we are asking that we give these dairymen—80 percent of a fair price.

When the gentleman tells us it is going to cost so much money, remember we have been supporting dairy prices at 80 percent. This is not something new. We are just going back to what we have been doing.

I cannot remember any other commodity where the support has been dropped as it has in dairy prices, but the support has been dropped on dairy products and has gone up in almost everything else. Do the Members want to vote for something that is going to reduce the income of the dairy farmers, something that is going to cut the price down lower than it was last year, and yet expect them to pay present-day prices for feed and present-day prices for supplies and present-day prices for labor and present-day prices for their equipment?

Mr. TEAGUE of California. Mr. Chairman, I move to strike the necessary number of words.

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

Mr. TEAGUE of California. I yield to the gentleman from Illinois (Mr. FINDLEY).

Mr. FINDLEY. Mr. Chairman, our good chairman of the House Agriculture Committee, Mr. POAGE, bases his whole argument against this amendment on the fear of short supply of milk that might put consumers shelves empty and price milk even higher than it is now. But he pointed out himself in the course of his argument that the Secretary has indeed power to raise supports, if need be, and in times past has done so. There is no reason in this world why under my amendment the Secretary of Agriculture could not exercise the same flexibility if he saw a shortage looming, and raise supports to 80 percent or even higher if he felt that was necessary to get the added production.

By the same token, it makes no sense whatever to inflict the consumers and taxpayers of the United States with a price floor that is unnecessarily high. I would point out to the Members that there is not a single commodity produced in the United States today which enjoys a minimum price support as high as even 75 percent for all production. We are talking about a price support for all production of dairy supports here, not just for those which might happen to be under a marketing order, but for every dairy producer.

It makes no sense whatever to raise the price-support minimum to unnecessarily high levels.

If I have fallen into a fallacy, to use the chairman's own words, the Department of Agriculture has fallen into the same fallacy, because I used Department figures, not Findley figures.

Mr. Chairman, I thank the gentleman from California for yielding.

Mr. TEAGUE of California. Mr. Chairman, I support the Findley amendment.

Mr. DENT. Mr. Chairman, I rise to oppose the amendment.

Mr. Chairman, it is too bad that a greater number of the American people

and, I might say, a greater number of the Members of Congress have not taken the time to really study the agricultural economy of this country. There would be no need for price supports if we based the cost of production and the selling price of agricultural products realistically.

However, what we do, each and every one of us in the United States, is pay taxes in order that we can support the difference between what a farmer gets for his product and what we sell it for in foreign countries.

The last time I was in Wisconsin, a few years back on a study of this problem—I have not been out since, because it has become so confused today that I doubt if anyone really knows the answer—one of the answers very seriously, is this: Last year, in 1972, the foreign buyers jumped up their corn purchases from 500 to 880 million bushels of corn. It was at a price that the farmer cannot even start to grow it for and a price we all know we have to pay in millions of dollars in support.

The gentleman from Ohio was talking about it along the lines of cost. It is not millions of dollars support for the consumption of the American people; it is for the consumption of the foreign people that get world prices on products grown on our farms below the price of the production, and every man in this room knows it.

In Wisconsin, they had whole sheds, warehouse sheds filled with Cheddar cheese being shipped where? Being shipped over to Switzerland, the great dairy country. Why? Because they get it at a price we could not buy it at in our stores and then they reprocess it and send it back to the United States in about bite size pieces, if you please. They were getting 500-pound-barrel sizes, shipping it back from all of the dairy countries of Europe, back into the United States delicately and daintily wrapped in little packages.

We "suckers" run into the confectionery and pay a price higher than was paid for the American product. They did not even support the tariff and custom rates for the amount of money we sold it to them for. We allowed it to come into this country at less than 25 cents a pound, and we were selling at 25 cents a pound.

Members may as well make up their minds.

I do admire the one point which was brought out about the dairy imports. A few years ago, Mr. Freeman was Secretary of Agriculture, he got President Johnson to put a clamp on the imports of cream or products made from milk. Why? Because our dairy farmers were down on their backsides. They were broke.

My State is a dairy State. Pennsylvania is one of the largest eastern seaboard States of the Union for dairy farming. The farmers do not get any of this money we are talking about, to amount to anything. They did get a little lime, and a little for the fishponds, to help eradicate erosion, but the Congress saw fit to take that out.

We must tackle this thing at the cross, where it belongs, and that is between 90 and 97 percent of parity. From 1946 to 1950 were the best days we had, because we had almost a 90- to 95-percent parity in agricultural products. Anything less than that deprives the farmer of the ability to buy American machinery, to buy the products he needs on the farm.

This business of dairy farming is no longer a little backwoods operation. It is mechanized. They have lost in my State thousands and thousands of dollars, on the equipment they must have to be allowed to come within the law to produce milk in that State and sell it.

I want to say to all of the Members that until we tackle this problem on the basis of the difference of a world price and the American cost price of production we will never resolve the farm problem. They will always be the stepbrothers of the American workingman.

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

Mr. Chairman, the increase in the minimum price support level for milk to 80 percent of parity is a question of basic concern to dairy farmers and to consumers across the Nation. At the heart of the issue is the continued production of adequate milk at reasonable prices.

In the enactment of legislation originally authorizing the dairy price support program, Congress set forth three basic objectives. These are: First, assistance to dairy farmers in the securing of parity prices in the marketplace; second, a support floor at which the Government intervenes through Commodity Credit Corporation purchases to prevent milk prices to farmers from dropping too low; and third, assurance of the production of adequate supplies of milk within our own shores which can be depended upon in times of war or other emergencies. The present minimum of 75 percent does not fulfill that objective.

I strongly feel that the minimum of 80 percent of parity should prevail. It is barely consistent with current marketing conditions. In fact, more than 100 of our colleagues agreed earlier this year that the price support level should be set at 85 percent for the current marketing year.

The production situation is critical in the dairy industry today. Just as we failed to heed warnings of an energy shortage, and a feed grains shortage, until it was too late, so we fail to read correctly clear signals of distress within the dairy industry.

During the month of June, milk production throughout the United States was 2.5 percent less than a year ago. Total production for the first 6 months of this year is down 2.0 percent from a year ago. The number of milk cows on farms is 2 percent fewer than a year ago, and milk production per cow is also down slightly.

Even though milk prices are higher than ever before in this country, production costs have risen at such a rapid rate that dairy farmers are being forced out of business. Supply and demand are in very close balance now, and this is the peak of the production season. Later this year, when the short production season is upon us, it will be next to impossible for the dairy farmers to meet the needs of the market.

During 1972 gains in milk and dairy product consumption outstripped the increase in production by 2 to 1. It is extremely important that we assure dairy farmers that they will be able to recover a reasonable percentage of their cost if we expect them to continue to fulfill their responsibility to the consuming public. Their participation in the economic stabilization process demands equitable opportunity.

The productivity of the farmer means that America can supply abundant food for all of our people. The cost of living has been going up, but it is not the farmer who is to blame. He has been striving and investing to produce the milk, meat, grain, vegetables, and other needed food as economically as possible. Farmers have doubled their output per man-hour just since 1950. They have increased their productivity three times as fast since 1960 as nonfarm industries. They have actually been holding down our cost of living. Americans spend a lower percentage of their disposable income for food than any other industrialized country in the world. Obviously if farmers were still using the methods of even 20 years ago, food would cost substantially more today than it does. America has a very high standard of living, because of its higher productivity, and agriculture is a glittering example of what productivity can accomplish.

When all factors are weighed, it is obvious that there is every reason to increase the minimum price support level for milk to 80 percent of parity. The strengthening of the market at this time is essential to assure farmers that they will have prices in the year ahead which will warrant their staying in the milk production business. Clearly this is in the public interest.

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

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

Mr. STEIGER of Wisconsin. Mr. Chairman, I appreciate the gentleman's yielding. I would like simply to compliment him on an extraordinarily good statement and associate myself with his remarks.

The gentleman from Illinois in proposing the amendment talked about the effect that his move to lower the support level conceivably could have upon the consumer. What I think has been forgotten is the point which the gentleman from Virginia made so clear, that in terms of future production, in terms of the ability of the farmer to remain in business, a refusal to set the price at a decent level will, in effect, mean not an extra supply of milk, but a shorter supply of milk.

What I see in my State of Wisconsin, as I know the gentleman from Virginia sees in his State, is that dairy farmers today are questioning whether or not they want to remain in business, whether or not they are going to have a decent support price to justify the cost that they bear of the goods they are buying. And if they do not, and if there is not an

assurance, what they are going to do is to say, "I am going to get out of the milk business."

Mr. Chairman, the result of that step will be clearly that consumers will pay more for less product. The failure of this Congress to deal with the serious problems facing the dairy farmer will have longrun consequences.

Mr. Chairman, I compliment the gentleman from Virginia (Mr. WAMPLER) for his very fine statement.

Mr. JONES of Tennessee. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, it was my pleasure to preside over the House Dairy and Poultry Subcommittee on consideration of the dairy section of the Senate passed farm bill. Let me say that when we received this bill a hot debate was going on over some of its provisions.

The Justice Department was upset over some of the milk marketing order provisions. Farm groups were at each other's throats and consumers were up in arms. However, the committee took steps to calm the situation and in so doing eliminated the controversial sections. As far as I know, there is little significant opposition to our version of the bill.

We completely eliminated the controversial market order provisions and simply extended the class I base plan. This allows dairy producers to sell fluid milk on the basis of their past deliveries of milk. For staying within this production framework a dairyman will receive the agreed price in the market order. If he overproduces, he will receive a lower price. This basically is the same system we have operated under since 1965.

A new provision gives producers the right to a hearing with the Secretary of Agriculture on their marketing agreement if one-third of the producers request such a hearing in writing. In the past USDA has ignored legitimate complaints, and this should insure their right to be heard.

Another change in title I simply mandates that the Secretary of Agriculture, when setting prices in Federal milk marketing orders, should consider both the need for adequate supplies of high quality milk and the need to insure a farm income adequate to maintain the productive capacity in dairying needed to meet anticipated future demand.

While this change probably will not have much effect, it points out a very serious problem. We are rapidly losing our ability to produce milk. Dairymen are selling all their cows except their top-notch producers. Feed costs will not allow dairymen to maintain any but the most efficient milk cows. Farmers are taking advantage of the current beef prices and are liquidating their herds.

Dairying is hard work, 7 days a week; when a farmer gets out of the business he is not likely to go back in. Marginal producers are falling by the wayside. In my district we have had several go out of business this month. And remember that they are selling their dairy herds for hamburger, not to other dairymen.

In consideration of this very serious problem, the committee voted to set the minimum dairy price support level at 80 percent of parity. This is a 5 percent adjustment above the 75 percent level set by USDA this past March. I want to say, also that this provision puts more power back into the hands of Congress and takes it out of the hands of the administration. We all realize the need for Congress to regain its rightful place as an equal branch of government and this is a step in the right direction. Currently the support level can be set by USDA at any point between 75 percent and 90 percent of parity. I must say their decisions have been made arbitrarily without regard for the long-term consequences. However, in the interest of compromise, the Department still has the flexibility of setting the support level between 80 percent and 90 percent of parity. Also, the bill gives added flexibility by permanently eliminating the butterfat support program which was temporarily suspended by the 1970 farm bill.

This bill would amend section 22 of Agricultural Adjustment Act of 1938, as amended, as it pertains to dairy import licenses. It makes an allowance that when new dairy products are imported, that is any product not currently covered under section 22, licenses must be issued and must be made available for a 30-day period to domestic producers and processors of that product. This gives our domestic producers a chance to compete with foreign producers.

Our bill extends and reaffirms several provisions of the old bill. It extends the authority to donate dairy products acquired under the dairy price support program to the military agencies and the Veterans' Administration. It incorporates the same legal clarification of the status of producer-handlers as in the 1965 and 1970 acts.

The dairy indemnity program is extended and adds a provision to indemnify farmers for milk cows whose production is lost due to residues of chemicals which are registered and approved by the Federal Government. The provision is not retroactive and would only apply to cows producing milk which is ordered removed following enactment.

I see very little that is controversial about this bill. Some Members and some visitors are arguing against the 80 percent price support level. I submit that if this small increase is not granted, consumers are going to see sky high prices. All but the large dairies will go broke.

The trend has already started. I believe few people would disagree that dairymen deserve a fair price for their product. As consumers our choice is simple, pay the fair price for adequate supplies or face a situation of not being able to afford what little milk is produced.

Gentlemen, we need milk. Milk is needed for the children of this country. We need it for a good balanced diet. But, believe me, we are going to face a real shortage of milk in the not too distant future if we do not do something to encourage these dairy farmers to remain in business and quit liquidating their dairy herds as they are doing today.

I was in Tennessee over the past weekend, not in my district but in the eastern part of the State. These dairy farmers are getting rid of their cows as rapidly as they possibly can and, as has been pointed out by my good friend, the gentleman from Virginia (Mr. WAMPLER), we need these milk cows and we need dairy farms throughout this country.

The CHAIRMAN. The time of the gentleman has expired.

(By unanimous consent, Mr. JONES of Tennessee was allowed to proceed for 1 additional minute.)

Mr. JONES of Tennessee. However, with the closing in of the prices on feedstuffs and labor and all of the other necessary items that a farmer needs, we are going to lose them very rapidly if we do not do something to see that they get a fair return for their labor on the farm.

Mr. SHUSTER. Will the gentleman yield?

Mr. JONES of Tennessee. I will be glad to yield to the gentleman.

Mr. SHUSTER. I rise to commend the gentleman for his statement and point out to this body that in the Pennsylvania market, in April, 14 dairy producers went out of business, in May, 12 additional dairy producers went out of business, and in June, 10 went out of business. In the United States last month every State in the Union dropped in milk production at a time when milk consumption is increasing. Something has to be done, or we will just not have milk on the table.

Mr. JONES of Tennessee. I thank the gentleman.

Mr. ZWACH. Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to the amendment offered by the gentleman from Illinois (Mr. FINDLEY).

Mr. Chairman, we are making a very important decision. As a member of the subcommittee that spent many, many hours on this particular item, and ended up giving it my strong support, I want to very briefly make just a few statements.

First of all, the milk production in our country is down. There is just no question about that. We are starting to open the gates to imports, and these are not imports through honest competition, but subsidized imports from Europe. Europe cannot produce milk as cheaply as the United States, but when the Government subsidizes their out shipments then they can bring it into our country.

Milk is still a very good buy. Why milk is cheaper than colored water that so many of our people drink. It is much cheaper than beer that has a little hops and a little barley in it; it is a very, very good buy. We are going to need to maintain our daily producers. We need to bring in young men into this hardworking business. It is not easy to be a dairyman, because one is almost slave to time in this business. Every day; 365 days of every year, they are slaves to it. But these people love it. We want to keep them in it, so let us keep our Americans producing our milk.

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

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

Mr. FROEHLICH. Mr. Chairman, as one Member of the House of Representatives, may I say that I spend most of my

weekends back in America's dairyland in Wisconsin, traveling throughout the countryside visiting farmers and cheese factories, and I can say right now that there is a shortage of milk in this country because the cheese factories of Wisconsin cannot get the amount of milk they need to produce what they have been producing, and to cover what the demand is.

If this amendment is not defeated, if the farmers are not guaranteed a long-term return then they are going to continue to sell off their stock and we are going to face liquid milk rationing in this country.

Members of the House, this amendment must be defeated.

Mr. Chairman, I would like to commend the gentleman from Minnesota (Mr. ZWACH), associate with his remarks, and say that the gentleman is correct about the production of milk in Europe. I just talked to a farmer who recently returned from a visit to Europe, and he said that it takes 10 people to run a 100-cow dairy farm in Germany, whereas that gentleman and his wife do it themselves in Wisconsin. Milk from Europe is more expensive. Our milk is less costly because we are more efficient. We can continue and increase our production, but to do this we must promise our dairy farmers a good return.

Mr. Chairman, this amendment should be defeated.

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

Mr. ZWACH. I yield to the gentleman from Virginia.

Mr. WAMPLER. Mr. Chairman, I want to compliment my colleague, the gentleman from Minnesota, for his very timely and accurate statement.

I would ask the gentleman from Minnesota if it is not a fact that the culling of dairy herds in our Nation today is perhaps at an alltime high?

Mr. ZWACH. The gentleman from Virginia is correct; there is no question but that it is correct.

We cannot replace them fast enough. If we need them, and if this occurs, then we are in serious trouble in America insofar as our dairy production is concerned.

Mr. WAMPLER. And is it not true, if the gentleman will yield further, that it takes from 2 to 5 years to replace one of these cows?

Mr. ZWACH. Yes, it takes about 5 years to produce a milk cow.

Mr. WAMPLER. And is it not also true that because of the attractive price of beef in the market that this brings about an additional incentive for dairy producers to cull their less productive cows?

Mr. ZWACH. That is certainly another factor that is involved.

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

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

Mr. Chairman, I move to strike out the requisite number of words. I have listened to this debate, and the discussion has revolved around those who are engaged in the dairy business.

That has been the situation we have had throughout this debate on the bill for the Department of Agriculture, the agricultural program. I think we make a mistake, as Members of Congress, and I think the press makes a mistake, when we refer to this as a bill for those engaged in agriculture. I think by all manner and means, we must realize that the bill before us is a consumers' bill. Yesterday's press, including the local paper and the New York Times, said we are in for a lasting food shortage in the near future.

Involved here is the question of whether or not we give the consumers something to consume. There is absolutely nothing in the world that will help the consumer if he does not have anything to consume.

I received permission to have included in the RECORD, which the Members will find on page 23625, the law that would exist in the event we fail to pass the agricultural bill, and when I listen to the statements that we have heard here today, it makes me wonder if we would not be better off to revert back to the 1958 act. It was an act that provided for production. There is no way in the world for anyone engaged in agriculture with the present high land values—which have been run up by nonfarmers to a great degree—to pay the type of prices which he has to pay, reflecting the cost of labor and the cost of industry's markup and sell for only what the traffic will bear or what is left of the consumer dollar without going bankrupt. We, the consumers in the long run, are the ones who will do without.

As I tried to point out in my discussion, we have an average of more than 400,000 leaving the farm every year. One cannot hire anyone in my area to go out and do farm labor. They do not care to do that type of labor. As someone has said, it is too hard, too much like work.

I say to the Members here, if they have time, read the remarks on page 23625. They will see a resume of the law, as it would exist if we fail to pass an agricultural act this time. It makes me wonder if perhaps we should not fail. Included in the remarks, the Members will find excerpts from volume 9 of our hearings this year in which I brought forward the 1956 and 1957 hearings of the Department of Agriculture.

Mr. Benson was the Secretary of Agriculture at that time, and the Assistant Secretary was Mr. Butz. There are those who say that if we went back to the 1958 act that we would have billions and billions of dollars of American commodities in storage. We did not have it then, because of the law; we would not have it now, because of the law. If the Members read my remarks, they will see that Mr. Benson acknowledged that we had a surplus because they would not sell our commodities in world trade at competitive prices. That is in the RECORD.

If the Members read volume 9, they will see that they deliberately held our commodities off the oil markets and left it up to industry, and too frequently, our American industry had investments in South and Central America and around the world. They talk about our State Department and the Secretary of Agriculture holding off from this world trade so they could make fortunes right under it while we held the umbrella.

I say to the Members, we never have had a dime's worth of any commodity as a result of law. We had it as a result of the refusal of the Secretary of Agriculture and of our authorities in the State Department and in the White House to let us sell, as the law contemplated, at competitive prices. Our Nation must return to a land of production.

I know one of the great issues here is food stamps. I know in many consumer areas where there has been extensive use, it has become a red hot political issue. I know it is hard to turn our backs on a program once we start it, but let me say to the Members, those food stamps only have value as long as there is food on the shelves.

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

Mr. WHITTEN. We have made many mistakes in this country, and I hope the Members will give serious thought to what I have said here. After all, I have presided over the committee handling the appropriations for agriculture since 1949, except for 2 years. We need a country that produces. We need to return to the time where, instead of trying to cut back production and squeeze in a higher unit price, we are producing the units and using the Commodity Credit Corporation's charter which authorize sale on the world market for what the traffic will bear. We need to get back to section 32. We need to divert that surplus to those who receive food stamps, and who will get food stamps, but little food for them if we do not get back to that policy.

We need to return to our former program which will allow us to produce a surplus of commodities to sell in world trade in order that our Nation may earn its dollars back. Certainly if ever any nation needed to earn its dollars back, it is this Nation. I say to you, agriculture production offers our best opportunity.

If Members will read the debate in the RECORD of last Thursday or read the hearings, they will see that where it is alleged, this surplus was built up, because of the law, and shortsighted policies in agriculture. But my friend, the gentleman from California, has not told the Members in the debates we have had over a number of years that with lemons, oranges, and various other citrus fruits we have had an export subsidy from section 32 funds. Why? Because we cannot pay labor as much in 1 hour as is paid to labor for a full day in Mexico and compete.

Section 32 of the AAA Act states that 30 percent is set aside for price support in perishable areas. Most of the producers of perishable commodities do not have sympathy for the problems the storable commodity producers, producers of commodities which can be carried over for many years, for they have a source of funds provided by section 32 with which they buy up the surplus, strengthen the market, and divert the commodities purchased for domestic uses, such as food stamp recipients.

Mr. TEAGUE of California. If the gentleman will yield, I have to agree

with the gentleman that exactly what we have to do is to go back to production. I have always been against soil banks and against set-asides and against whatever we call them if the method is to take good valuable land out of production. It has been one of the principal causes for the shortage of the present-day supply of feed grains and it is causing cattle and hog growers difficulties at the present time.

Mr. WHITTEN. May I say to the gentleman he is confirming the high opinion I have of him.

But I do say that where we have 95 percent of the people in our cities absolutely dependent upon 5 percent for their food production, they must remember that 5 percent has to invest an average of $100,000 for each farm. They cannot get labor, buy equipment and provide for other essentials when they have to pay the going salary rates for an hour's labor which is the same amount as is paid for a day's labor in Mexico.

I say it is not time to debate about the poor fellow who cannot get off the farm. He can get off quite easily and we may be the ones who take him off. We had better pay attention to the 95 percent of Americans who are going to get hungry if we do not pay an adequate price to promote production.

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

Mr. FINDLEY. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count.

One hundred and fifteen Members are present, a quorum.

Mr. DENHOLM. Mr. Chairman, I rise to oppose the amendment for the reason that it is inconsistent with the theory of the entire bill. It may very well be that all price supports are wrong but we have had them for 40 years. The question is at what level we are going to sustain them—and what level of production we can expect if we don't have them.

The author of the amendment suggests that if we reduce the price support level on milk to 75 percent of parity it will save consumers and taxpayers of this country several million dollars. I ask again, if the author will respond, how much he alleges can actually be saved by reducing the price support level to 75 percent of parity?

Mr. FINDLEY. Here, I used the estimate of the Department of Agriculture that in the first year of the bill the consumers would be saved $182 million by the passage of my amendment. The first year additional cost to the Government, that is, to the administration of the program in terms of Government cost of various sorts, the first year cost would be just $54 million, but the 4-year estimate by the Department of increased Government costs over the 4-year life of the bill would be $520 million, so there is a lot of cost to the public involved in this amendment.

Mr. DENHOLM. Will the gentleman agree with me that whatever is saved in the interest of the consumers and the Government is a cost to the producers?

Mr. FINDLEY. No. Whatever we save to the consumer I think would be translated in some loss of income to the producer, but not 100 percent loss. Certainly, the extra cost to the Government would be spread out over the whole population, not just the producer.

Mr. DENHOLM. That is exactly the issue in controversy. Who is going to carry the burden of all the subsidy payments in the future? It should be shifted to all of the people rather than to less than 5 percent of the people.

Mr. PRICE of Texas. Mr. Chairman, will the gentleman yield further?

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

Mr. PRICE of Texas. Mr. Chairman, I agree with the gentleman. The gentleman from Illinois is talking about what it is going to save the consumer. What will it save the consumer when they go to the milk shelf and there is not any milk there? That is what we are talking about.

Dairymen are not going to produce milk. They will sell their dairy herds. We are going to get to the point in America where we will not be able to buy milk on the shelf.

Mr. DENHOLM. That is exactly right. In the first 5 months of 1973 there were 111,000 dairy cows slaughtered because producers could not afford to feed them and receive the market price level for raw milk. Last year, for the same period of time 45,000 dairy cows were slaughtered. As the supply diminishes, and if the demand remains constant then prices are certain to increase. Therefore, I believe it would be more costly to the consumers.

I think the consumers of this country are growing weary of paying the price twice, once in support prices and/or again at the checkout counter of the grocery stores across the country.

The consumers are weary of that kind of a program. I agree with the gentleman from Mississippi (Mr. WHITTEN) that it is time for full production but we must secure the income of the producer without increasing the cost to the consumer.

The only possible way we can attack inflation in a meaningful way is to reduce the cost of living because organized labor reacts to the cost of living and they will return for a higher minimum wage next year if we enact a food policy that increases the cost of living. I do not know what is required for reasonable people to come to their senses and understand what is going on in this country. We are charging consumers twice under policies of production controls and price supports—payments for nonperformance and nonproduction and false prices at Government expense.

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

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

Mr. FINDLEY. Mr. Chairman, the thrust of this amendment is that the 75-percent parity level which I seek to keep in the law would be a ceiling. Instead, it is a floor. The Secretary could go above 75 percent whenever he believes the supply conditions require.

Mr. DENHOLM. The gentleman from Illinois has had more experience with the Secretaries of Agriculture than I have, but I have seen many of the results of some of their discretionary work. The fact is, they do not raise the price level within the limits of the law. They have not in the past and I have no confidence that they will in the future.

We need full production and security of income for the producers without affecting prices to consumers. I oppose the amendment and it should be defeated.

Mr. TAYLOR of North Carolina. Mr. Chairman, cows are the only creatures in the milk business these days that seem contented. For everyone else the situation threatens chaos. Consumers are irate about rising milk prices. Retailers and processors complain about profit squeezes, and dairy farmers are distressed by spiraling feed price increases, labor shortages, expensive farm machinery and other conditions.

This year the big problem has been the unprecedented increase in feed costs. Heavy rain and storms have not only delayed harvesting of grain but have destroyed much of last year's feed grain crops. Large-scale exports of grains, such as wheat and soybeans, and especially the large sale of wheat to Russia, have led to a shortage of feed grain and forced feed prices to double.

Between December 1971 and December 1972 the cost of hay increased 42 percent. During this same period in North Carolina the cost of cottonseed meal increased 157 percent and the cost of 16 to 18 percent dairy ration increased 74 percent.

Dairy farmers are being driven out of business by an income squeeze. In the mid-fifties there were over 200 grade A dairies in the county in which I live—Buncombe County, N.C. Today there are 74. It is only through improved production methods, automation and better cows that these dairies have remained in business and have been permitted to survive and to grow. Milk is the Nation's most perfect food and in most homes it is a necessity. Yet, our Nation is threatened with a severe milk shortage unless the dairy industry can be made sufficiently attractive and profitable for dairymen to remain in business. There is a real danger that in the years ahead we will face in this Nation a milk shortage, just as we are now facing a gasoline shortage. For these reasons, I must oppose the Findley amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois (Mr. FINDLEY).

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

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

A recorded vote was refused.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. SMITH OF IOWA

Mr. SMITH of Iowa. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Strike everything from page 37, line 10, through page 38, line 19 and insert in lieu thereof the following:

"SEC. 807. (a) The Secretary of Agriculture shall revoke the registration of any futures commission merchant or floor broker—

"(1) who accepts any order for the purchase or sale of any commodity for future delivery on any contract market from any person who has been found in violation of the provisions of subsection (b) below, or

"(2) who, himself, is a person who has been found in violation of the provisions of subsection (b) below.

"Any futures commission merchant or floor broker whose registration is revoked in accordance with this subsection shall not be eligible to reapply for registration until twelve months after the date of revocation.

"(b) Any person who sells any commodity for export shall, within forty-eight hours after such sale, inform the Secretary of Agriculture or his designate of (1) the date of such sale, (2) the name and full identity of the commodity sold, (3) the quantity of the commodity sold, (4) the name of the buyer and the country or countries to which the commodity is to be shipped, (5) the sale price, and (6) such other information as the Secretary may by regulation require. The Secretary shall by regulation prescribe the manner in which the above information shall be transmitted. On the first working day following its receipt, such information shall be made available by public announcement and shall remain available for public inspection for a reasonable time thereafter. The Secretary shall prescribe regulations to assure that such information shall be disclosed simultaneously to the public and to prevent any person or firm gaining from premature disclosure.

"(c) For the purposes of this section, the terms 'registration,' 'futures commission merchant,' 'floor broker,' 'contract market' and 'commodity' shall have the same meaning as stipulated in the Commodity Exchange Act as amended, and the authority contained therein shall be used in carrying out the requirements of this section.

"(d) The amendments made by this section shall become effective thirty days after enactment."

Mr. SMITH of Iowa (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

Mr. SMITH of Iowa. Mr. Chairman, this amendment revokes the right to use the futures market to any grain dealer who fails to report within 48 hours to the CEA sales that he has made to foreign customers.

We heard a lot here during the debate about the Russian grain deal and the wheat sales, but there has not really been anything offered prior to this amendment to help avert the same thing happening again. I believe we should learn from mistakes of the past; not just talk about them, but to do something about it.

On July 5 of last year one of the big private grain companies met with the Russians, and sold them 180 million bushels of wheat for cash. During the same period of time they were talking with the Department of Agriculture officials on the basis of buying a lot of corn, and that they needed a lot of credit. In fact, they had already bought 180 million bushels of wheat for cash, and it was wheat they wanted.

Within a short time thereafter they bought a lot more wheat, a total of something like 400 million bushels. While diverting attention, they simply absorbed the free market stocks of wheat in the world, yet the people who were affected by that did not know it. The supply and demand situation had been changed not only in other countries but also in the United States. Producers were selling wheat at the very time, delivering it to elevators. They did not know the supply-demand situation had changed, and they did not really find out for about a month.

I do not believe there is any good excuse for a private grain company which makes a sale like that to a big purchaser in another country not revealing it, so that the people who are legitimately in the market, whether they are producers or processors or whatever they may be, will have an opportunity to know that the supply-demand situation has changed.

The Russians could have bought a billion bushels and had time enough to cover it on the futures market, and put an even bigger squeeze on the market.

Let me tell the Members something else. Do not be surprised if one of these countries does do that at some time in the future, if we do not do something about it.

I believe that all they should be able to keep secret is what they can cover in 2 days of purchases on the market. It they cannot cover it on the futures market in 2 days then they ought to let people know how much there is in excess of that amount.

That is really all we are talking about here. As a result of what happened they bought that wheat for about $1.64 a bushel when it was worth more than $2. If the processors and the producers and the others who were legitimately in the market at the time had known—all they needed was to know as to what the supply situation was—then the Russians never could have bought it for that low price. Continental and Cook and the others who sold to them would not have sold that volume at that kind of price. They would have had some kind of an escalator clause to permit them to buy on the market and sell for whatever the value was at the time they bought it.

I believe we ought to learn from this. In other countries, we do not have a whole host of individual purchasers and sellers.

Mr. Chairman, in many countries it is a government owned organization which buys and sells the grain. They are big enough and they have plenty of resources, so that if they want to, they could come into our soybean market—and this may have happened to a smaller extent. They could have come into our soybean market last fall and bought 300 or 400 million bushels and sold perhaps a half or a portiton of them later for enough to pay profit for what they kept.

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

Mr. SMITH of Iowa. I yield to the gentleman from Minnesota.

Mr. BERGLAND. The gentleman is accurately stating the case that existed last year, that the Russians could have come to the United States and bought more wheat than we owned and beat the American capitalists at their own game. They could have sold it back, after prices skyrocket, at a killing without one bushel leaving our shores.

I am sure that the gentleman is aware that our committee has adopted a very tight provision which for the first time in history requires reporting on a weekly basis, so the kind of disaster the gentleman is speaking of could never be repeated.

Mr. SMITH of Iowa. Mr. Chairman, under the committee provision they have as much as 2 weeks, and I think that is entirely too long a time for secrecy. Two days is enough time to report, and then on the next day the Department is in business, the Department will make the report public.

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

Mr. Chairman, I have great admiration for the gentleman from Iowa (Mr. SMITH) who is one of the experts in this House on agricultural policy. I think in this instance, however, that his amendment is too far-reaching.

The Agriculture Committee fully considered the problem of prompt reporting of sales for export. Accordingly this bill has a provision that requires the exporter of wheat and flour and other grains and the products thereof to report to the Secretary of Agriculture within a week any sales that are contracted for export, and the Secretary must publicly report those sales—by kind, class, and quality—to the country in the following week.

This allows a sufficient amount of time for the prompt and correct reporting of these sales to the country as a whole. If we try to set a 48-hour reporting deadline we are going to see only the people in Washington, D.C., receiving the available information, while the people elsewhere in the country who need the information just as much will not receive it as easily.

Mr. Chairman, we do not have any reporting requirement now except the voluntary requirement that the Department has established. We in the Agriculture Committee felt the reporting system should be mandatory and that those who failed to report should be subject to a criminal penalty. Furthermore, the Secretary has the discretionary authority to tighten the reporting requirements and he can require immediate reporting under a provision included in the bill as suggested by the gentleman from Louisiana (Mr. RARICK).

This is a matter on which I think the committee has acted very strongly. The penalties for a violation are stringent and criminal in nature. There is no opportunity for any grain trader or grain exporter to avoid his responsibility to report.

Now, should this system prove to be inadequate—and I do not think it will be—I can assure the Members that the gentleman from Minnesota (Mr. BERGLAND), the gentleman from Louisiana (Mr. RARICK), and I as well as others, will be coming back with a bill to make sure the program works.

Mr. Chairman, the Committee has provided for one exception to the public reporting requirement, and that is a surplus situation develops. We do not have a time of surplus at the moment. As we read the bill and as we read the report, we will find that this is a very,

very tight exception. Reporting can only be suspended under certain conditions for 60 days, and the situation must be reexamined every 60 days.

Mr. Chairman, I share the gentleman's concern about this bill. I was one of those in the committee who attempted to tighten up the present law. I think we have succeeded in doing that. I hope that we do not adopt the amendment offered by the gentleman from Iowa (Mr. SMITH).

Mr. SMITH of Iowa. Will the gentleman yield?

Mr. FOLEY. I yield to the gentleman.

Mr. SMITH of Iowa. The gentleman points to the penalty provisions. I remind him that $20,000 or 1 year when we are dealing with $200 million or $300 million that might be involved in one of these deals is rather light and is nothing compared to the penalty involved in dealing in futures.

Mr. FOLEY. I do not like to see a lot of automatic consequences following the orderly marketing of grain. At one time I was Assistant Attorney General, and I found that when it comes to jail sentences businessmen are very reluctant to go to jail either for a period of 1 year, 6 months, or even 30 days. I was one member of the committee who insisted on having the jail term included. I believe that a fine, would not be a sufficient deterrent to the potential violator but a term in jail is a different matter.

I recall that in the famous antitrust cases, involving major U.S. electrical manufacturing firms, several of their key executives were convicted and sentenced to prison. The impact of those sentences was profound even though the sentences were relatively short.

We have a penalty of up to a year in this bill, and I do not think there will be any problem with regard to compliance. Accordingly, I do not think the gentleman's amendment is needed, and I hope the committee will reject it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa (Mr. SMITH).

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

Mr. SMITH of Iowa. Mr. Chairman, I demand a recorded vote.

A recorded vote was refused.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. BERGLAND

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

The clerk read as follows:

Amendment offered by Mr. BERGLAND: Page 27, line 4, strike out on page 27 all of line 4 and the remainder through page 36 line 15 and renumber the succeeding paragraphs of section 1 of the bill accordingly.

Mr. BERGLAND. Mr. Chairman, my amendment is simple. I would strike the cotton section from the bill.

On last week we had three votes dealing with the matter of cotton. The gentleman from Illinois (Mr. FINDLEY) offered an amendment which carried by a vote of 246 to 163; an amendment was offered to knock out Cotton, Incorporated, and that carried 241 to 162; then an amendment offered by Mr. FOLEY, of Washington, to extend price support loans to cotton farmers who found themselves in a difficult position carried 247 to 160.

It is very obvious to me this House is not in a mood to pass a farm program that has in it a section dealing with cotton, and I for one want to pass an extension of Public Law 480 and pass a food stamp program and pass a section dealing with wheat and feed grains. I suggest the cotton section be stricken in its entirety.

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

I would like to ask the gentleman a few questions for clarification.

We have to deal in the future. What will happen after the bill leaves this Chamber? We need to ponder this to make a sound judgment on how to vote on this amendment. I suppose one possibility is that this Congress will not pass legislation dealing with cotton. That is a possibility. If that should develop, am I correct that we will then have operating the 1958 basic law under which the minimum acreage for cotton is 16 million acres? Am I correct on that point?

Mr. BERGLAND. That is correct.

Mr. FINDLEY. And the Government will be required to support the price of all the production from 16 million acres at what level? I am not clear on that point.

Mr. BERGLAND. I think about 45 cents a pound. I do not have cotton producers in my territory in Minnesota, but I think it is 45 cents.

Mr. FINDLEY. The gentleman from Minnesota I am sure will agree with me in stating that the cost of the cotton program is going to be staggering in that event.

Mr. BERGLAND. That perhaps could be concluded, but my concern is that this House is in no mood to pass a cotton program because it is apparent that after three tests, cotton is the target of an attack.

Mr. FINDLEY. I think the big issues have been resolved, and if the committee will accept the decision of this Chamber on the level of payments to individual farmers, the limitation there, and leaving Cotton Inc. out, I think the issues are largely resolved.

The other possibility I wanted to ask the gentleman from Minnesota about is if we go to conference with the Senate, which does have a cotton section, the Senate cotton section could be included in the conference report, and reported back to the House for an up-or-down vote. Is that correct?

Mr. BERGLAND. I cannot speak for the conference, but that is technically possible. But we must keep in mind that the Senate bill does carry a $20,000-per-farm limit on all crops.

Mr. FINDLEY. Of course, that language has loopholes in it as big as the biggest farm tractor that was ever built, and it really does not mean much, I would suggest to my colleague. If we are going to report out a farm bill and we leave the cotton section in it as now drafted, it would put the House in a far better bargaining position when it takes up the question of cotton in the conference. I think we ought to assume that the Senate bill will include in it a cotton section, and that might be in the conference report that comes back to this body; we could have a cotton section in it, and this House will have to satisfy itself as to what their wishes are in the cotton law from now on.

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

Mr. Chairman, I am in a little bit of a difficult position here, I believe. As all of the Members know, I have continually opposed this farm bill. However, I cannot see the merits of legislating on other products, and striking cotton out.

I had some computations made for me, and I am informed that if we should strike cotton out of the bill, and if it is not put back in in the House-Senate conference, as I expect it probably will be, and without the Findley limitation, if that should occur, and we would revert back to the old act, this could be at potential a cost of $3.2 billion. Of course, everyone should understand that all of the cotton crop would not go into the Government loan program.

That could be terribly expensive, as the gentleman from Illinois (Mr. FINDLEY) pointed out, because we will be dealing with 16 million acres rather than the lesser amount of 11 million acres in the committee bill.

So I would hope very much that the House would not fall for this rather clever maneuver, and would decisively reject this amendment and leave the cotton section in.

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

Mr. TEAGUE of California. I yield to the gentleman from Illinois.

Mr. FINDLEY. Mr. Chairman, I want to point out that in the Senate version the cotton section provides a guaranteed price of 43 cents a pound. The version of the cotton section that came out of the House Agriculture Committee provides a guarantee of 38 cents a pound. If we strike the cotton section from this bill we would face the certainty of having the conference report come back with a 43-cent per pound guarantee for all cotton program production.

Mr. TEAGUE of California. Certainly it amounts to raising the guaranteed price for cotton under the House bill, so this is a very, very strategic, wise move on the part of the proponents of this bill, and I certainly hope the Members of the House will not fall for it, and will vote against the amendment.

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

Mr. Chairman, it is clear that there is no real controversy on the proposition that there is a real need for increased production of food in this country to provide for an adequate food supply at a reasonable cost to the consumers. The issue is a controversy over the cotton section. If that section is eliminated from the bill, there will be no limitation on payments; there will be no restrictions on the lease and sale agreements; and there will be an increase of 5 million acres of allotted acreage to cotton production, in-

creasing base acreage from 11 million to 16 million acres of production.

The loan rate will be 41½ cents per pound.

I urge the support of the amendment that we may proceed and the House can work its will on a food program for the people of America. That is the problem today. It will not jeopardize the production of cotton. It will increase the production of cotton in the future.

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

Mr. Chairman, I think it very important that the House understand what will be accomplished by this very, very drastic amendment. It certainly should not be slipped through with very little discussion or awareness of just what it will accomplish. After I have made my small effort to try to illuminate the situation, Members, of course, will vote as they wish. But it does seem to me that the true effect of this amendment has not yet been shown, and Members should have a better understanding of what the amendment will accomplish before they vote.

The gentleman from Minnesota has said that by three decisive votes last week this House has shown that it definitely does not wish to enact any cotton legislation. I would respectfully disagree with my good friend, the gentleman from Minnesota, and say that I read those three votes as showing the determination of the House, that there should be an end to any special deals for big cotton. There was no action taken in those three votes against the small cotton farmer or the medium-sized cotton farmer. The $20,000 limitation and the strict language plugging up the loopholes of selling and leasing and subdividing allotments will have an impact only on the large cotton producers. The amendment now offered will strike the entire cotton section from the bill and destroy the good work accomplished last week, by nullifying both the Findley and Conte amendments.

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

Mr. MAYNE. I yield to the gentleman from Minnesota.

Mr. BERGLAND. I think there is misunderstanding about the implications of the so-called Findley Amendment dealing with the sale, lease, and transfer of cotton allotments. There are some Members among us who have a notion that this was some kind of a scheme cooked up in 1970 designed only to allow the supercorporate fat cats a chance to make the payment limits. I remind the gentleman that this cotton provision was put into law in 1965. In the South and Southeastern regions of this country we had literally thousands of small sharecrop tenant farmers on 20 acres of land with a mule and 4 acres in cotton, and there was no way they could compete—this mechanized society. Under the terms of this provision of law those people can pool those allotments, and out of this some will have allotments large enough so they mechanize and stay in business.

Mr. MAYNE. It seems to me to be clear that the language in the present law which permits the sale and rental leasing of allotments has been widely used by gigantic cotton corporations to evade the clear intent of most Members of the Congress. The Department of Agriculture has interpreted this language to continue annual payments of hundreds of thousands of dollars to single farming units even, I believe, running up into payments of more than a million dollars to some individual corporations.

If the House wants to abandon the strong position that it has taken to finally put teeth into limitations against big cotton interests it should vote for this amendment, but if the House really means that it wants to have payments of not more than $20,000 per farm unit and wants to plug the loopholes which now exist, permitting large cotton producers to sell, lease and otherwise subdivide their allotments, then I think we should take a very questionable view of this amendment. The practical effect of this amendment is to junk all of the progress that was made on three decisive votes last week and to have no cotton section in the bill whatsoever. This would remove the language removing the loopholes and also remove the $20,000 per person limitation from the bill. Looking a little farther down the road we should also anticipate that its passage would also enable the House and conferees to accept the very liberal Senate version of the cotton section and foist it upon the House. If that is what the Members of the House wish to do I think they should clearly understand that is what they are doing, that this is an attempt to reverse the momentum of the very decisive votes against big cotton interests in the House last week. Perhaps the House has completely changed its view and wants to undo that work, but I think we should clearly understand that is what we are doing if we vote for this amendment. I will vote against the amendment because I have not changed my mind and still think we need a $20,000 per person limitation with teeth in it.

The offering of this amendment after the weekend recess makes clear why our consideration of this vitally important farm bill was so abruptly interrupted last Thursday, July 12. It is obvious that the spokesmen for Big Cotton wanted to break the strong momentum running against them in three decisive votes last week. They wanted time to regroup their forces, form a coalition, and come up with some device to reinstate loopholes for Big Cotton. This amendment is the legislative vehicle they have selected to accomplish that purpose and it should be defeated.

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

Mr MAYNE. I yield to the gentleman from Illinois.

Mr. FINDLEY. Mr. Chairman, I think the gentleman will also agree that this end run by big cotton would also have the effect of putting back $10 million a year to Cotton, Inc., a provision that this House on two separate record votes by a large margin has voted to prohibit.

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

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

Mr. CONTE. Mr. Chairman, it is my understanding that what they are trying to do, after postponing this bill for the weekend to try to arrive at some gimmick to do away with the amendments we adopted here in the House last week, is to knock out the complete cotton section of the bill. Then they will go to conference and accept the Senate version which has the $10 million subsidy for Cotton, Inc., and reopens all the same old loopholes that allow the big corporate farmers to get around the $20,000 payment limitation. By this maneuver, they have unraveled everything the House accomplished last Tuesday and Wednesday to cut out the worst abuses of our subsidy program.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota (Mr. BERGLAND).

The question was taken; and the Chairman being in doubt, the Committee divided, and there were—ayes 49, noes 42.

RECORDED VOTE

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

A recorded vote was ordered.

The vote proceeded to be taken by electronic device.

The CHAIRMAN (during the progress of the vote by electronic device). The Chair desires to announce to the Members that the electronic device is not working. This vote will be repeated by a recorded vote with clerks.

The vote was taken by clerks, and there were—ayes 207, noes 190, not voting 37, as follows:

[Roll No. 338]

AYES—207

Abdnor	Daniels, Dominick V.	Holifield
Albert	Davis, Ga.	Hungate
Alexander	Davis, S.C.	Ichord
Andrews, N.C.	de la Garza	Jarman
Annunzio	Dellums	Jones, Ala.
Arends	Denholm	Jones, N.C.
Aspin	Dent	Jones, Okla.
Baker	Dickinson	Jones, Tenn.
Barrett	Downing	Jordan
Beard	Duncan	Kastenmeier
Bergland	Eckhardt	Kazen
Bevill	Edwards, Calif.	Ketchum
Biaggi	Eshleman	Kluczynski
Boggs	Evans, Colo.	Kuykendall
Bolling	Evins, Tenn.	Leggett
Bowen	Fascell	Lehman
Brademas	Flood	Litton
Brasco	Flowers	Long, La.
Breaux	Foley	Lujan
Breckinridge	Ford, Gerald R.	McCollister
Brinkley	Ford, William D.	McCormack
Brooks	Fountain	McKay
Brown, Calif.	Frey	McSpadden
Broyhill, N.C.	Fulton	Madden
Burke, Calif.	Fuqua	Madigan
Burke, Mass.	Gaydos	Mahon
Burleson, Tex.	Gettys	Mann
Burlison, Mo.	Giaimo	Martin, Nebr.
Burton	Ginn	Mathias, Calif.
Butler	Goldwater	Mathis, Ga.
Byron	Gonzalez	Matsunaga
Carney, Ohio	Gray	Meeds
Carter	Gubser	Melcher
Casey, Tex.	Gunter	Metcalfe
Chappell	Haley	Milford
Clark	Hamilton	Mills, Ark.
Clausen, Don H.	Hammer-schmidt	Mink
Clay	Hanrahan	Minshall, Ohio
Cochran	Hansen, Wash.	Mitchell, N.Y.
Collins, Ill.	Hawkins	Mizell
Collins, Tex.	Hays	Mollohan
Conlan	Henderson	Montgomery
Daniel, Dan	Hillis	Murphy, Ill.
Daniel, Robert W., Jr.		Myers
		Natcher
		Nichols

Nix	Roy	Treen
Obey	Roybal	Udall
O'Brien	Runnels	Ullman
O'Hara	Ruth	Veysey
O'Neill	Satterfield	Vigorito
Parris	Scherle	Waggonner
Passman	Sebelius	Walsh
Patman	Shipley	White
Patten	Shriver	Whitehurst
Perkins	Sikes	Whitten
Pickle	Sisk	Wilson,
Poage	Skubitz	Charles H.,
Preyer	Slack	Calif.
Price, Ill.	Spence	Wilson,
Price, Tex.	Staggers	Charles, Tex.
Quillen	Stark	Winn
Randall	Steed	Wolff
Rarick	Steiger, Ariz.	Wright
Rhodes	Stephens	Yatron
Roberts	Stokes	Young, Alaska
Robinson, Va.	Stubblefield	Young, Ga.
Roncalio, Wyo.	Symington	Young, S.C.
Rooney, N.Y.	Taylor, N.C.	Young, Tex.
Rose	Teague, Tex.	Zablocki
Rostenkowski	Thompson, N.J.	Zwach
Roush	Thornton	

NOES—190

Abzug	Grasso	Pritchard
Adams	Green, Oreg.	Quie
Anderson,	Green, Pa.	Railsback
Calif.	Griffiths	Rangel
Anderson, Ill.	Grover	Rees
Andrews,	Gude	Regula
N. Dak.	Guyer	Reuss
Archer	Hanley	Riegle
Armstrong	Hansen, Idaho	Rinaldo
Ashbrook	Harrington	Robison, N.Y.
Ashley	Harsha	Rodino
Badillo	Harvey	Roe
Bafalis	Hastings	Rogers
Bennett	Hechler, W. Va.	Roncallo, N.Y.
Biester	Heckler, Mass.	Rooney, Pa.
Bingham	Heinz	Rosenthal
Blackburn	Hicks	Rousselot
Bray	Hinshaw	Ruppe
Broomfield	Hogan	Ryan
Brotzman	Holtzman	St Germain
Brown, Mich.	Horton	Sarasin
Brown, Ohio	Hosmer	Sarbanes
Broyhill, Va.	Howard	Saylor
Buchanan	Huber	Schneebeli
Burgener	Hudnut	Schroeder
Camp	Hunt	Seiberling
Carey, N.Y.	Hutchinson	Shoup
Cederberg	Johnson, Colo.	Shuster
Chamberlain	Johnson, Pa.	Smith, Iowa
Clancy	Karth	Smith, N.Y.
Clawson, Del	Keating	Snyder
Cleveland	King	Stanton,
Cohen	Koch	J. William
Collier	Kyros	Stanton,
Conable	Latta	James V.
Conte	Lent	Steele
Corman	Long, Md.	Steelman
Cotter	McClory	Steiger, Wis.
Coughlin	McCloskey	Stratton
Crane	McDade	Studds
Cronin	McEwen	Sullivan
Culver	Macdonald	Symms
Davis, Wis.	Mallary	Taylor, Mo.
Delaney	Maraziti	Teague, Calif.
Dellenback	Martin, N.C.	Thomson, Wis.
Dennis	Mayne	Thone
Derwinski	Mazzoli	Tiernan
Devine	Mezvinsky	Van Deerlin
Dingell	Michel	Vander Jagt
Donohue	Miller	Vanik
Drinan	Minish	Waldie
Dulski	Mitchell, Md.	Wampler
du Pont	Moakley	Ware
Eilberg	Moorhead,	Whalen
Erlenborn	Calif.	Widnall
Esch	Moorhead, Pa.	Wiggins
Findley	Mosher	Williams
Fish	Moss	Wyatt
Forsythe	Nedzi	Wydler
Frelinghuysen	Nelsen	Wylie
Frenzel	Owens	Wyman
Froehlich	Peyser	Yates
Gibbons	Pike	Young, Fla.
Gilman	Podell	Young, Ill.
Goodling	Powell, Ohio	Zion

NOT VOTING—37

Addabbo	Edwards, Ala.	Kemp
Bell	Fisher	Landgrebe
Blatnik	Flynt	Landrum
Boland	Fraser	Lott
Burke, Fla.	Gross	McFall
Chisholm	Hanna	McKinney
Conyers	Hébert	Mailliard
Danielson	Helstoski	Morgan
Diggs	Holt	Murphy, N.Y.
Dorn	Johnson, Calif.	Pepper
Pettis	Stuckey	Wilson, Bob
Reid	Talcott	
Sandman	Towell, Nev.	

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. DENHOLM

Mr. DENHOLM. Mr. Chairman, I offer an amendment in the nature of a substitute.

The Clerk read as follows:

Amendment in the nature of a substitute offered by Mr. DENHOLM: strike all after the enacting clause and insert:

That this Act shall be cited as "The National Nutrition, Food and Fiber Act of 1973".

TITLE I—DEFINITIONS

FARM FAMILY UNIT

SEC. 201. (a) Any person as defined by law, including a spouse and issue, head of a household, widow or widower that derives one-half or more of his or her earned annual gross income from the actual production and sales of food and fiber.

(b) Any person as defined by law, including a spouse and issue, that derives one-half or more of his or her annual gross income from the ownership of land used in the production of food and fiber under a leasehold, sharecrop, or tenancy agreement with a producer, but not to exceed an annual sum in the aggregate in excess of one-half of the computed annual aggregate total of a qualified farm family unit, as a producer or producers as defined in subsection (a) of section 201 and notwithstanding any number of such landlord-tenant relationships the owner or owners of any such land use in the production of food and fiber shall not participate in the aggregate benefits in excess of $27,500 per annum as provided for a separate farm family unit producer defined in subsection (a) hereof.

GROSS ANNUAL SALES

SEC. 202. (a) The combined gross cash receipts first received for feed grains and wheat produced by a farm family unit in any calendar year or for such other approved 12-month accounting period, including the gross cash receipts plus the cost of production payments.

(b) The gross annual sales shall constitute the combined amount of gross receipts from sales of feed grains and wheat actually produced plus the cost of production payments.

COST OF PRODUCTION PAYMENTS

(c) The computed difference between the national weighted average market price received by producers and not less than 90 per centum of the cost of production.

CARRYBACK OPTION

SEC. 203.(a) The farm family unit as defined in subsection (a) and (b) of section 201 of this title may exercise the option of applying sales against the limits of gross annual sales for any next preceding 24-month period that commodity cash receipts plus cost of production payments were less than the allowable annual aggregate total of $27,500 for any one calendar year or such other approved 12-month accounting period and such carry-back shall be first applied to the oldest accounting period at the current compound rate or rates in determining the limits thereof;

CARRY FORWARD OPTION

(b) The farm family unit as defined in subsection (a) or (b) of section 201 of this title may exercise the option of applying sales against the limits of gross annual sales for any next succeeding 36-month period: *Provided*, That the computation of gross annual sales is first applied to the next succeeding calendar year, or such other approved 12-month accounting period, and the then computed rate or rates of the gross annual sales shall be computed at current prices received plus cost of production payments not to exceed in the aggregate a sum total of $27,500 per annum.

TITLE III—COST-OF-PRODUCTION PAYMENTS

SEC. 301. (a) Notwithstanding any other provisions of law, any farm family unit that markets feed grains and wheat shall receive cost of production payments directly from the Government not less often than semi-annually, equal to the difference between the national weighted average market price received by farmers for feed grains and wheat sold and not less than 90 percent of the cost of production on the first $27,500 of current gross annual sales marketed in any one 12-month accounting period.

(b) Gross annual sales in excess of $27,500 for any 12-month period by a farm family unit shall not be eligible for cost of production payment unless applied and computed as provided in subsections (a) and (b) of section 302 of this title.

SEC. 302. (a) Any farm family unit may exercise the option of applying sales against the limits of gross annual sales for any next preceding 24-month period that feed grains and wheat cash receipts plus cost of production payments were less than the allowable annual aggregate total of $27,500 for any one calendar year or such other approved 12-month accounting period and such carryback shall be first applied to the oldest accounting period at the current computed rate or rates in determining the limits thereof.

(b) Any farm family unit may exercise the option of carrying forward sales of feed grain and wheat against the limits of gross annual sales for any next succeeding 36-month period: *Provided*, That the computation of gross annual sales is first applied to the next succeeding calendar year, or such other approved 12-month accounting period and the gross annual sales shall be computed at current prices received plus cost of production payments not to exceed in the aggregate the sum total of $27,500 per annum in such acceptable accounting period of time.

(c) The gross annual sales limitation per farm family unit shall be adjusted not less often than annually with the rate of decrease or increase in the cost of production index to reflect prices paid by farmers for production items, including interest, taxes and wage rates.

TITLE IV—ADJUSTMENT PROVISIONS AUTHORIZED

SEC. 401. (a) Notwithstanding any other provisions of law, the Secretary of the United States Department of Agriculture finds that if the production of feed grains or wheat produced in any calendar year is excessive in relation to available market outlets and desirable strategic reserves, he may require as a condition precedent to cost-of-production payments, that each qualified farm family unit shall restrict the acreage of those crops in excess of market demand to not less than 75 percentum of the average acreage planted or harvested in the immediate past three years. An acreage of cropland equal to that diverted from such production shall be set aside and used only for approved conservation, grazing, recreational, and wildlife purposes upon the condition of approved practices of husbandry as may be prescribed by the Secretary and for a compensatory payment equal to the net average income of all acres in production of the farm family unit.

SEC. 402. In any year in which the Secretary informs producers that an increase in acreage planted to any crop is needed to maintain adequate market supplies and re-

build carryover stocks to more desirable levels, the minimum cost-of-production payments shall be increased by not more than 25 per centum on any such commodity over the level specified in section 301 of title III of this Act.

TITLE V—DAIRY PROGRAM

The Agricultural Act of 1970 is amended as follows:

MILK MARKETING ORDERS

Section 201 is amended by—

(A) amending section 201(e) by striking out "1973" and inserting "1977", and by striking out "1976" and inserting "1980", and

(B) adding at the end thereof the following:

"(f) The Agricultural Adjustment Act as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, is further amended by:

"(1) striking the period at the end of subsection 8c(17) and adding in lieu thereof the following: ': *Provided further*, That if one-third or more of the producers as defined in a milk order apply in writing for a hearing on a proposed amendment of such order, the Secretary shall call such a hearing if the proposed amendment is one that may legally be made to such order. Subsection (12) of this section shall not be construed to permit any cooperative to act for its members in an application for a hearing under the foregoing proviso and nothing in such proviso shall be construed to preclude the Secretary from calling an amendment hearing as provided in subsection (3) of this section. The Secretary shall not be required to call a hearing on any proposed amendment to an order in response to an application for a hearing on such proposed amendment if the application requesting the hearing is received by the Secretary within ninety days after the date on which the Secretary has announced his decision on a previously proposed amendment to such order and the two proposed amendments are essentially the same.'

"(2) inserting after the phrase 'pure and wholesome milk' in section 8c(18) the phrase 'to meet current needs and further to assure a level of farm income adequate to maintain productive capacity sufficient to meet anticipated future needs'."

MILK PRICE SUPPORT, BUTTERFAT PRICE SUPPORT SUSPENSION

Section 202 is amended by—

(A) striking the introductory clause which precedes subsection (a);

(B) effective April 1, 1974, inserting in subsection (b) before the period at the end of the first sentence in the quotation the following: "of pure and wholesome milk to meet current needs, reflect changes in the cost of production, and assure a level of farm income adequate to maintain productive capacity sufficient to meet anticipated future needs"; and

(C) inserting in subsection (b) in the first sentence "80 per centum" in lieu of "75 per centum".

VETERANS HOSPITALS

Section 203 is amended by striking out "1973" and inserting "1977".

DAIRY INDEMNITY PROGRAM

Section 204 is amended by—

(A) striking out "1973" and inserting "1977"; and

(B) striking subsection (b) and substituting therefor the following:

"(b) Section 1 of said Act is amended to read as follows:

"SECTION 1. The Secretary of Agriculture is authorized to make indemnity payments for milk or cows producing such milk at a fair market value, to dairy farmers who have been directed since January 1, 1964 (but only since the date of enactment of the National Nutrition, Food and Fiber Act of 1973 in the case of indemnity payments not authorized prior to such date of enactment), to remove their milk, and to indemnity payments for dairy products at fair market value to manufacturers of dairy products who have been directed since the date of enactment of the Agricultural Act of 1970 to remove their dairy products from commercial markets because of residues of chemicals registered and approved for use by the Federal Government at the time of such use. Any indemnity payment to any farmer shall continue until he has been reinstalled and is again allowed to dispose of his milk on commercial markets.' "

Title II is amended by adding at the end thereof the following:

"DAIRY IMPORT LICENSES

"SEC. 205. Section 22 of the Agricultural Adjustment Act (7 U.S.C. 624) is amended by adding at the end thereof the following:

" '(g) The President is authorized to provide that dairy products may be imported only by or for the account of a person or firm to whom a license has been issued by the Secretary of Agriculture. In issuing a license for dairy products not currently being imported but sought to be imported under this section during any period after the enactment of the National Nutrition, Food and Fiber Act of 1973, the Secretary shall make licenses available for a 30-day period before issuing licenses to other applicants to domestic producers and processor who agree to import such dairy products. For purposes of this subsection, dairy products include (1) all forms of milk and dairy products, butterfat, milk solids-not-fat, and any combination or mixture thereof; (2) any article, compound, or mixture containing 5 per centum or more of butterfat, or milk solids-not-fat, or any combinations of the two; and (3) lactose and other derivatives of milk, butterfat, or milk solids-not-fat, if imported commercially for any food use. Dairy products do not include (1) industrial casein, industrial caseinates, or any other industrial products, not to be used in any form for any food use, or an ingredient of food; or (2) articles not normally considered to be dairy products, such as candy, bakery goods, and other similar articles: *Provided*, That dairy products in any form, in any such article are not commercially extractable or capable of being used commercially as a replacement or substitute for such ingredients in the manufacture of any food product.'

"PRODUCER HANDLERS

"SEC. 206. The legal status of producer handlers of milk under the provisions of the Agricultural Adjustment Act, as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, shall be the same subsequent to the adoption of the amendments made by the National Nutrition, Food and Fiber Act of 1973.

TITLE VI—WOOL PROGRAM

The Agricultural Act of 1970 is amended as follows:

Section 301 is amended by—

(A) striking out "1973" each place it occurs and inserting "1977", and by striking out the word "three" each place it occurs; and

(B) adding at the end thereof the following:

"(6) Strike out the first sentence of section 708 and insert the following: 'The Secretary of Agriculture is authorized to enter into agreements with, or to approve agreements entered into between, marketing cooperatives, trade associations, or others engaged or whose members are engaged in the handling of wool, mohair, sheep, or goats or the products thereof, for the purpose of developing and conducting on a national, State, or regional basis advertising and sales promotion programs, and programs for the development and dissemination of information on product quality, production management and marketing improvement, for wool, mohair, sheep, or goats or the products thereof. Advertising and sales promotion programs may be conducted outside of the United States for the purpose of maintaining and expanding foreign markets and uses for mohair or goats or the products thereof produced in the United States.'."

TITLE VII—PUBLIC LAW 480

The Agricultural Act of 1970 is amended as follows:

Title VII is amended—

(A) by striking out "1973" and inserting "1977" in section 701; and

(B) by adding a new section 703 as follows:

"SEC. 703. Title IV of such Act is amended by adding at the end thereof the following:

" 'SEC. 411. No agricultural commodities shall be sold until title I or title III or donated under title II of this Act to North Vietnam, unless by an Act of Congress enacted subsequent to July 1, 1973, assistance to North Vietnam is specifically authorized."

TITLE VIII—MISCELLANEOUS PROVISIONS

The Agricultural Act of 1970 is amended as follows:

TERMINATION OF WHEAT CERTIFICATE PROGRAM

Section 402 is amended by inserting "(a)" after the section designation and adding the following at the end of the section:

"(b) (A) Section 379b of the Agricultural Adjustment Act of 1938 (which provides for a wheat marketing certificate program) is hereby terminated.

REPEAL OF PROCESSOR CERTIFICATE REQUIREMENT

Section 403 is amended by inserting "(a)" after the section designation and by inserting at the end thereof the following:

"(b) Sections 379d, 379e, 379f, 379g, 379h, 379i, and 379j of the Agricultural Adjustment Act of 1938 (which deal with marketing certificate requirements for processors and exporters) shall not be applicable to wheat processed or exported after July 1, 1973; and section 379g is amended by adding the following new subsection (c):

"(c) The Secretary is authorized to take such action as he determines to be necessary to facilitate the transition from the certificate program provided for under section 379d to a program under which no certificates are required. Notwithstanding any other provision of law, such authority shall include, but shall not be limited to the authority to exempt all or a portion of wheat or food products made therefrom in the channels of trade on July 1, 1973, from the marketing restrictions (b) of section 379d, or to sell certificates to persons owning such wheat or food products made therefrom at such price and under terms and conditions as the Secretary may determine. Any such certificate shall be issued by the Commodity Credit Corporation. Nothing herein shall authorize the Secretary to require certificates on wheat processed after June 30, 1973.'."

REDUCTION IN WHEAT STORED TO AVOID PENALTY

Section 407 of the Agricultural Act of 1970 is amended by adding at the end thereof the following: "Notwithstanding the foregoing, the Secretary may authorize release of wheat stored by a producer under section 379c(b) of the Agricultural Adjustment Act of 1938, as amended, prior to the 1971 crop, whenever he determines such release will not significantly affect market prices for wheat. As a condition of release, the Secretary may require a refund of such portion of the value of certificates received in the crop year the excess wheat was produced as he deems appropriate considering the period of time the excess wheat has been in storage and the

need to provide fair and equitable treatment among all wheat program participants.".

APPLICATION OF THE AGRICULTURAL ACT OF 1949

Section 408 is amended by striking out "1971, 1972, and 1973" and inserting "1971 through 1977".

COMMODITY CREDIT CORPORATION SALES PRICE RESTRICTIONS

Section 409 is amended by striking out "1971, 1972, and 1973" and inserting "1971 through 1977".

SET-ASIDE ON SUMMER FALLOW FARMS

Section 410 is amended by striking out "1971, 1972, and 1973" and inserting "1971 through 1977".

COTTON INSECT ERADICATION

Title VI is amended by adding at the end thereof the following:

"SEC. 611. Section 104 of the Agricultural Act of 1949, as amended, is amended by adding a new subsection (d) as follows:

"'(d) In order to reduce cotton production costs, to prevent the movement of certain cotton plant insects to areas not now infected, and to enhance the quality of the environment, the Secretary is authorized and directed to carry out programs to destroy and eliminate cotton boll weevils in infested areas of the United States as provided herein and to carry out similar programs with respect to pink bollworms or any other major cotton insect if the Secretary determines that methods and systems have been developed to the point that success in eradication of such insects is assured. The Secretary shall carry out the eradication programs authorized by this subsection through the Commodity Credit Corporation. In carrying out insect eradication projects, the Secretary shall utilize the technical and related services of appropriate Federal, State, private agencies, and cotton organizations. Producers and landowners in an eradication zone, as established by the Secretary, and who are receiving benefits from any program administered by the United States Department of Agriculture, shall, as a condition of receiving or continuing any such benefits, participate in and cooperate with the eradication project, as specified in regulations of the Secretary.

"'The Secretary may issue such regulations as he deems necessary to enforce the provisions of this section with repect to achieving the compliance of producer and landowners who are not receiving benefits from any program administered by the United States Department of Agriculture. Any person who knowingly violates any such regulation promulgated by the Secretary under this subsection may be assessed a civil penalty of not to exceed $5,000 for each offense. No civil penalty shall be assessed unless the person shall have been given notice and opportunity for a hearing on such charge in the county, parish, or incorporated city of the residence of the person charged. In determining the amount of the penalty the Secretary shall consider the appropriateness of such penalty to the size of the business of the person charged, the effect on the person's ability to continue in business, and the gravity of the violation. Where special measures deemed essential to achievement of the eradication objective are taken by the project and result in a loss of production and income to the producer, the Secretary shall provide reasonable and equitable indemnification from funds available for the project, and also provide for appropriate protection of the allotment, acreage history, and average yield for the farm. The cost of the program in each eradication zone shall be determined, and cotton producers in the zone shall be required to pay up to one-half thereof, with the exact share in each zone area to be specified by the Secretary upon his finding that such share is reasonable and equitable based on population levels of the target insect and the degree of control measures normally required. Each producer's pro rata share shall be deducted from his cotton payment under this Act or otherwise collected, as provided in regulations of the Secretary. Insofar as practicable, cotton producers and other persons engaged in cotton production in the eradication zone shall be employed to participate in the work of the project in such zone. Funding of the program shall be terminated at such time as the Secretary determines and reports to the Congress that complete eradication of the insects for which programs are undertaken pursuant to this subsection has been accomplished. Funds in custody of agencies carrying out the program shall, upon termination of such program, be accounted for the Secretary for appropriate disposition.

"'The Secretary is authorized to cooperate with the Government of Mexico in carrying out operations or measures in Mexico which he deems necessary and feasible to prevent the movement into the United States from Mexico of any insects eradicated under the provisions of this subsection. The measure and character of cooperation carried out under this subsection on the part of the United States and on the part of the Government of Mexico, including the expenditure or use of funds made available by the Secretary under this subsection, shall be such as may be prescribed by the Secretary. Arrangements for the cooperation authorized by this subsection shall be made through and in consultation with the Secretary of State. There are hereby authorized to be appropriated to the Commodity Credit Corporation such sums as the Congress may from time to time determine to be necessary to carry out the purposes of this subsection.'."

Section 374(a) of the Agriculture Adjustment Act of 1938, as amended, is hereby amended by adding the following new sentence: "Where cotton is planted in skiprow patterns, the same rules that were in effect for the 1971 through 1973 crops for classifying the acreage planted to cotton and the area skipped shall also apply to the 1974 through 1977 crops."

Title VIII is amended as follows:

BEEKEEPER INDEMNITIES

(A) Section 804 is amended by striking out "December 31, 1973" and inserting "December 31, 1977".

EXPORT SALES REPORTING

(B) By adding the following new sections:

"SEC. 807. All exporters of wheat and wheat flour, feed grains, oil seeds, cotton and products thereof, and other commodities the Secretary may designate produced in the United States shall report to the Secretary of Agriculture, on a weekly basis, the following information regarding any contract for export sales entered into or subsequently modified in any manner during the reporting period: (a) type, class, and quantity of the commodity sought to be exported, (b) the marketing year of shipment, (c) destination, if known. Individual reports shall remain confidential but shall be compiled by the Secretary and published in compilation form each week following the week of reporting. All exporters of agricultural commodities produced in the United States shall upon request of the Secretary of Agriculture immediately report to the Secretary any information with respect to export sales of agricultural commodities and at such times as he may request. Any person (or corporation) who knowingly fails to report export sales pursuant to the requirements of this section shall be fined not more than $25,000 or imprisoned not more than one year, or both. The Secretary may suspend the requirement for publishing data with respect to any commodity or type or class thereof during any period in which he determines that there is a domestic supply of such commodity substantially in excess of the quantity needed to meet domestic requirements, and that total supplies of such commodity in the exporting countries are estimated to be in surplus, and that anticipated exports will not result in excessive drain on domestic supplies, and that to require the reports to be made will unduly hamper export sales. Such suspension shall not remain in effect for more than sixty days unless extended by the Secretary. Extensions of such suspension, if any, shall also be limited to sixty days each and shall be promulgated if the Secretary determines that the circumstances at the time of the commencement of any extension meet the conditions described herein.

"WHEAT AND FEED GRAINS RESEARCH

"SEC. 808. In order to reduce fertilizer and herbicide usages in excess of production needs, to develop wheat and feed grain varieties more susceptible to complete fertilizer utilization, to improve the resistance of wheat and feed grain plants to disease and enhance their conservation and environmental qualities, the Secretary of Agriculture is authorized and directed to carry out regional and national research programs.

"In carrying out such research, the Secretary shall utilize the technical and related services of the appropriate Federal, State, and private agencies.

"There is authorized to be appropriated such sums as may be necessary to carry out the provisions of this section, but not more than $1,000,000 in any fiscal year."

"EMERGENCY RESERVE

"SEC. 809. (a) Notwithstanding any other provision of law, the Secretary of Agriculture shall under the provisions of this Act establish, maintain, and dispose of a separate reserve of inventories of wheat, feed grains, and soybeans for the purpose of alleviating distress caused by a natural disaster.

"Such reserve inventories shall include such quantities of grain that the Secretary deems needed to provide for the alleviation of distress as the result of a natural disaster.

"(b) The Secretary shall acquire such commodities through the Commodity Credit Corporation.

"(c) Except when a state of emergency has been proclaimed by the President or by concurrent resolution of Congress declaring that such reserves should be disposed of, the Secretary shall not offer any commodity in the reserve for sale or disposition.

"(d) The Secretary is also authorized to dispose of such commodities only for (1) use in relieving distress (a) in any State, the District of Columbia, Puerto Rico, Guam, or the Virgin Islands and (b) in connection with any major disaster determined by the President to warrant assistance by the Federal Government under Public Law 875, Eighty-first Congress, as amended (42 U.S.C. 1855 et seq.), or (2) for use in connection with a state of civil defense emergency as proclaimed by the President or by concurrent resolution of the Congress in accordance with the provisions of the Federal Civil Defense Act of 1950, as amended (50 U.S.C. App. 2251–2297).

"(e) The Secretary may sell at an equivalent price, allowing for the customary location and grade price differentials, substantially equivalent quantities in different locations or warehouses to the extent needed to properly handle, rotate, distribute, and locate such reserve.

"(f) The Secretary may use the Commodity Credit Corporation to the extent feasible to fulfill the purposes of this Act; and to the maximum extent practicable consistent with the fulfillment of the purposes of this Act and the effective and efficient administration of this Act shall utilize the usual and customary channels, facilities, and arrangements of trade and commerce.

"(g) The Secretary may issue such rules

and regulations as may be necessary to carry out the provisions of this Act.

"(h) There is hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act.

"IMPORTED COMMODITIES

"SEC. 810. Notwithstanding any other provisions of this Act, the Secretary shall encourage the production of any crop of which the United States is a net importer and for which a price support program is not in effect by permitting the planting of such crop on set-aside acreage and with no reduction in the rate of payment for the commodity."

CONSOLIDATED FARM AND RURAL DEVELOPMENT ACT AMENDMENTS

The Consolidated Farm and Rural Development Act is amended as follows:

(a) Section 306(a) of such Act is amended by adding at the end thereof the following:

"(A) The Secretary, under such reasonable rules and conditions as he shall establish, shall make grants to eligible volunteer fire departments for up to 50 per centum of the cost of firefighting equipment needed by such departments but which such departments are unable to purchase through the resources otherwise available to them, and for the cost of the training necessary to enable such departments to use such equipment efficiently.

"(B) For the purposes of this subsection, the term 'eligible volunteer fire department' means any established volunteer fire department in a rural town, village, or unincorporated area where the population is less than two thousand but greater than two hundred, as reasonably determined by the Secretary."

(b) Section 310B(d) of subtitle A of such Act is amended by adding at the end thereof the following:

"(4) No grant or loan authorized to be made under this section, section 304, or section 312 shall require or be subject to the prior approval of any officer, employee, or agency of any State."

RURAL DEVELOPMENT ACT AMENDMENTS

The Rural Development Act of 1972 is amended as follows:

(a) Section 401 of such Act is amended by substituting the words "fire" and "fires" for the words "wildfire" and "wildfires", respectively, wherever such words appear.

(b) Section 404 of such Act is amended to read as follows:

"SEC. 404. APPROPRIATIONS.—There is authorized to be appropriated to carry out the provisions of this title $7,000,000 for each of three consecutive fiscal years beginning with the fiscal year for which funds are first appropriated and obligated by the Secretary of Agriculture carrying out this title."

TITLE IX—FOOD STAMPS

The Food Stamp Act of 1964, as amended, is amended—

(a) by inserting after the sentence which would be added to subsection (e) of section 3, effective January, 1, 1974, by section 411 of the Act of October 30, 1972, the following: "Notwithstanding any other provision of law, households in which members are included in a federally aided public assistance program pursuant to title XVI of the Social Security Act shall be eligible to participate in the food stamp program or the program of distribution of federally donated foods if they satisfy the eligibility criteria applied to other households."

(b) That (a) the second sentence of section 3(e) of the Food Stamp Act of 1964 (7 U.S.C. 2012(e)) is amended—

(1) by striking out "or"; and

(2) by inserting before the period at the end thereof the following: ", or (3) any narcotics addict or alcoholic who lives under the supervision of a private nonprofit organization or institution for the purpose of regular participation in a drug or alcoholic treatment and rehabilitation program."

(c) Section 3 of the Food Stamp Act of 1964 (7 U.S.C. 2012) is amended by adding at the end thereof the following new subsection:

"(n) The term 'drug addiction or alcoholic treatment and rehabilitation program' means any drug addiction or alcoholic treatment and rehabilitation program conducted by a private nonprofit organization or institution which is certified by the State agency or agencies designated by the Governor as responsible for the administration of the State's programs for alcoholics and drug addicts purusant to Public Law 91-616 'Comprehensive Alcohol Abuse and Alcohol Prevention, Treatment, and Rehabilitation Act' and Public Law 92-255 'Drug Abuse Office and Treatment Act of 1972' as providing treatment that can lead to the rehabilitation of drug addicts or alcoholics."

(d) Section 5 of the Food Stamp Act of 1964 (7 U.S.C. 2014) is amended by adding at the end thereof the following new subsection:

"(d) The Secretary shall establish uniform national standards of eligibility for households described in section 3(e)(3) of this Act."

(e) Section 5(c) of the Food Stamp Act of 1964 (7 U.S.C. 2014(c)) is amended by adding at the end thereof the following: "For the purposes of this section, the term 'able-bodied adult person' shall not include any narcotics addict or alcoholic who regularly participates, as a resident or nonresident, in any drug addiction or alcoholic treatment and rehabilitation program."

(f) Section 10 of the Food Stamp Act of 1964 (7 U.S.C. 2019) is amended by inserting at the end thereof the following new subsection:

"(i) Subject to such terms and conditions as may be prescribed by the Secretary in the regulations purusant to this Act, members of an eligible household who are narcotics addicts or alcoholics and regularly participate in a drug addiction or alcoholic treatment and rehabilitation program may use coupons issued to them to purchase food prepared for or served to them during the course of such program by a private nonprofit organization or institution which meets requirements (1), (2), and (3) of subsection (h) above. Meals served pursuant to this subsection shall be deemed 'food' for the purposes of this Act."

(g) By striking the second sentence of section 5(b) and inserting in lieu thereof the following:

"The standards established by the Secretary, at a minimum, shall prescribe the amounts of household income and other financial resources, including both liquid and nonliquid assets to be used as a criteria of eligibility. The maximum allowable resources including both liquid and the equity in nonliquid assets, of all members of each household shall not exceed $1,500 for each household, except, for households including two or more persons age sixty or over the resources shall not exceed $3,000: *Provided*, That the home, one automobile, household goods and clothing, life insurance policies with a face value of $10,000 or less, owned by persons 60 years of age or older; the tools of a tradesman or the machinery of a farmer; total resources of a roomer or boarder, or of a member of the household (other than the head of the household or spouse) who has a commitment to contribute only a portion of his income to pay for services including food and lodging; and Indian lands held jointly with the tribe, or land that can be sold only with the approval of the Bureau of Indian Affairs, shall be excluded in determining the value of the the financial resources."

(h) By adding at the end of section 6(a) the following new sentence: "Such certification shall be made prior to the issuance of any food stamps under this program: *Provided, however*, That in the event of a natural disaster some or all of the requirements for certification may be waived by the Secretary."

(i) By adding at the end of subsection (h) of section 10, the following: "Subject to such terms and conditions as may be prescribed by the Secretary, in the regulations issued pursuant to this Act, members of an eligible household who are sixty years of age or over or elderly persons and their spouses may also use coupons issued to them to purchase meals prepared by senior citizens' centers, apartment buildings occupied primarily by elderly persons, any public or nonprofit private school which prepares meals especially for elderly persons, any public or private eating establishment which prepares meals especially for elderly persons during special hours, and any other estabilshment approved for such purpose by the Secretary."

(j) By striking out "June 30, 1972, and June 30, 1973" in the first sentence of subsection (a) of section 16, and substituting "June 30, 1972, through June 30, 1977".

(k) Section 3(b) of the Food Stamp Act of 1964 (7 U.S.C. 2012(b)) is amended by inserting after "tobacco," the following: "such food and food products as may be determined by the Secretary to be of low or insignificant nutritional value,".

(l) By adding at the end of subsection (b) of section 3 the following: "It shall also include seeds and plants for use in gardens to produce food for the personal consumption of the eligible household."

(m) Section 3(f) of the Food Stamp Act of 1964 (7 U.S.C. 2012(f)) is amended by striking the second sentence and inserting in lieu thereof the following new sentence: "It shall also mean a political subdivision or a private nonprofit organization or institution that meets the requirements of sections 10(h) or 10(i) of this Act."

(n) Section 5(b) of such Act is amended by inserting after the third sentence thereof the following: "No person who has reached his eighteenth birthday and who is a student at an institution of higher learning shall be eligible to participate in the food stamp program established pursuant to the provisions of this Act: *Provided*, That such ineligibility shall not apply to any member of a household that is otherwise eligible for or is participating in the food stamp program—nor shall it apply to married persons with one or more children and who are otherwise eligible."

"TITLE X—RURAL ENVIRONMENTAL CONSERVATION

"SEC. 1001. Notwithstanding any other provision of law, the Secretary shall carry out the purposes specified in clauses (1), (2), (3), (4), and (6) of section 7(a) of the Soil Conservation and Domestic Allotment Act, as amended, section 16(B) of the Great Plains Act, and in the Water Bank Act (16 U.S.C. 1301 et seq.) by entering into contracts of three, five, ten, or twenty-five years with, and at the option of, eligible owners and operators of land as determined by the Secretary and having such control as the Secretary determines to be needed on the farms, ranches, wetlands, forests, or other lands covered thereby. In addition, the Secretary is hereby authorized to purchase perpetual easements to promote said purposes of this Act, including the sound use and management of flood plains, shore lands, and aquatic areas of the Nation. Such contracts shall be designed to assist farm, ranch, wetland, and nonindustrial private forest owners and operators, or other owners or operators, to make, in orderly progression over a period of years, such changes, if any, as are needed to effectuate any of the purposes specified in clauses (1), (2), (3), (4), and (6) of section 7(a) of the Soil Conservation and Domestic Allotment Act, as amended; section 16(B) of the Great

Plains Act; the Water Bank Act (16 U.S.C. 1301 et seq.); in enlarging fish and wildlife and recreation sources; improving the level of management of nonindustrial private forest lands; and in providing long-term wildlife and upland game cover. In carrying out the provisions of this title, due regard shall be given to the maintenance of a continuing and stable supply of agricultural commodities and forest products adequate to meet consumer demand at prices fair to both producers and consumers.

"SEC. 1002. Eligible landowners and operators for contracts under this title shall furnish to the Secretary a plan of farming operations or land use which incorporate such practices and principles as may be determined by him to be practicable and which outlines a schedule of proposed changes, if any, in cropping systems or land use and of the conservation measures which are to be carried out on the farm, ranch, wetland, forests, or other land during the contract period to protect the farm, ranch, wetland, forests or other land and surrounding areas, its wildlife, and nearby populace and communities from erosion, deterioration, pollution by natural and manmade causes or to insure an adequate supply of timber and related forest products. Said plans may also, in important migratory waterfowl nesting and breeding areas which are identified in a conservation plan developed in cooperation with a soil and water conservation district in which the lands are located, and under such rules and regulations as the Secretary may provide, include a schedule of proposed changes, if any, to conserve surface waters and preserve and improve habitat for migratory waterfowl and other wildlife resources and improve subsurface moisture, including, subject to the provisions of section 1001 of this title, the reduction of areas of new land coming into production, the enhancement of the natural beauty of the landscape, and the promotion of comprehensive and total water management study.

"SEC. 1003. (a) Approved conservation plans of eligible landowners and operators developed in cooperation with the soil and water conservation district or the State forester or other appropriate State official in which their lands are situated shall form a basis for contracts under this title. Under the contract the landowner or operator shall agree—

"(1) to effectuate the plan for his farm, ranch, forest, wetland, or other land substantially in accordance with the schedule outlined therein;

"(2) to forfeit all rights to further payments or grants under the contract and refund to the United States all payments or grants received thereunder upon his violation of the contract at any stage during the time he has control of the land if the Secretary, after considering the recommendations of the Soil and Water Conservation District Board, or the State forester or other appropriate official in a contract entered into under the provisions of section 1009 of this title, determines that such violation is of such a nature as to warrant termination of the contract, or to make refunds or accept such payment adjustments as the Secretary may deem appropriate if he determines that the violation by the owner or operator does not warrant termination of the contract;

"(3) upon transfer of his right and interest in the farm, ranch, forest, wetland, or other land during the contract period to forfeit all rights to further payments or grants under the contract and refund to the United States all payments or grants received thereunder unless the transferee of any such land agrees with the Secretary to assume all obligations of the contract;

"(4) not to adopt any practice specified by the Secretary in the contract as a practice which would tend to defeat the purposes of the contract;

"(5) to comply with all applicable Federal, State, or local laws, and regulations, including those governing environmental protection and noxious weed abatement; and

"(6) to such additional provisions as the Secretary determines are desirable and includes in the contract to effectuate the purposes of the program or to facilitate the practical administration of the program: *Provided*, That all contracts entered into to effectuate the purposes of the Water Bank Act for wetlands shall contain the further agreement of the owner or operator that he shall not drain, burn, fill or otherwise destroy the wetland character of such areas, nor use such areas for agricultural purposes: *And provided further*, That contracts entered into for the protection of wetlands to effectuate the purposes of the Water Bank Act may include wetlands covered by Federal or State government easement which permits agricultural use, together with such adjacent areas as determined desirable by the Secretary.

"(b) In return for such agreement by the landowner or operator the Secretary shall agree to make payments in appropriate circumstances for the use of land maintained for conservation purposes as set forth in this title, and share the cost of carrying out those conservation practices and measures set forth in the contract for which he determines that cost-sharing is appropriate and in the public interest. The portion of such cost (including labor) to be shared shall be that part which the Secretary determines is necessary and appropriate to effectuate the physical installation of the conservation practices and measures under the contract, but, in the case of a contract not entered into under an advertising and bid procedure under the provisions of section 1009(d) of this title, not less than 50 per centum or more than 75 per centum of the actual costs incurred by the owner or operator.

"(c) The Secretary may terminate any contract with a landowner or operator by mutual agreement with the owner or operator if the Secretary determines that such termination would be in the public interest, and may agree to such modification of contracts previously entered into as he may determine to be desirable to carry out the purposes of the program or facilitate the practical administration thereof or to accomplish equitable treatment with respect to other similar conservation, land use, or commodity programs administered by the Secretary.

"SEC. 1004. The Secretary is authorized to make available to eligible owners and operators conservation materials including seeds, seed inoculants, soil conditioning materials, trees, plants, and, if he determines it is appropriate to the purposes of this title, fertilizer and liming materials.

"SEC. 1005. (a) Notwithstanding the provisions of any other title, the Secretary may establish multiyear set-aside contracts for a period not to extend beyond the 1977 crop. Producers agreeing to a multiyear set-aside agreement shall be required to devote this acreage to vegetative cover capable of maintaining itself throughout such period to provide soil protection, water quality enhancement, wildlife production, and natural beauty. Grazing of livestock under this section shall be prohibited. Producers entering into agreements under this section shall also agree to comply with all applicable State and local law and regulation governing noxious weed control.

"(b) The Secretary shall provide cost-sharing incentives to farm operators for such cover establishment, whenever a multiyear contract is entered into on all or a portion of the set-aside acreage.

"SEC. 1006. The Secretary shall issue such regulations as he determines necessary to carry out the provisions of this title. The total acreage placed under agreements which result in their retirement from production in any county or local community shall in addition to the limitations elsewhere in this title be limited to a percentage of the total eligible acreage in such county or local community which the Secretary determines would not adversely affect the economy of the county or local community. In determining such percentage the Secretary shall give appropriate consideration to the productivity of the acreage being retired, if any, as compared to the average productivity of eligible acreage in such county or local community which the Secretary determines would not adversely affect the economy of the county or local community.

"SEC. 1007. (a) The Secretary of Agriculture shall appoint an advisory board in each State to advise the State committee of that State (established under section 8(b) of the Soil Conservation and Domestic Allotment Act) regarding the types of conservation measures that should be approved to effectuate the purposes of this title. The Secretary shall appoint at least six individuals to the advisory boards of each State who are especially qualified by reason of education, training, and experience in the fields of agriculture, soil, water, wildlife, fish, and forest management. Said appointed members shall include, but not be limited to, the State soil conservationist, the State forester, the State administrator of the water quality programs, and the State wildlife administrator or their designees: *Provided*, That such board shall limit its advice to the State committees to the types of conservation measures that should be approved affecting the water bank program; the authorization to purchase perpetual easements to promote the purposes of this title, as described in section 1001 of this title; the providing of long-term upland game cover; and the establishment and management of approved practices on multi-year set-aside contracts as provided in section 1005 of this title.

"(b) The Secretary of Agriculture, through the establishment of a national advisory board to be named in consultation with the Secretary of the Interior, shall seek the advice and assistance of the appropriate officials of the several States in developing the programs under this title, especially in developing guidelines for (1) providing technical assistance for wildlife habitat improvement practices, (2) evaluating effects on surrounding areas, (3) considering aesthetic values, (4) checking compliance by cooperators, and (5) carrying out programs of wildlife management authorized under this title: *Provided*, That such board shall limit its advice to subjects which cover the types of conservation measures that should be approved regarding the water bank program; the authorization to purchase perpetual easements to promote the purposes of this Act, as described in section 1001 of this title; the providing of long-term upland game cover; and the establishment and management of approved practices on multiyear set-aside contracts as provided in section 1005 of this title.

"SEC. 1008. In carrying out the programs authorized under sections 1001 through 1006 of this title, the Secretary shall, in addition to appropriate coordination with other interested Federal, State, and local agencies, utilize the services of local, county, and State committees established under section 8 of the Soil Conservation and Domestic Allotment Act, as amended. The Secretary is also authorized to utilize the facilities and services of the Commodity Credit Corporation in discharging his functions and responsibilities under this program. The Secretary shall also utilize the technical services of the Soil Conservation Service, the Forest Service, State forestry organizations, soil and water conservation districts, and other State, and Federal agencies, as appropriate, in development and installation of approved conservation plans under this title.

"SEC. 1009. (a) In furtherance of the pur-

poses of this title, the Secretary of Agriculture is authorized and directed to develop and carry out a pilot forestry incentives program to encourage the development, management, and protection of nonindustrial private forest lands. The purposes of such a program shall be to encourage landowners to apply practices which will provide for the afforestation of suitable open lands and reforestation of cutover and other nonstocked and understocked forest lands and intensive multiple-purpose management and protection of forest resources so as to provide for production of timber and related benefits.

"(b) For the purposes of this section, the term 'nonindustrial private forest lands' means lands capable of producing crops of industrial wood and owned by any private individual, group, association, corporation, or other legal entity. Such term does not include private entities which regularly engage in the business of manufacturing forest products or providing public utilities services of any type, or the subsidiaries of such entities.

"(c) The Secretary shall consult with the State forester or other appropriate official of the respective States in the conduct of the forestry incentives program under this section, and Federal assistance shall be extended in accordance with section 1003(b) of this title. The Secretary shall for the purposes of this section distribute funds available for cost sharing among and within the States only after assessing the public benefit incident thereto, and after giving appropriate consideration to the number and acreage of commercial forest lands, number of eligible ownerships in the State, and counties to be served by such cost sharing; the potential productivity of such lands; and the need for reforestation, timber stand improvement, or other forestry investments on such land. No forest incentives contract shall be approved under this section on a tract greater than five hundred acres, unless the Secretary finds that significant public benefit will be incident to such approval.

"(d) The Secretary may, if he determines that such action will contribute to the effective and equitable administration of the program established by this section, use an advertising and bid procedure in determining the lands in any area to be covered by agreements.

"(e) In implementing the program under this section, the Secretary will cause it to be coordinated with other related programs in such a manner as to encourage the utilization of private agencies, firms, and individuals furnishing services and materials needed in the application of practices included in the forestry incentives improvement program. The Secretary shall periodically report to the appropriate congressional committees of the progress and conduct of the program established under this section.

"SEC. 1010. There are hereby authorized to be appropriated annually such sums as may be necessary to carry out the provisions of this title. The programs, contracts, and authority authorized under this title shall be in addition to, and not in substitution of, other programs in such areas authorized by this or any other title or Act, and shall not expire with the termination of any other title or Act: *Provided*, That not more than $25,000,000 annually shall be authorized to be appropriated for the programs authorized under section 1009 of this Act."

SEC. 2. (a) Notwithstanding section 6(c) of the Occupational Safety and Health Act of 1970 (29 U.S.C. 654(c)) or any other provision of law, the Secretary of Agriculture shall provide, without regard to the requirements of chapter 5, title 5, United States Code, for an emergency temporary standard prohibiting agricultural workers from entering areas where crops are produced or grown (such emergency standard to take immediate effect upon publication in the Federal Register) if he determines (1) that such agricultural workers are exposed to grave danger from exposure to pesticide chemicals, as defined in section 201(q) of the Federal Food, Drug and Cosmetic Act (21 U.S.C. 321(q)), and (2) that such emergency standards is necessary to protect such agricultural workers from such danger.

(b) Such temporary standard shall be effective until superseded by a standard prescribed by the Secretary of Agriculture by rule, no later than six months after publication of such temporary standard.

(c) As of the date of enactment of the National Nutrition, Food and Fiber Act of 1973, the regulations issued by the Secretary of Labor under section 6(c) of the Occupational Safety and Health Act of 1970, which appear on pages 10715–10717 of number 83 of volume 38 of the Federal Register of May 1, 1973, shall be null and void with respect to agricultural workers.

SEC. 3. Section 301 of the Act of August 14, 1946 (Public Law 79–733), as amended (7 U.S.C. 1628), is hereby repealed.

Mr. DENHOLM. Mr. Chairman, in the interest of time I will explain briefly what this amendment does. Substantially, it does not change that portion of the committee bill that does not relate to corn feed grains and wheat.

It does relate to the feed grain concept in providing a basic payment for the difference between the national weighted average prices received by farmers on feed grains and wheat—and not less than 90 percent of the cost of production of corn feed grains and wheat.

In discussing the price differential payment to producers, it is important to recognize the target prices set forth in the Senate bill. The Senate set the target price for corn at $1.53 and $2.28 for wheat. The target price level set by the House Committee on Agriculture is $1.38 for corn and $2.05 for wheat. It is interesting that based upon the cost of production at not less than 90 percent of the cost of production—and that is 10 percent less than the cost of production, the price for wheat would be $1.97 and the price for corn would be $1.53.

I was amazed that the corn price level would be that high when based on 90 percent of the cost of production. I suspect it is because of the value of the land where corn is grown. Much of the corn is produced in Iowa, Illinois, and Indiana, and the cost of land factor increases the cost of production per unit thereof.

The figures cited are based upon the Statistical Reporting Service in the U.S. Department of Agriculture as of June 15, 1973. I am proposing that the farmers and producers be paid not less than 90 percent of the cost of production of corn, feed grains, and wheat. Also, that the price float in the market so that we do not increase the cost of feed to dairy, poultry, and livestock feeders, because that is the source of the protein meats essential to satisfy consumer demand.

The target prices in the Senate bill are a guaranteed support price, and it will influence, to a certain extent, the cost of feed grains to red meat producers. Further, any attempt to freeze the retail and wholesale price level of meats results in a direct cost-price squeeze that directly affects adversely the supply all along the line of production to consumption.

It is very important in these times when there is an ever increasing demand for more and more production of food that we provide a stability of income to the producers without increasing the cost of living to the consumers.

Mr. CHARLES H. WILSON of California. Mr. Chairman, will the gentleman yield?

Mr. DENHOLM. I yield to the gentleman from California (Mr. CHARLES H. WILSON).

Mr. CHARLES H. WILSON of California. Mr. Chairman, will the gentleman tell me whether this matter was considered in committee?

Mr. DENHOLM. No, it was not. In fact, there were no other amendments or alternatives considered in the committee—the full Committee on Agriculture and I have always thought it would have been better to have done so.

Mr. CHARLES H. WILSON of California. Mr. Chairman, it makes it very difficult for many of us here to be confronted with this deluge of amendments which seem to be coming to us on this particular bill. We were under the impression—at least this particular Member was—that there was a bill that with the exception of trying to work out something that would make it more agreeable to the administration, that the Committee on Agriculture had worked out and we were not going to have to argue the bill on the floor the way we usually do with the Banking Committee bill.

It is a very difficult thing for us to try to decide what to do on many of these amendments. I am sorry that this is happening today and for part of last week.

Mr. DENHOLM. It is to be regretted and this Member concurs that our committee may have errored in rushing this bill to the floor. We have not been able to ascertain what is acceptable to the administration.

Mr. CHARLES H. WILSON of California. Why do we not pass the House bill and work out the differences in conference rather than trying to adopt some Senate version in the House?

Mr. DENHOLM. Mr. Chairman, I certainly agree with the gentleman from California. However, we have not had the benefit of the cooperation of the administration as to what is acceptable to them.

I am proposing a $27,500 farm family unit payment limit, which cuts the present $55,000 limit in half, and places emphasis on a positive form of procedure for the benefit of bona fide farm family producers and compensates "people" for performance and production on a base amount of gross annual sales up to $27,500 per annum without production controls and price supports—and the price of all the commodities is free to float according to supply and demand.

In other words, the payment is on the gross annual sales of any producer equal to the difference between the national weighted average price and not less than 90 percent of the cost of production. As long as the current prices prevail there would be no cost to Government. If the price on any commodity was less than 90

percent of the cost of production a payment would be made for that computed difference on each unit of production up to $27,500 of gross annual sales per farm family unit. In addition, I have proposed a 2-year carryback and a 3-year carryforward provision against the $27,500 per annum base to provide the producers an opportunity to insure against the hazards of production and the elements that adversely affect the industry. It would also provide for over- or underproduction in any one year. Each producer would be free to exercise an independent business judgment in the management of his own affairs—he would not be limited or restricted adversely.

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

Mr. Chairman, I am concerned to have to come to the well of the House to oppose my good friend from South Dakota (Mr. DENHOLM) but neither I nor any other Member, so far as I know, on the Committee on Agriculture or in this Committee of the Whole, has had an opportunity to examine this substitute bill. It contains, obviously, many sections we cannot even adequately discuss because we have not had an opportunity to examine them.

The Denholm substitute would do one thing, apparently; it would raise the target prices for feed grains in certain parts of the country.

The Agriculture Committee has had some disagreement with the administration as to what the target prices should be. We had some disagreement with the Senate version. We selected target prices about midway between the Senate and the administration figures. They are moderate; $2.05 for wheat, $1.38 for corn, and 38 cents for cotton.

If we interject an entirely new scheme here as a result of adopting the amendment of the gentleman from South Dakota, and provide a minimum of 90 percent of the production cost, as a minimum alternative to the target prices, the gentleman tells us we will at least raise the target prices on feed grains to $1.53 in the Midwest.

The theory that we ought to keep the target prices above whatever is the most expensive area of the country in production costs, is open to the most serious question. One of the advantages of the present farm program is that it encourages production in the most efficient areas. It is not designed to gear payments to the least efficient or the most costly producers.

I can say with confidence that the administration is more opposed to this approach than it is to the House target prices. Under the circumstances, I believe it would only confuse deliberation on this bill to accept the substitute. None of us has had sufficient opportunity to examine the substitute. The most obvious feature of the substitute, that of raising target prices, is unwise. Therefore, I hope we will reject the substitute and move on with the bill.

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

Mr. FOLEY. I yield to the gentleman from South Dakota.

Mr. DENHOLM. The statistics I gave were from the U.S. Department of Agriculture Statistical Reporting Service, based on national figures, I say to my friend from Washington.

I did say I was surprised to see the percentage of the cost of production for corn is $1.53 a bushel. I do not believe we should ask people to produce more and take less for it.

Mr. FOLEY. We are producing a bumper crop in corn this year, of almost 6 billion bushels as presently estimated. We are producing a record wheat crop. I do not believe we need to adopt this kind of a formula you suggest in order to obtain large production. If we accept the committee target prices I believe we will have a powerful instrument to stimulate production.

Again I urge the members of the committee to reject the substitute.

The CHAIRMAN. The question is on the amendment in the nature of a substitute offered by the gentleman from South Dakota (Mr. DENHOLM).

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

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

A recorded vote was refused.

So the amendment in the nature of a substitute was rejected.

AMENDMENT OFFERED BY MR. DU PONT

Mr. DU PONT. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DU PONT: On page 38 on line 20, insert a new section, 808, and renumber the following sections accordingly, to read:

"SEC. 808. The Secretary shall, within sixty (60) days from the enactment of this Act, submit to the Congress a detailed report indicating what steps are being taken to implement the recommendations of the Controller General of the United States in his report to the Congress dated July 9, 1973, entitled "Russian Wheat Sales and Weaknesses in Agriculture's Management of Wheat Export Subsidy Program (B 176943)."

POINT OF ORDER

Mr. POAGE. Mr. Chairman, I make a point of order against the amendment.

The CHAIRMAN. The gentleman from Texas (Mr. POAGE) will state his point of order.

Mr. POAGE. Mr. Chairman, the amendment as offered is not germane to anything in the bill now before us. The bill simply amends the existing farm law, the act of 1970, and by this amendment the gentleman attempts to add a provision that does not relate to the act of 1970 in any way.

The CHAIRMAN. Does the gentleman from Delaware (Mr. DU PONT) desire to be heard on the point of order?

Mr. DU PONT. I would like to be heard, Mr. Chairman.

Mr. Chairman, I do not believe the point of order should lie, because the paragraph 807 in the bill which we are considering is entitled "Export Sales Reporting" and, in fact, deals exactly with one of the items within the GAO report concerning the sale to the Soviet Union.

Since by the bill we are considering the very items that my amendment also relates to, I would argue that it is relevant and the point of order should not be sustained.

The CHAIRMAN (Mr. NATCHER). The Chair is ready to rule. This amendment, as offered by the gentleman from Delaware (Mr. DU PONT), is offered to that portion of the bill pertaining to the reporting of export sales and proposes to add another new section to the 1970 act which is amended by this section of the bill. And while it would place a new duty on the Secretary of Agriculture, the Chair notes that throughout the pending section there are additional duties provided for.

The Chair is of the opinion that the amendment is germane and the point of order is overruled.

Mr. DU PONT. Mr. Chairman, this is a very simple and straightforward amendment. It is one that some Members can vote for who have been unable to vote in favor of any other amendment offered to this particular bill.

What it does is require the Secretary of Agriculture to report back to the Congress within 60 days upon how he proposes to implement the recommendations o fthe GAO in its report on the wheat sales to the Soviet Union.

Now, the Committee will recall that a week ago today, on Monday, the GAO issued a very substantial report on the sales, and in that report they made some dozen recommendations for improving and changing the grain export program.

All this amendment does is to make sure that that report will not go the way of most reports submitted to the Congress and gather dust on the shelf.

Mr. Chairman, it requires the Secretary of Agriculture to go to work on the report, to study it, and to report back to the Congress as to what he plans to do to implement his suggestions. It does not say that he must adopt all the suggestions; it simply says that he has to review them and make recommendations and report back to us on what his intentions are. It costs nothing; it is good administrative procedure; it puts some horsepower back in the legislative branch of the Government.

Mr. Chairman, I urge the adoption of my amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Delaware (Mr. DU PONT).

The question was taken; and the Chairman being in doubt, the Committee divided, and there were—ayes 43, noes 3.

So the amendment was agreed to.

AMENDMENT OFFERED BY MR. BURLISON OF MISSOURI

Mr. BURLISON of Missouri. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BURLISON of Missouri: On page 39, immediately after line 8, insert the following new section:

"SOYBEAN RESEARCH

"SEC. 809. The Secretary of Agriculture is authorized and directed to carry out regional and national research programs for the purpose of increasing the production per unit of soybeans.

"In carrying out such research, the Secretary shall utilize the technical and related services of the appropriate Federal, State, and private agencies.

"There is authorized to be appropriated not more than $500,000 in any fiscal year to carry out this section."

Redesignate the following sections accordingly.

Mr. BURLISON of Missouri. Mr. Chairman, as we notcd on Thursday in a discussion of another amendment, the scarcity of soybeans in this country has made it necessary for the President to declare an embargo on the export of our present supplies. We also noted at that time the tremendous escalation in the price of soybeans on our domestic market. We do not need to go into further discussion as to why those things are happening. I believe we explored and discussed it sufficiently last Thursday.

What this amendment seeks to do is to give the same attention to soybeans in the way of research as we give to feed grains, cotton, and wheat.

The situation is that in spite of the fact that we are spending more money on the other crops for research, the soybean is the commodity in which we have the greatest need and have gotten the least progress over the years in the way of increasing production.

Let me cite an example. In the last 22 years the percentage of increase for sugar beets has been 39 percent, hay, 51 percent; tobacco, 63 percent; cotton, 77 percent; wheat, 78 percent; rice, 94 percent; corn 132-percent increase in production per acre; peanuts, 135 percent; and grain sorghum, 258 percent. Compared with all of these commodities soybeans have increased only 35 percent in production per acre in the last 22 years. This is the slightest increase of any of the major commodities.

On that point I would like to refer very briefly to an article written by John Schnittker, former Under Secretary of Agriculture, just a couple of months ago. I might preface it by saying that I do not agree with many of the things Mr. Schnittker writes, but here is one with which I do—

The demand for soybeans is expanding more rapidly than any other U.S. agricultural product. Soybean yields, however, have increased only very slowly, since there have been no major scientific breakthroughs in soybean breeding. Corn yields, on the other hand, have continued to rise at a rapid rate averaging nearly 2 bushels per acre per year.

Mr. Chairman, soybeans are the commodity which overshadows all others in their need for increased production and an increased supply for this Nation and the world. It seems to me we need to devote some attention to research in this area. In this bill on the Senate side $1 million was put in for research for feed grains and wheat and $10 million for cotton. In the committee bill we are discussing now $500,000 is put in for research for wheat and feed grains.

I think that my amendment is a very conservative one, and a very reasonable one, by authorizing $500,000 for research on this most needed commodity so we can increase production per acre and alleviate the problems that we have in world trade and domestic supply in this country.

Mr. MAYNE. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Missouri (Mr. BURLISON).

Mr. MAYNE. Mr. Chairman, I would like to point out to my good friend, the gentleman from Missouri (Mr. BURLISON) that in talking about the remarkable record of increased soybean production in the last 20 years that the gentleman referred only to yields. For example, this year in the report released by the Department of Agriculture on July 10, it shows that as of July first projected production is 24 percent above last season's production. I believe the record will show that in the last 20 years soybean production has more than doubled, and I think, from an article that I read yesterday, it has tripled in the last 20 years.

So it seems to me that the need to spend $500,000 for this purpose of soybean research to increase production is not shown.

I believe, and I could be mistaken on this, but I believe we considered this in the Subcommittee on Livestock and Grains very carefully, and it was concluded in the subcommittee and the full committee that it should be rejected.

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

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

Mr. BURLISON of Missouri. Mr. Chairman, Does not the gentleman from Iowa agree that there is an embargo which has been placed by the Department of Agriculture on the exporting of soybeans from this country?

Mr. MAYNE. Yes; this is a step which I opposed, and regret very much. I am glad that it has been at least partially lifted so that 50 percent of the 92 million bushels of soybeans that were contracted to move out of the country in July and August will still be permitted to be exported.

Mr. BURLISON of Missouri. If the gentleman will yield further, Would not the gentleman from Iowa agree that an embargo on soybeans while wheat, feed grains, and cotton are still permitted to move in the world markets, is an indication of the great shortage and the great need for soybeans, more than with any other commodity?

Mr. MAYNE. I would say to the gentleman from Missouri that the fact we are increasing production 24 percent this year shows that American agriculture is responding in a very adequate manner to this challenge.

Mr. BURLISON of Missouri. If my good friend, the gentleman from Iowa, will yield once more, Would the gentleman agree that just within recent weeks we saw a price of $12 a bushel for soybeans?

Mr. MAYNE. Not within recent weeks, but I believe more than a month ago or more the price reached that level.

Mr. BURLISON of Missouri. Would not the gentleman agree there is a far greater price on the domestic market for soybeans in relation to wheat, feed grains, and cotton?

Mr. MAYNE. Yes.

Mr. BURLISON of Missouri. If the gentleman will yield still further, Mr. Chairman, it seems to me that the gentleman from Iowa has spoken eloquently for the need for a greater amount of funding for experimentation in research in soybeans, so that we may increase production per acre and thus give more income to farmers and lower prices for consumers.

Mr. MAYNE. I want to assure my good friend, the gentleman from Missouri, that that was not my intention.

Mr. TEAGUE of California. Mr. Chairman, I move to strike the last word.

Mr. Chairman, might I say to the gentlemen from Missouri that there is not a need for this amendment. The Department of Agriculture has adequate authority, and all that is necessary to do is go before the subcommittee chaired by the gentleman from Mississippi (Mr. WHITTEN) in the Committee on Appropriations, meeting with the Department of Agriculture to get the necessary money.

Furthermore, it is my understanding that extensive research is now going on in many of the land grant colleges throughout the country, and probably in some other institutions. In any event this does not seem to me to be a necessary amendment, and I recommend a vote against it.

SUBSTITUTE AMENDMENT OFFERED BY MR. PRICE OF TEXAS FOR THE AMENDMENT OFFERED BY MR. BURLISON OF MISSOURI

Mr. PRICE of Texas. Mr. Chairman, I offer a substitute amendment for the amendment offered by the gentleman from Missouri.

The Clerk read as follows:

Substitute amendment offered by Mr. PRICE of Texas for the amendment offered by Mr. BURLISON of Missouri: Page 39, immediate after line 8, insert the following new section:

"SOYBEAN RESEARCH

"SEC. 809. The Secretary of Agriculture is authorized and directed to carry out regional and national research programs for the purpose of a cost study of increasing the production and increase per unit of soybeans, grain sorghum, corn.

"In carrying out such research, the Secretary shall utilize the technical and related services of the appropriate Federal, State, and private agencies.

"There is authorized to be appropriated not more than $500,000 in any fiscal year to carry out this section.

Redesignate the following sections accordingly.

Mr. PRICE of Texas. Mr. Chairman, I will not take long. We discussed this in committee about trying to determine the cost of production of the various grains that fall under this bill. There is too much misunderstanding and misinformation, in my opinion, in trying to spend millions of dollars upon a farm program when we do not actually know the cost of production of these various grains mentioned. I just feel that if the Department of Agriculture can coordinate its efforts with all of our land-grant colleges and research stations that are already working together trying to come up with an actual cost of production for the food and fiber of this country, it would certainly benefit all Members of Congress as well as the Department of Agriculture. But for each of us who has no idea what it costs to produce a bushel of corn or a bushel of soybeans, I think it is imperative that we find out actually

what the cost of these products are today to give us a sounder understanding of what this cost will be to the American taxpayer.

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

Mr. PRICE of Texas. I yield to the gentleman from Missouri.

Mr. BURLISON of Missouri. Mr. Chairman, I believe that this substitute amendment has really little relevance to my amendment. In this amendment that the gentleman from Texas offers, a variety of commodities; grain sorghum, and corn are already covered in the bill. Grain sorghum and corn are given $500,000 for research in this bill and $1,000,000 in the Senate version.

Mr. PRICE of Texas. There is not the actual cost of production in the bill.

Mr. BURLISON of Missouri. Mr. Chairman, my amendment goes to the full realm of research to increase the production of soybeans per unit, per acre. That is what we need. The amendment offered by the gentleman from Texas does not really speak to that problem. I urge its defeat.

Mr. PRICE of Texas. I should like to ask the gentleman if he is not interested in what the cost of the production of the soybean product is?

Mr. BURLISON of Missouri. Mr. Chairman, I am primarily interested in additional research to increase the production of soybeans per acre. That is what we need. What the gentleman is asking for is really superfluous, really, to what we are after and what we need.

Mr. PRICE of Texas. I do not feel it is superfluous when I want to find out what it costs to produce the increase in grain production the gentleman refers to.

The CHAIRMAN. The question is on the substitute amendment offered by the gentleman from Texas (Mr. PRICE) for the amendment offered by the gentleman from Missouri (Mr. BURLISON).

The substitute amendment was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Missouri (Mr. BURLISON).

The amendment was rejected.

AMENDMENT OFFERED BY MR. CONTE

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

The Clerk read as follows:

Amendment offered by Mr. CONTE: Page 37, strike out lines 5 through 7.

Page 37, line 9, strike out "(B)."

Mr. CONTE. Mr. Chairman, I really feel upset about the passage of the Bergland amendment. I think many in the Chamber did not understand it. They felt they were wiping out cotton and this was a good idea. What they did not realize was that by the Bergland amendment we undid everything we had done.

I see the chairman of the committee smiling. It was a great victory for the boys in the Cotton Belt but certainly it was a defeat for the taxpayers and the consumers of this country.

We may have lost the skirmish but we have not lost the battle. We will watch this bill and when it comes back we can instruct the conferees. There are a great many things we can do. It was a bad amendment and it was a bad day for the taxpayers and consumers of this country.

Mr. Chairman, I have offered an amendment to end the sweetest farm subsidy of them all—the beekeepers indemnity program. This Federal giveaway should set my colleagues off buzzing, if it does not make them break out in hives.

My waxing rhetorically would be very funny if it were not for the taxpayers who are getting stung.

Under the beekeepers indemnity program, we are paying beekeepers for dead bees. Worse yet, we are paying for dead bees that are allegedly killed by pesticide programs approved by the Federal Government.

To collect under this program, a beekeeper from an area where pesticide spraying has been conducted goes to his local ASCS office and tells the agent how many hives of dead bees he has. Then he collects $15 for each hive.

In the past, the Federal Government paid without checking up on these claims. It did not determine if the bees died from pesticides—or from old age, arthritis or too much high living. What is more the Department of Agriculture took no action against those people who use pesticides in such a way as to cause massive bee deaths.

As was brought out last year in an appropriations subcommittee hearing, a person can fly over bee colonies laying down pesticides, and, regardless of his liability, the Federal Government will routinely go ahead and pay for the losses.

I ask my colleagues to forbear from saying that I am making too much of a small thing. Look at the size of the claims submitted under the beekeeper indemnity program and you will get a taste of what a honey of a deal Congress has created. If Congress were to continue this program, it would lay itself bare to the stinging indictment of taxpayers that it has, may I say, bees in its bonnet.

Last year, over $6 million in this honey money was ladled out to bereaved beekeepers. The queen bee of all recipients in 1972 was Stover Apiaries in Mayhew, Miss. This beekeeper waxed the taxpayers for $457,000. At 15 bucks a hive, that's a lot of dead bees.

The all-time champion keeper of dead bees is Jim's Valley Apiaries of Sunnyside, Wash. Jim has submitted claims for over $1,725,000 over the past 6 years. With all the piles of dead bees Jim must have, I cannot imagine how the sunshine still penetrates into his valley.

According to the claims Jim has submitted for the past 6 years, he has lost a minimum of 13,085 hives from pesticide activity each year for the past 6 years. If I were the administrator of this program, I think that by now I would be a little suspicious.

I cannot bear the thought that our Federal Government seeks to protect our bees by dipping its paw into the Federal nest of honey money to pay a huge bounty for their tiny corpses. This illustrates how, once it has taken wing, A Federal program can become sticky after it has jelled.

I trust my colleagues will forgive me if my honey-laden words seem to be dripping with sarcasm. But I believe that this Federal program is misdirected. It should try to protect the bees. Live bees pollinate crops. But under current Federal law, dead bees pollinate private pocketbooks.

I urge my colleagues to take the stinger out by passing this amendment to end the beekeeper indemnity program.

Mr. POAGE. Mr. Chairman, I find it rather embarrassing to have to get up here repeatedly to talk about these amendments, which obviously are either introduced by an abundance of ignorance or maliciously. I do not know just what the gentleman has in mind. He, of course, put on a performance which probably would be a pretty good attraction on some vaudeville stage, but as to facts which the gentleman undertook to give the Members, they were completely missing.

Of course, he talks about "dead" bees and talks about the "honey" and seeks to make puns about the character of the business, but the honey business is a serious and an important business. It is not as important, however, as the pollination business of beekeepers. If the Members are interested in basic agriculture, they are interested in maintaining a method of pollinating a great many of our crops. I do not know that with all of the fancy words the gentleman had, that he is familiar with the fact that bees are the great pollinating agents in this country, and that if we eliminate our bees, we will eliminate a large number of important crops in this country, particularly in the field of fruits and vegetables.

We must have this pollination, and the only way we can have it is to have bees, and the only way we can keep the bees is to protect them from the poisons that destroy them.

The present law simply provides that we will make compensation for those bees that are killed by poisons approved by the U.S. Government. If someone goes out and puts out lead arsenic or something of that kind in violation of the regulations, the beekeeper cannot recover anything for that. It is only where the U.S. Government has approved the injury he sustained. That is the only time he can recover anything.

He has not been recovering the amounts the gentleman is suggesting. I have the figures here of what has been paid out. We have paid out, not $6 million, but $2,914,000. We did not pay any one gentleman, as he suggests, over a million dollars. There is not a State in the Union where they paid as much as $1 million in any State.

What he said was, of course, not that we paid. He simply wanted the Members to get the impression that we paid somebody a million dollars. Actually, what he said was that somebody put in a claim for a million dollars. Of course, he told us that the Department of Agriculture was not carrying out the law and that the Department of Agriculture was extremely negligent in its responsibilities and was not doing a good job.

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

Mr. POAGE. I yield to the gentleman from California (Mr. TEAGUE).

Mr. TEAGUE of California. Mr. Chairman, in this case I will have to leave my friend from Massachusetts (Mr. CONTE). I agree with the chairman of the committee in his opposition to the amendment for the very good reasons which he has stated.

Mr. POAGE. Mr. Chairman, I thank the gentleman from California. I suggest that all of us, instead of being taken in with some vaudeville language, could give some real consideration of the basic facts of agriculture, which are that we must have pollinating agents. One of those pollinating agents we have got to have is the bee. Therefore, we must maintain the bee business.

Of course, it is dead bees that we pay for, not live bees. There is no reason for the Government to pay for live bees. I hope the Members vote down this rather unnecessary amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts (Mr. CONTE).

The amendment was rejected.

AMENDMENT OFFERED BY MR. VANIK

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

The Clerk read as follows:

Amendment offered by Mr. VANIK: Page 6, line 3, after the period, insert *Provided, however,* That such licenses shal' not be sold, transferred or assigned."

Mr. VANIK. Mr. Chairman, this amendment would simply prohibit those in the dairy business who get import licenses from trading them and developing a right in the license.

It seems to me we went through this whole cycle with the oil import licenses. Import permits became merchantable. They were sold, were transferred, and became of value.

It seems to me as we embark on this kind of a program we ought to insist that the licenses should not be sold, should not be transferred, should not be assigned. In other words, the license should be available only to the person or individual to whom issued.

I hope the committee will accept the amendment.

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

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

Mr. POAGE. Of course, I cannot accept the amendment on behalf of the committee, but from what the gentleman has said about it I see no objection to the amendment.

I should like to point out that these licenses are given to this special group of producers for only 30 days. We are not trying to set up something here whereby somebody can sell something.

So far as I am concerned, I am perfectly willing to accept the gentleman's amendment, with the understanding that we will support it unless we find that it has other implications.

Mr. VANIK. That is the only purpose I have. I want to prevent the development of a property right.

Mr. TEAGUE of California. Mr. Chairmain, will the gentleman yield?

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

Mr. TEAGUE of California. I am in the same position as the gentleman from Texas (Mr. POAGE). I have no personal objection to the amendment. I have not discussed it with the other members of the committee, but I myself have no objection.

Mr. VANIK. Mr. Chairman, I hope the Committee will adopt the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio (Mr. VANIK).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. FROEHLICH

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

The Clerk read as follows:

Amendment offered by Mr. FROEHLICH: On page 41 after line 10, insert the following:

EMERGENCY SUPPLY OF AGRICULTURE PRODUCTS

SEC. 811(a) Notwithstanding any other provision of law, the Secretary of Agriculture shall, under the provisions of this Act, assist farmers, processors, and distributors in obtaining such prices for agricultural products that an orderly, adequate and steady supply of such products will exist for the consumers of this nation.

(b) The President shall make appropriate adjustments in the maximum price which may be charged under the provisions of Executive Order 11723 (dated June 13, 1973) or any subsequent Executive Order for any agricultural products (at any point in the distribution chain) as to which the Secretary of Agriculture certifies to the President that the supply of the product will be reduced to unacceptably low levels as a result of the freeze or subsequent modification thereof and that alternative means for increasing the supply are not available.

(c) Under this section, the term "agricultural products" shall include meat, poultry, vegetables, fruits and all other agriculture commodities.

Mr. FROEHLICH. Mr. Chairman, the purpose of the bill, H.R. 8860, is "to extend and amend the Agricultural Act of 1970 for the purpose of assuring consumers of plentiful supplies of food and fiber at reasonable prices."

I emphasize the words "plentiful supplies."

This particular amendment I have offered would require an adjustment in the price for any agricultural product when the Secretary of Agriculture determines that the current price freeze or future price controls will produce a shortage of that product and there is no alternative means for increasing the supply.

We are facing in this country today, I believe, one of the most critical periods in the modern history of our country so far as food supplies are concerned.

Mr. Chairman, we have seen in the poultry business those who have gotten out of the business by killing their chicks and by dumping their eggs which were in process. One poultry distributor in my district closed his doors last week Friday noon. He distributed 10 million pounds of poultry to northeastern Wisconsin and upper Michigan. He is unable to buy a product and sell it at a profit or at a break-even point. The chickens that he can buy for redistribution cost him more than he can sell them for.

The retail grocers and small butchershops which he served in northeastern Wisconsin and northern Michigan are this week without poultry on their shelves.

Mr. Chairman, my district also covers a county that grows many cherries. Cherry production this year is down considerably, 105 million pounds less than last year in national cherry production. In Door County where they produced 9 million pounds last year, they are down to 6 million pounds. These producers are considering leaving those cherries on the trees, or they were until last Friday, when the cooperatives that buy the cherries and process them determined that they were going to pay 10 cents above what they could pay under the freeze in hopes that they will be able to raise their price when it comes to sell those cherries. So they are going to be picked. But those processors are now in danger of losing up to 8 cents a pound unless there is an adjustment in the price freeze. Until Friday it looked as though there were going to be no cherries picked in Door County.

We all know the story about beef. We have talked about it; we have heard other speakers who have debated this bill speak about it. There has been closing after closing after closing of slaughterhouses. Here is just a partial list of some of the closings:

Hartford, Conn.; Missouri; Omaha, Nebr.; Quincy, Fla.; Omaha, Nebr.; Council Bluffs, Iowa; Harlan, Iowa; Florence Ala.; Owensboro, Ky.; Baltimore, Md.; Scranton, Pa.; Utica, N.Y.; Elizabeth, N.J.; Wichita, Kans.; Chicago, Ill.; Cozad, Nebr.; Sterling, Colo.; Independence, Iowa; Vinton, Iowa; West Union, Iowa; Philadelphia, Pa.; York, Pa.; Lebanon, Pa.; Bridgeport, Conn.; Philadelphia, Pa.; Detroit, Mich.; Little Rock, Ark.; Essex Corner, Vt.; Detroit, Mich.; Cushing, Okla.; Okmulgee, Okla.; Pine Bluff, Ark.; and Omaha, Nebr.

There are others which have been closed since this list was compiled.

Mr. Chairman, in my district one of the largest packers east of the Mississippi laid off 15 percent of his employees and put off indefinitely a $6-million expansion that would have doubled his work force of 600 in the State of Wisconsin because of the effects of the price freeze on agriculture.

It is not just the 60-day freeze we are talking about; it is the freeze that took effect on March 29.

Mr. Chairman, this amendment addresses itself also to continuing price and economic controls that will lead to critical shortages in this country.

The CHAIRMAN. The time of the gentleman from Wisconsin (Mr. FROEHLICH) has expired.

(By unanimous consent, Mr. FROEHLICH was allowed to proceed for 1 additional minute.)

Mr. FROEHLICH. Mr. Chairman, in closing I would like to say that we must put upon the Secretary of Agriculture the responsibility to watch critically the supply of food and fiber. When any factor, particularly our economic controls, force a critical shortage which will lead people in this country to stand in line for food and which will lead to the rationing of food, then it is incumbent upon the Secretary to tell the President and

it is incumbent upon the President to adjust the policy.

Mr. Chairman, that is what this amendment addresses itself to. I trust the amendment will be adopted.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin (Mr. FROEHLICH).

The amendment was agreed to.

AMENDMENTS OFFERED BY MR. VANIK

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

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

There was no objection.

The Clerk read as follows:

Amendments offered by Mr. VANIK: Page 11, strike out lines 1 and 2 and redesignate the following clauses accordingly, and on page 13, line 14, strike out "(less imports)", and on page 13, line 15, strike out "and for export".

And on page 23, line 17, strike out "(less", on line 18, strike out "imports)", and on line 19, strike out "and for export".

Mr. VANIK. Mr. Chairman, the amendments that I have offered and which have just been read en bloc are directed, one to the wheat section, and the other to the feed grains section of the bill.

The purpose of the amendments is to limit the taxpayer support of acreage allotments to that part of production designed for domestic use.

I believe that we must provide inducements and encouragement for the production of food and feed grains and essential fibers for domestic needs. But agriculture is now a mature industry, and I do not think that taxpayers subsidies should be used to provide for payments for that part of production which is designed for the export market. We do not have this kind of a program for automobiles or for machine tools or other things. It seems to me, if we are going to develop a viable program of designing our domestic agricultural program to provide food and fibers for the American people and if they are going to support it, they should not be called upon to support by taxpayer support that part of it that goes to the export program.

Mr. BERGLAND. Will the gentleman yield?

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

Mr. BERGLAND. I would be curious to know if the gentleman's amendment only goes to the export subsidies that have been used.

Mr. VANIK. No. It applies to the limitations on acreage allotments. To that part of it.

Mr. BERGLAND. I thank the gentleman.

Mr. VANIK. Because of the high target prices proposed by this bill, we could be jeopardizing our advantage in agricultural exports. In other words, by minimizing the cost of this bill to the taxpayer we can expect that there will be every effort to curtail production through acreage set-asides. This will increase prices not only for American consumers but for foreigners, and therefore our commodities will be less used. Foreign nations wlil buy their wheat and feed grains from others before they buy ours. The solution is to provide support to insure production for domestic consumption. Those farmers who want to enter the export trade to sell to foreign markets should do so without taxpayer support and without acreage limitations.

The amendments I have offered simply seek to limit the system of price and taxpayer support to domestic needs. By eliminating the provision for allotments for anticipated exports we will remove the taxpayer subsidy for foreign sales and free the Treasury from being subject to weather conditions in Russia, China, India, Australia, and the rest of the world. The taxpayers of the United States and our Treasury should be liable only for our domestic needs. We must not go into the business of subsidizing export sales to the entire world.

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

Mr. Chairman, this amendment is perhaps well intended, but its effect will be to prevent farmers from cooperation in the wheat programs entirely. The gentleman's amendment does not touch loans, it refers to the allotment under the act and to target prices.

The price of wheat today is substantially above the target price, this has been the case for many months. Wheat has been selling for as much as $3 a bushel. The present law that we want to suspend by passing this bill, guarantees the wheat producer for the domestic portion of the crop, the price of $3.40 a bushel. That is a much higher sum than the target price of $2.05 set by this bill. It is in the interest of the country and the consumer to produce a large amount of wheat and feed grains for both domestic needs and support. We realize $11 billion a year in favorable balance of payments as the result of agricultural exports. Much of that is due to our grain production.

To shrink the allotment a wheat producer can plant is simply not in our best national interest. Any cooperator who would stay in such a program would have a substantially reduced allotment. Is this a time to reduce allotments? The many who would leave the program would be able to plant whatever they wanted to plant.

Furthermore the amendment offered by the gentleman from Ohio (Mr. VANIK) is not going to save the Treasury any money because, as far as the Department of Agriculture or anybody can foresee, there will be no payments made to the wheat growers in the next year or two. Only a disastrous, completely unexpected and improbable drop in the price of wheat could change the situation.

Wtih all due respect to my good friend, the gentleman from Ohio, we are discussing a highly complicated, technical area and I regret to say that the gentleman is to some extent shooting from the hip.

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

Mr. FOLEY. I yield to the gentleman from Minnesota.

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

Mr. Chairman, I am rather confused by the amendment offered by the gentleman from Ohio. Three-quarters of this year's wheat crop will be exported. Just about half of the soybean crop will be exported. One-fourth of our feed grains will be exported. In total this represents between $12 and $13 billion that will come back into the American economy.

If the amendment offered by the gentleman from Ohio were adopted, would we be in the position where we would not be able to produce and sell grains overseas for dollars so desperately needed to help solve our balance of payments problem.

Mr. FOLEY. As I understand the amendment offered by the gentleman from Ohio (Mr. VANIK) is that he believes his amendment would satisfy the needed production for domestic use in our country, some 535 million bushels. And save costs in operating the program.

Mr. VANIK. Mr. Chairman, if the gentleman will yield, the gentleman from Washington (Mr. FOLEY) is correct. I relate to the acreage allotment. But I do wish to point out that the $11 to $12 billion in export sales that are supposed to have done so much with respect to our balance of payments cost the consumers of America an additional $20 billion. So it would seem to me it is not a very good bargain. It has not worked out very well.

Mr. FOLEY. I will advise the gentleman from Ohio that no export subsidy has been registered since last August. The export subsidy program has been suspended for the foreseeable future. The target prices set in this bill are so far below the current market prices that this government is unlikely to make any payments to cooperators or nobody else for the next 2 years. The only effect that this amendment could have would be either to reduce the amount of wheat planted by a cooperator or encourage him to leave the program.

How is it in the interest of the consumer, how is it in the interest of the country, and how is it in the interest of export sales to reduce the wheat allotment? Each Member who appears in the well says we want production. Yet this is an amendment that would have only one effect, and that would be almost surely to reduce production.

The CHAIRMAN. The question is on the amendments offered by the gentleman from Ohio (Mr. VANIK).

The amendments were rejected.

AMENDMENT OFFERED BY MR. FINDLEY

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

The Clerk read as follows:

Amendment offered by Mr. FINDLEY: On page 5, strike lines 14 through 25, and on page 6, strike lines 1 through 19; and

Page 6, line 21, change "SEC. 206" to "SEC. 205.".

Mr. FINDLEY. Mr. Chairman, farm programs over the years have contained some very novel items. In fact, they have contained what I would term to be outrageous items, but this surely can be classified as the worst outrage of all. I invite the Members' attention to the language that begins on line 19 of page 5:

The President is authorized to provide that dairy products may be imported only by or

for the account of a person or firm to whom a license has been issued by the Secretary of Agriculture.

Then, listen to the next sentence:

In issuing a license for dairy products not currently being imported but sought to be imported under this section during any pe- Secretary shall make licenses available for a thirty-day period before issuing licenses to other applicants to domestic producers and riod after the enactment of the Agriculture and Consumer Protection Act of 1973, the processes. * * *

I do not think ever in history has legislation of this nature been brought forth seriously for the consideration of this body. I surely hope not.

My fear is not so much that this language will be acted upon by the man who is now Secretary of Agriculture, and, frankly, the saving grace lies in that first sentence that, "The President is authorized." He may or may not provide this licensing system. Nevertheless, it provides that if he does establish a licensing system, then he shall make licenses available ahead of any other applicants to the processors and the producers of dairy products. That is like putting the fox in charge of the chicken coop. It is like letting General Motors or Ford Motor Co. be in complete charge of how many Volkswagens or how many Toyotas or how many Datsuns are to be imported into this country, and on what terms.

As I say, I really do not think our Secretary of Agriculture would be so unwise as to utilize the licensing authority embodied in this bill, but it would be a terrible mistake if by putting this into legislation it should become the precedent for other similar measures on import control—and who knows who will be Secretary of Agriculture in the future? He might actually use this authority.

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

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

Mr. TEAGUE of California. I do not think the gentleman could possibly be more right. This strikes out competition. It is an unfair view. I certainly support the gentleman's amendment. I have hope that the chairman—but I have not discussed it with him—will see it in the same light.

Mr. FINDLEY. I thank the gentleman from California.

I will add the existing law does give the President the power to regulate the level of imports, but the regulation is in his hands, not in the hands of the dairy cooperatives—the producers and the processors—who are already a bit muscle-bound and at times arrogant. I do not think it is good policy for us to open the way for these interests to be put in charge of the level of dairy importation or the conditions under which these imports might enter the country.

One of the very few tools that exists now in the hands of the President to protect the interests of the consumer in the question of dairy supplies and prices is the authority to regulate the level of imports. This language is a poor addition to that Presidential authority, and I urge support of my amendment.

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

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

Mr. STEIGER of Wisconsin. I appreciate the gentleman's yielding.

Having opposed the gentleman from Illinois on his earlier amendment on the level of price support for dairy products, I must say I am a little bit torn when it gets to this question. From my perspective, we do face a very serious problem in what has happened in the last 6 or 7 months in dairy imports. I am disturbed, frankly, that the walls have come down to the extent which they have come in terms of allowing new imports to come into this country and, therefore, even further jeopardizing the assurance the dairy farmer has in terms of production of milk.

But I think the gentleman from Illinois on balance is correct in his analysis of the mischief in the provision in the committee bill.

However, I think it is fine if we at some point decided we wanted a system of licensing, if that were the decision that was to be made, but to do it in the manner this provision does it seems to me would not be in the longrun interest of the dairy farmer or of those who eat the good dairy products. Therefore, I support the gentleman's amendment.

Mr. JONES of Tennessee. Mr. Chairman, I rise in opposition to the amendment.

My good friend, the gentleman from Illinois, is a most persuasive legislator Mr. Chairman, much more so than I. He is a member of the Dairy and Poultry Subcommittee, of which I am chairman, and he has made a good member. We do have our disagreements, however, on some portions of the legislation which has been proposed. The majority of the committee felt and the full committee that the dairy import licenses section as we have written it is as it should be, the President being authorized to provide that dairy products be imported with the accountable office or firm to whom the license has been issued by the Secretary of Agriculture.

I have faith in the Secretary of Agriculture and believe he knows who is best fitted to be given licenses. It seems to me that the argument that has been put forth here is not valid, because who knows better than the domestic producers and processors who agree to import such products. We feel that someone who is professional in this business should be more able to accept these licenses and to be given these licenses than anyone else.

For this reason I oppose the amendment offered by my good friend, the gentleman from Illinois, and ask that the amendment be voted down.

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

Mr. JONES of Tennessee. I yield to the gentleman from Texas.

Mr. POAGE. Mr. Chairman, is it not a fact that this bill from the other body contains a provision for discretion on the part of the President up to 2 percent? Is that not correct?

Mr. JONES of Tennessee. That is correct, Mr. Chairman.

Mr. POAGE. And that in an effort to try to get a bill that would receive support of the administration, of which the gentleman from Illinois is a part, in an effort to get the support of the administration we felt that we should give a larger degree of leeway to the Secretary of Agriculture, and we gave that larger degree of leeway the Secretary asked for. Then in order to see that these producers and producers' organizations were not destroyed by nonproducing organizations, the Swiss organizations and Dutch organizations and foreign organizations as well as American, in order to see that they were not destroyed we simply said that during the first 30 days under which we gave preference to these people who are in the business of producing milk, they would agree to bring it in. We did not say they should get the license and not bring in the milk. We said they must agree to bring in the milk and only for 30 days would they have the preference and they would bring it in with a preference provision. We adopted the amendment offered by the gentleman from Ohio which I think was proper which said they could not speculate on these licenses.

The only thing it does is it says the American producer rather than the international or foreign corporations and for the first 30 days they will have enough to meet their requirements, because anyone who is in the dairy manufacturing business needs imports, and that was the purpose of the whole thing. But we do not put the limitations on for weeks. In an effort to be fair to American producers we tried to insure the American producers would be able to bring in everything they needed. Is that not correct?

Mr. JONES of Tennessee. That is correct.

Mr. POAGE. We did that in an effort to have a provision to which most people interested in agriculture would not object, but of course there are those who find objection to almost anything our committee does.

They feel that it is somehow helpful on agricultural matters to come out here and delay things and try to affect the passage of legislation brought out by the committee. I think, after all, we have taken pretty good care of the consumer.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois (Mr. FINDLEY).

The amendment was rejected.

AMENDMENT OFFERED BY MR. VANIK

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

The Clerk read as follows:

Amendment offered by Mr. VANIK: Page 32, immediately after line 22, insert the following new paragraph:

(24) Section 610 is amended by inserting "(a)" immediately after "SEC. 610." and by inserting at the end thereof the following new subsection:

"(b) In carrying out its powers and duties under the Commodity Credit Corporation Charter Act (15 U.S.C. 714 et seq.) the Commodity Credit Corporation may not make or

provide for payments of export subsidies or similar payments to exporters of commodities."

Redesignate the following paragraphs accordingly.

PARLIAMENTARY INQUIRY

Mr. TEAGUE of California. Mr. Chairman, am I not correct that this amendment comes within the section which was stricken from the bill?

The CHAIRMAN. The gentleman from California is correct. It comes within the provisions of the bill that have been stricken.

PARLIAMENTARY INQUIRY

Mr. VANIK. Mr. Chairman, a parliamentary inquiry.

Mr. CHAIRMAN. The gentleman will state it.

Mr. VANIK. Mr. Chairman, would the amendment be in order as an amendment to the Commodity Credit Act? That was my intention.

The CHAIRMAN. The Chair is not in a position to pass on that matter at this time. But the amendment does go to the portion of text which has been stricken and is not in order in the form offered.

Mr. VANIK. Mr. Chairman, I would like to offer this amendment to H.R. 8860 to prohibit the use of taxpayer subsidies for the sale of agricultural goods in foreign markets.

I realize that this entire section dealing with the cotton program has been amended and counter-amended. But in the original bill—as reported by the committee—this is the one part of the legislation which refers to the authority of the Commodity Credit Corporation to provide massive taxpayer subsidies for the export of our agricultural goods.

Specifically, the basic authority of the CCC provides that the Corporation can—

Remove and dispose of or aid in the removal or disposition of surplus agricultural commodities.

Export or cause to be exported, or aid in the development of foreign markets for, agricultural commodities.

I believe that we must provide inducements and encouragement for the production of food and feed grains and essential fibers for our domestic needs. But agriculture is now a mature industry, and I do not think that taxpayer subsidies should be used to provide for payments for that part of production which is designed for the export market.

The CCC's export subsidy program has been subject to particular abuse—and these subsidies must end.

On July 9, the General Accounting Office issued a detailed study of last year's grain sales to the Soviet Union.

The GAO's study was primarily critical of the failure of the Department of Agriculture to adequately predict and warn American farmers of the pending massive Soviet wheat purchases.

Hopefully, the reporting requirements provided in the committee's bill will prevent a repeat of last year's disaster.

But the GAO was also highly critical of the operation of the export subsidy program.

To quote from one newspaper account:

The assurances of subsidies, the report said, put grain traders in a position to offer lower prices to the Soviet Union than would otherwise have been possible.

There is reason to believe, the report said, that Russian needs would have dictated purchases of significant quantities even with higher prices. It said that Agriculture will pay over $300 million in subsidies on Russian and other sales, although there were prospects that these sales could have been made with reduced subsidies if the department had responded more rapidly to the available information.

Apparently the report has recommended that the Agriculture Department review the wheat export subsidy program—which has been suspended at the present time—"and predicate its reinstatement on a meaningful justification for its existence."

There were obviously some gains from the Soviet wheat deal. But the costs have outweighed the losses. Our colleague from Georgia, Mr. BLACKBURN, presented testimony to the Ways and Means Committee in which he added up all the costs of the Soviet wheat deal—transportation tieups, higher bread taxes, higher feed grain prices and therefore higher meat prices. He estimated that over a 9 month period, the cost of this "deal" to America was about $3.2 billion.

Mr. Chairman, I do not believe that there is any justification for the continuation of this program.

First, if American agriculture is so efficient—as everyone keeps telling us it is then it should not need expert assistance.

Second, in recent years, as our trade situation has become more uncertain, we have complained about foreigners subsidizing exports to the United States. This is a practice which we want to stop. Yet it is unrealistic to ask others to stop when we continue to make such massive subsidies ourselves.

Third, the world wheat and feed grain situation appears to be very tight and is expected to continue so for some time. All too often, the American selling price for wheat is the world price for wheat.

Assistant Secretary of Agriculture Brunthaver analyzed the world wheat situation in a speech this June in Oklahoma:

Something similar is happening in the world's wheat markets. The outlook is for record world wheat production—and continued strong prices. In spite of an expected slight drop in import demand, wheat output will barely cover needs, and the world's wheat stocks are the lowest they've been in 20 years. With feed grain demand booming too, wheat prices are expected to hold near the recent strong levels.

Stocks in the major exporting countries on June 30 will probably be less than 30 million metric tons. This compares with almost 69 million tons three years ago. The last time stocks were this low was in 1952, at a time when world wheat trade was less than half what it is now.

World wheat production is expected to be 10 percent higher this year, at 330 million metric tons. Nearly all of the increase will come from the major exporting countries and Russia. Russia, of course, will be recovering from its exceptionally poor 1972 crop. Soviet production should be up by at least 10 million tons. The United States wheat output will be up by 6 million tons we think, and the combined output of Canada and Australia will be up some 8 million tons. Elsewhere, however, we look for less production. The wheat crops look smaller in West Europe, East Europe and the Middle East.

There are two reasons why production outside the major exporting countries is not expected to increase next year. First, many of them had above-normal years in 1972. Second, most of these importing countries have already been holding wheat prices above world market levels—and their farmers aren't seeing any price increase for their wheat.

Another factor in both the exporting and importing nations is that prices and incentives for feed grains, oilseeds and even forage for livestock have increased—and limited the shifting of additional land into wheat that might otherwise have occurred.

Here's how we see the world wheat market: Russia will probably need less wheat imports. On the other hand, the Middle East and Japan will need more. Several Asian countries took more wheat last year because of poor rice crops, and the world rice supply is very tight again this year.

In all, we expect total world imports of 63 million tons. That is somewhat less than the 69 million tons imported last year. Canada, despite a much larger crop, will have much lower stocks to draw on and will probably not maintain this year's export level. Australia, meanwhile, will increase its exports offsetting Canada. Elsewhere we look for small declines offsetting small increases.

We estimate U.S. wheat exports at 950 million bushels this year, compared with 1150 million last year. With production estimated at 48 million tons, and the somewhat smaller export total, we may add a few bushels to our very low wheat carryover this year.

Let me also emphasize that there are several factors that could have sharp impacts on the market for wheat and other grains . . . and we don't yet know how to weigh them. For example, we don't know how much wheat and corn Russia may want to buy. The Russians themselves don't know how much they'll produce this year yet, and we don't know how much they're using or how much they may want to build their stocks.

We don't know if Mainland China will be in the market for grain this year—though we know their weather has been far from ideal.

We don't know how much protein meal will be available to the world's livestock feeders this year. The Peruvians have halted fishing again, and there may not be much fishmeal.

It is entirely possible, too, that the food situation in Asia may worsen, increasing their import needs.

Canada has had a dry season so far. Some recent rains have helped but they don't have the moisture to produce a full crop yet by any means.

Finally, we don't even know when our Corn Belt farmers will be able to start planting, or how many acres of crops they'll get planted. This could have a big effect on the market for grains later this year and next.

I think it is a startling thing to be able to say that the world's wheat crop is going to jump 10 percent—and that wheat prices are holding strong.

That's how we see it, though.

The market will probably take a billion bushels more corn this year than it took just 4 years ago—and take the extra grain at strong prices.

Soybeans are in such tight supply that I heard an elevator in Indiana is offering farmers $8.10 a bushel for any soybeans they have lying around and the elevator will come and pick them up!

The United Nation's Food and Agriculture Organization recently released a report on the world food situation. The report warned that—

The new and dangerous decline in world cereal stocks calls for a new international initiative to ensure at all times a minimum level of world food security.

The world has drifted into this time of danger because there is, up to this moment, no acceptance by the international community, in any meaningful sense, of the concept of a minimum safe level of basic food stocks for the world as a whole. *It has been*

possible to do without such a concept as long as the world could rely confidently on surplus stocks in North America. But these have now disappeared. [Emphasis added]

In short, Mr. Chairman, there is no need at this time for the Department to reinstitute the export subsidy program.

We should wait to see what the world market conditions are this year and in the coming year. We should wait to see how the Department improves its internal operations. If export subsidies are needed in the future, they should be considered in the future, as part of an overall legislative examination of our trade and export policies.

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

I wonder if the distinguished chairman of the Committee on Agriculture would respond to a question?

On page 16 of the report there are some statements which seem inconsistent to me with respect to the wool program. For example, in the second paragraph under "Wool Program," it says:

Payments are based on the percentage needed to bring the average return (price received on mohair sales plus payments) received by all producers up to the support level.

Then, on down in the fifth paragraph it says:

Prices have been higher than in 1971 and the payment rate will be lower than last year.

Mr. Chairman, I would like to go on down to the next to last paragraph in which it says:

Under this method, the producer who gets a better market price for his wool also gets a higher support payment.

That seems inconsistent with the other language I just read and with provisions of the law.

Mr. POAGE. Mr. Chairman, I think there is an error there. I think that the words should not be "higher support payments." I think that that is one of those errors which we so often encounter. The words clearly should be "higher total payments."

AMENDMENTS OFFERED BY MR. POAGE

Mr. POAGE. Mr. Chairman, I offer amendments along exactly the line of technical corrections. We have here about 20 technical amendments, all of them of exactly the same nature, and I would ask unanimous consent that they may be considered en bloc.

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

There was no objection.

The Clerk read as follows:

Amendments offered by Mr. POAGE:

Page 5, line 2, insert "make" after the words "and to".

Page 8, line 5, after the words "section 107" insert the words "of the Agricultural Act of 1949, as it appears therein,".

Page 13, line 3, strike out "Agriculture" and insert "Agricultural".

Page 16, line 3, after the word "topography" add the following ", and in addition, in the case of conserving use acreages, to such other factors as he deems necessary in order to establish a fair and equitable conserving use acreage for the farm.".

Page 20, lines 16 and 17, strike out "which precedes the first colon and insert "through the first colon and section 105(a) of the Agricultural Act of 1949, as it appears therein,".

Page 23, line 25, after the word "allotments" insert "shall be established on the basis of the feed grain allotments".

Page 25, line 6, strike out "bases" and insert "allotments".

Page 25, line 22, strike out "feed grain or soybean".

Page 26, line 7, strike out "(i)".

Page 26, line 9, after the word "to" insert "(i)".

Page 26, lines 20–22, strike out "inserting a period after the word 'topography' in the first sentence of paragraph (2) and striking out the balance of such sentence".

Page 28, line 5, after the word "beans," insert "triticale, oats, and rye,".

Page 30, line 19, strike out "the" and insert "any".

Page 30, line 24, strike out "(a)" and insert "(f)".

Page 31, line 10, strike out "farmer" and insert "farm".

Page 32, line 4, strike out "1975" and insert "1977".

Page 34, line 2, strike out "section" and insert "subsection".

Page 36, line 5, after the word "State." insert the following new sentence: "The Commodity Credit Corporation shall not make any expenditures for carrying out the purposes of this subsection unless the Corporation has received funds to cover such expenditures from appropriations made to carry out the purposes of this subsection."

Page 36, line 9, after "(25)" insert "Title VI is further amended by adding the following new section: Section 612."

Page 3, line 9, strike out "Agriculture" and insert "Agricultural".

Page 38, line 16, after the word "shall" insert "only".

Page 40, line 19, strike out "Act" and insert "section".

Page 40, line 20, strike out "Act" and insert "section".

Page 40, line 21, strike out "Act" and insert "section".

Page 40, line 25, strike out "Act" and insert "section".

Page 41, line 3, strike out "Act" and insert "section".

Page 41, line 18, strike out "(B)" and insert "(b)".

Page 41, line 18, strike out "the Great Plains" and insert "such".

Page 42, line 1, strike out "Act" and insert "Title".

Page 42, line 10, strike out "(B)" and insert "(b)".

Page 42, lines 10 and 11, strike out "the Great Plains" and insert "such".

Mr. POAGE (during the reading). Mr. Chairman, these are all technical amendments without any changes of a substantial nature. I ask unanimous consent that the amendments be considered as read and printed in the RECORD.

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

There was no objection.

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

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

Mr. TEAGUE of California. I am familiar with the fact that these are technical amendments, and I am perfectly willing to accept them.

Mr. POAGE. I thank the gentleman.

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

The amendments were agreed to.

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

Mr. Chairman, I should like to address a question to the chairman of the Subcommittee on Livestock and Grains, the gentleman from Washington (Mr. FOLEY) with respect to section 808 in the bill.

Section 808 provides for wheat and feed grains research.

Mr. FOLEY. Yes.

Mr. SEBELIUS. The report, on page 36, reflects the subject. The language talks about fertilizer and pesticide uses. I believe we had a conversation in the subcommittee, but did not have one in the full committee, on the subject of residues of fungicides and pesticides and the need for research in the marketing field as to how to deal with those residues.

I should like to ask the gentleman a question, to make legislative history, as to whether it was the intent of the committee that in the research such residues of fungicides and pesticides would also be included.

Mr. FOLEY. Yes. The marketing research was within the purpose, as announced by the Subcommittee on Livestock and Grains.

The gentleman is correct.

Mr. SEBELIUS. I thank the gentleman.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 2. (a) Notwithstanding section 6(c) of the Occupational Safety and Health Act of 1970 (29 U.S.C. 654(c)) or any other provision of law, the Secretary of Agriculture shall provide, without regard to the requirements of chapter 5, title 5, United States Code, for an emergency temporary standard prohibiting agricultural workers from entering areas where crops are produced or grown (such emergency standard to take immediate effect upon publication in the Federal Register) if he determines (1) that such agricultural workers are exposed to grave danger from exposure to pesticide chemicals, as defined in section 201(q) of the Federal Food, Drug and Cosmetic Act (21 U.S.C. 321(q)), and (2) that such emergency standard is necessary to protect such agricultural workers from such danger.

(b) Such temporary standard shall be effective until superseded by a standard prescribed by the Secretary of Agriculture by rule, no later than six months after publication of such temporary standard.

(c) As of the date of enactment of the Agriculture and Consumer Protection Act of 1973, the regulations issued by the Secretary of Labor under section 6(c) of the Occupational Safety and Health Act of 1970, which appear on pages 10715–10717 of number 83 of volume 38 of the Federal Register of May 1, 1973, shall be null and void with respect to agricultural workers.

AMENDMENT OFFERED BY MR. BERGLAND

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

The Clerk read as follows:

Amendment offered by Mr. BERGLAND: Page 53, line 3, strike out section 2 of the bill, H.R. 8860, in its entirety, and renumber the following sections accordingly.

Mr. BERGLAND. Mr. Chairman, my amendment would strike section 2, dealing with the transfer of the administration of OSHA as it has to do with pesticides from the Department of Labor to the Department of Agriculture. While that section is technically germane it is my judgment it is not relevant to a farm bill.

On the first day of May the Department of Labor issued temporary standards limiting reentry to fields that had been treated by a deadly family of poisons known as organophosphates.

Mr. Chairman, this is a nerve gas. Heavy doses will kill and light doses of this compound will show up in such symptoms as flu, blurred vision, vomiting, nausea, and so forth.

Those temporary standards were to be effective on the 18th day of June, the worst possible time in my judgment, in that these pesticides are used in the fruit growing and the tobacco growing industries and the planters of these crops had the growing of these crops underway.

Mr. Chairman, I submit that the Labor Department should have proposed these temporary standards last December, so there would have been time to consider them, but instead they were to be put into effect on the 18th day of June. The Committee on Agriculture moved to set aside those temporary standards and transfer the administration of OSHA from the Department of Labor to the Department of Agriculture. Our committee acted in the heat of passion. It was in my judgment an unwise amendment, but it was the only means by which a majority of the members of our committee could react and indicate to the Labor Department their displeasure at the way this matter had been handled.

On the 15th day of June the Department of Labor set aside those temporary standards and rendered them null and void. On the 21st day of June the Labor Department introduced some new temporary standards reducing the number of chemicals that were to be prohibited from 21, the number that was in the original order, down to 12, and reducing the re-entry days to two. Last week the Fifth Circuit Court of Appeals set aside even those temporary standards.

Mr. Chairman, it has been said that the Department of Agriculture has no responsibility in these kinds of matters, but, in fact, they do have a representative on the OSHA Standards Boards. The Department of Agriculture is counseled as these standards are developed.

Our committee held no hearings on this matter; we had no testimony from the Department of Agriculture, from the Department of Labor, or from anyone else. We have no idea on the implications of this amendment. We do not know how or if the Department of Agriculture could run it, in fact.

Mr. Chairman, I urge that the amendment be adopted.

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

Mr. SYMMS. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count.

Eighty-eight Members are present, not a quorum. The Clerk will call the roll.

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

[Roll No. 339]

Addabbo	Breaux	Clark
Bell	Burke, Fla.	Conyers
Blatnik	Butler	Danielson
Boland	Chisholm	Diggs
Dingell	Johnson, Calif.	Morgan
Dorn	Kemp	Murphy, N.Y.
Edwards, Ala.	King	O'Neill
Evins, Tenn.	Kuykendall	Pepper
Fisher	Landgrebe	Pettis
Froehlich	Landrum	Reid
Gross	McFall	Stokes
Hanna	McKinney	Talcott
Hébert	Madden	Taylor, Mo.
Helstoski	Mailliard	Wilson, Bob
Holifield	Mills, Ark.	

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. NATCHER, 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. 8860, and finding itself without a quorum, he had directed the roll to be called, when 389 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

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

Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Minnesota (Mr. BERGLAND). I never thought I would see the day I would come into the well of this House to oppose an amendment offered by a member of the Committee on Agriculture, to capitulate to the jurisdiction of the Committee on Education and Labor over the regulations for usage of pesticides, because the knowledge and the expertise on this subject rests in the Department of Agriculture, and has been there for years.

My friend on the committee wants to leave the farmers of this country, the food producers, under the thumb and jurisdiction of the Labor Department as it relates to the use of pesticides, instead of the Department of Agriculture.

Mr. Chairman, first of all, let me say as the author of this section of the bill which my colleague seeks to strike, that I am as firmly committed as anyone to the protection of farmworkers from potential dangers associated with farming operations. And so I believe, as does every member of the Committee on Agriculture, there is no room for debate on that point at all.

But on the point raised by my colleague, the gentleman from Minnesota (Mr. BERGLAND) in a "Dear Colleague" letter that went out to all the members about the expert advice being used by the Occupational Safety and Health Administration for establishing such protective standards, there is ample room and substantial need for clarification.

On May 1, 1973, OSHA published in the Federal Register a set of emergency temporary standards for the protection of workers from exposure to highly toxic pesticides. Without belaboring the specifics of these technical regulations, I believe the pertinent point to make here is that the chairman of OSHA's Special Advisory Subcommittee on Pesticides resigned in protest against the regulations and stated in his letter of resignation as follows:

> The Subcommittee on Pesticides was unanimous in its recommendation that no emergency existed and that there was no justification for emergency standards.

The chairman of the advisory subcommittee was Dr. F. S. Arant, of Auburn University, one of the leading authorities in the Nation in the field of pesticides. In his letter of resignation, Dr. Arant goes on to challenge in great detail the published regulations, which he characterizes alternately as "laughable," "unworkable," "ambiguous," and "potentially disastrous" and would work "unnecessary hardships on employer and employee."

Dr. Arant goes on to state that his subcommittee could find no proof of the Department of Health, Education, and Welfare's estimate that 800 persons are killed and another 80,000 injured each year with pesticides. The subcommittee found instead that there were relatively few deaths associated with pesticides and that the vast majority of those occurred primarily from persons drinking the chemical through accident or suicide.

In the conclusion of his letter, Dr. Arant writes, and again I quote:

> It is obvious from the above discussion that many recommendations of the Advisory Committee have been totally ignored in the standard issued. It is also obvious that the advice of the Subcomittee is not valued highly by the Department of Labor.

Mr. Chairman, I believe that the safeguarding of farm workers from potential dangers from pesticide exposure is too important a task to be left to an agency that rejects the advice of its own experts and which is so seemingly devoid of any sense of realism or any working knowledge of farming operations.

The fact that the regulations were established on an emergency basis, despite the absence of any emergency, is proof enough that OSHA has engaged in nothing less than a power grab.

The CHAIRMAN. The time of the gentleman from North Carolina (Mr. MIZELL) has expired.

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

Mr. MIZELL. For all of these reasons, I believe—and the majority of the Agriculture Committee has concurred in this belief not once but twice—that the Secretary of Agriculture is far more capable of establishing intelligent standards that will meet the crucial test of adequate protection and at the same time allow for the continued economical production of food and fiber in this country.

OSHA's regulations by the estimate of the Library of Congress' senior agricultural specialist would cost the agricultural industry about $50 million a year, and in my opinion that is a very conservative estimate. That is far too high a price to pay for a set of standards that are unneeded and unworkable. The cost to farm laborers themselves who are denied work unnecessarily under the terms of these provisions, would be great indeed.

The Secretary of Agriculture has the expertise available to him to establish workable standards if it is proven that they are in fact needed.

As my colleagues know, the price of food is high enough already, and I see very little sense in imposing a substantial additional burden on the cost of farm production through a set of standards

whose very reason for existence has been called into serious question by the Nation's leading experts.

I strongly urge my colleagues to heed the advice of these experts.

Mr. SYMMS. Will the gentleman yield?

Mr. MIZELL. I yield to my friend from Idaho.

Mr. SYMMS. I thank the gentleman for yielding.

I, too, wish to associate myself with the gentleman's remarks and join him in asking our colleagues in the House and members of the committee to vote down this amendment.

Mr. MIZELL. I thank the gentleman.

I now yield to the gentleman from California.

Mr. TEAGUE of California. I, too, am opposed to the amendment and would like to point out that it was very carefully considered in the House Committee on Agriculture. The amendment was adopted by an overwhelming vote, 25 voting in favor of it with 2 present, and it should not be canceled.

Mr. MIZELL. I thank my distinguished friend.

Mr. YOUNG of South Carolina. Will the gentleman yield?

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

Mr. YOUNG of South Carolina. I would like to associate myself with the remarks of the distinguished gentleman from North Carolina and commend him on the presentation he has made.

I am delighted that he would take the time of the House to explain fully what is going on in the amendment.

Mr. ABDNOR. Will the gentleman yield?

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

Mr. ABDNOR. I would like to commend the gentleman from North Carolina for his remarks and associate myself with his statement and point out that Dr. Wayne L. Berndt of the South Dakota University Extension Pesticide Division wrote me about this very thing and pointed out what you said about the chairman of the advisory commission resigning and urged me to do what I can to help keep this clause in the bill giving the Department of Agriculture the right to have control over the use of these pesticides.

Mr. DICKINSON. Will the gentleman yield?

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

Mr. DICKINSON. I was wondering about something. Recently I have gotten a good bit of mail relative to some standards which were promulgated that prohibited children from going into a field for a certain time after the use of certain pesticides. I understand that it varies from crop to crop. But I wondered who promulgated these standards and are they in fact workable.

Mr. MIZELL. In response to the gentleman's question, OSHA is the agency which implemented those standards and completely ignored the advice of the experts who said no emergency existed and they were totally unneeded at this time, but they were still imposed.

Mr. DICKINSON. I understand Dr. Arant is one of the outstanding experts in the field, and I understand he resigned because of the unnecessary and unreasonable regulations OSHA had imposed on the agricultural industry. Is there any hope to expect things will be any different if the Secretary of Agriculture should undertake the oversight and promulgation of such rules?

Mr. MIZELL. I think the very fact that Dr. Arant resigned in protest against these regulations is an indication that the experts in this field would certainly recommend something far different from OSHA.

Mr. DICKINSON. I thank the gentleman for yielding.

Mr. BERGLAND. Will the gentleman yield?

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

Mr. BERGLAND. There is no Member of this House for whom I have greater respect either as a baseball player or legislator, but I am sure the gentleman did not intend to leave the impression that these organophosphorus chemicals were somehow harmless. I am sure he is aware that in North Carolina 22 workers in tobacco were poisoned by malathion and in California 24 were poisoned using parathion.

The CHAIRMAN. The time of the gentleman has once again expired.

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

Mr. Chairman, I yield to the gentleman from North Carolina (Mr. MIZELL).

Mr. MIZELL. Mr. Chairman, I thank the gentleman for yielding, so that I might respond to the statement made by the gentleman from Minnesota.

Mr. Chairman, I have here a letter to Secretary John Stender from the Chairman of the Advisory Committee to OSHA in which he says:

> The subcommittee was unable to find a single authentic record of a fatality resulting from a person entering or working a field treated with a pesticide.

He went on to say:

> A survey of pesticide safety specialists at all Land-Grant Universities revealed that no problems had arisen from workmen entering pesticide treated fields in a majority of the States, and only minor problems in others.

This clearly answers the question of the gentleman from Minnesota.

Mr. WILLIAM D. FORD. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would ask the gentleman from North Carolina (Mr. MIZELL), a question. I did not hear the answer to the question that was posed a few moments ago from the other side of the aisle.

I believe the question was: "What change do you think would be brought about by transferring OSHA's enforcement to the Secretary of Agriculture? How would that change differ from what it is now?"

I do not believe the gentleman answered that question. I believe it was the gentleman from Alabama (Mr. DICKINSON), who asked the question originally.

Would the gentleman from North Carolina answer the question again? What does the gentleman expect will happen that will be different after the transfer of this function to the Department of Agriculture?

Mr. MIZELL. If the gentleman will yield, we certainly transfer the authority to set the emergency regulations back to the Secretary of Agriculture where the expertise in this field is located at this point.

And the very fact that the chairman of the Advisory Committee, who is a well-known specialist in this field——

Mr. WILLIAM D. FORD. That is not the question. The question is, what does the gentleman expect would happen that would be different? The gentleman has not answered that question. The gentleman is talking about some speculation here. But the gentleman specifically, in his amendment, not only authorizes the suspension of temporary standards, but provided further that there shall be no standards until such time as the Department of Agriculture promulgates standards.

What is it that the gentleman expects will happen when this new authority is moved to the Department of Agriculture? Why not leave this responsibility in the one agency of the Government that deals with occupational safety for all other employees in the United States?

Mr. MIZELL. If the gentleman will yield further, the gentleman did not let me finish. I stated in my statement a moment ago, and I think this is looking to the point that the gentleman is now making, and that is that the expertise in this field is in the Department of Agriculture. The experts state, first of all, that there is no emergency existing. And the only way that——

Mr. WILLIAM D. FORD. The gentleman is speaking on my time and, with all due respect to the gentleman from North Dakota, I have asked the gentleman the question. Is it that the gentleman cannot answer the question, or is it that the gentleman does not want to answer the question?

Mr. MIZELL. Please give me a chance to respond. I made the statement a moment ago——

Mr. WILLIAM D. FORD. My question is, What would be different by having the administration of occupational safety of only farm workers moved to the Department of Agriculture? What does the gentleman expect it to do?

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

Mr. WILLIAM D. FORD. I will yield to the gentleman from Pennsylvania as soon as the gentleman from North Carolina answers my question.

Mr. MIZELL. The authority is clearly in the Secretary of Agriculture where there is the expertise in this field. This is what I would like to do: I do not know what set of standards he will set, but I believe that whatever steps the Secretary considers are necessary if an emergency does exist, then he can set the standards.

Mr. WILLIAM D. FORD. The gentleman is telling me what the Secretary can do. I can read the bill. I want to know exactly what the difference would be. The

gentleman in the well claims credit for writing this section of the bill. What does the gentleman from North Carolina expect would happen that would be different with the Secretary of Agriculture handling this enforcement? Would the gentleman please answer that question?

The standards affect the working conditions of farm employees working with pesticides. What does the gentleman expect would be different if the Secretary of Agriculture were to handle this?

The gentleman from Alabama (Mr. DICKINSON) asked that question, and the gentleman from North Carolina apparently refused to answer the question. I have asked the gentleman from North Carolina three times, and the gentleman will not tell me.

It is not the truth that the gentleman expects the Secretary of Agriculture to throw the ballgame in this matter of safety standards for agricultural employees?

Mr. MIZELL. If the gentleman will yield further, I think the gentleman would rather listen to himself than to listen to me at this point.

Mr. WILLIAM D. FORD. Will the gentleman answer the question? What does he expect the Department of Agriculture to do with this authority?

Mr. MIZELL. I think the Secretary would have the authority, if he says there is an emergency, to set standards and regulations. In other words, they would be set by the experts in the field who completely rebelled against the regulations that OSHA was trying to impose.

Mr. WILLIAM D. FORD. How would they change them, and change them to what?

Mr. MIZELL. I would leave that to the discretion of the experts.

Mr. WILLIAM D. FORD. Is the gentleman from North Carolina saying that the gentleman trusts the administration's Secretary of Agriculture, but does not trust the administration's Secretary of Labor?

Mr. MIZELL. I think it is obvious at this point from the fact that we have a decision from the Fifth Circuit Court of Appeals that has stayed the order that was implemented by OSHA.

All my amendment does——

Mr. WILLIAM D. FORD. What assurance do we have that the same experts hired by one member of the Nixon Cabinet will not be hired by another member of the Nixon Cabinet?

Mr. MIZELL. I think this is an area where the experts should haxe jurisdiction in this field. We have a perfect example of what can happen when they not only do not have any expertise in this field but when they ignore it.

Mr. WILLIAM D. FORD. Has the gentleman been assured in advance that there have been different experts selected by the Department of Agriculture? He is asking us to vote on this amendment on the ground that something different will happen, but he is reluctant to tell us what is going to be different.

Mr. MIZELL. I certainly have no advance information from the Secretary of Agriculture. I think that if we are going to impose some hardships and some regulations on the food producers in this country, it should be done by experts in the field.

Mr. WILLIAM D. FORD. Mr. Chairman. I have no further time.

Mr. Chairman, I should just like to call the Members' attention to the fact that what is being attempted here. With reference to the occupational safety and health law, we will have this very unusual situation where standards governing only one particular type of occupational hazard affecting only one particular kind of employee in the country would be administered by an entirely different agency of the Federal Government than that already promulgating and administering such standards for all other employees and industries in the country.

There is no need and no justification for the transfer of this authority from the Department of Labor to the Department of Agriculture.

The Occupational Safety and Health Act, enacted by Congress less than 3 years ago, was intended to cover farmworkers fully. As of this date, the Labor Department has still not demonstrated that it has completed the job of protecting the farmworker. But to transfer its authority to carry out the task of protecting farmworkers from death and illness from pesticide poisoning at this time, would merely delay the process even further. It simply makes no sense to do this when the Labor Department has been working all this time to develop expertise in this area.

Congress intended to give the Labor Department the authority to protect all workers. If it wanted to decentralize this authority we would have delegated the authority to promulgate standards for small businesses to the Small Business Administration, the authority to promulgate standards for larger corporations to the Department of Commerce, and the authority to regulate pesticides to the Agriculture Department. But we did not. We centralized the authority to issue occupational safety and health regulations in the Department of Labor, and the gentleman from North Carolina has demonstrated no justification whatsoever for his amendment which transfers the authority in this one specific area to the Department of Agriculture.

Mr. Chairman, agricultural labor is one of the most dangerous of all industries. Recent studies indicate that the injury rate for agricultural employees exceeds that of all other major occupational groups with the exception of coal miners and construction workers. Farmworkers are injured or killed at a rate of 67 per 100,000 workers, while the average in all other industries is 18 per 100,000 workers. Although the national agricultural work force accounted for only 4.5 percent of the national total work force, it accounted for nearly 10 percent of the disabling work injuries and 17 percent of the job-related fatalities.

The Labor Department has been charged with the responsibility of protecting farmworkers, and although it has not accomplished this goal, its work in this area has at least begun. To transfer the responsibility at this time is to mandate a further delay which we cannot afford.

Mr. Chairman, I urge my colleagues from both sides of the aisle to vote against transferring this authority to the Agriculture Department by voting in favor of the Bergland amendment.

Mr. McCORMACK. Mr. Chairman, I rise in opposition to the Bergland amendment.

Mr. Chairman, certainly, every thinking and responsible person agrees that we must provide the maximum reasonable protection for the safety and health of all workers in this country, regardless of whom their employers may be.

In attempting to reach this end, however, and particularly with respect to the OSHA legislation, the 91st Congress enacted a law which now—3 years later—is, in the agricultural area at least, being administered as if complex problems can be handled with simplistic, overgeneralized solutions.

The fundamental fact, in this instance, is that representatives of the Department of Labor have mistakenly assumed that farmers, who are hiring temporary employees—many of whom have limited education and suffer from language barriers—can be treated in the same manner as large corporations, with fixed facilities, who hire more highly educated and better trained, permanent employees. This is causing undue and unnecessary hardship on small family farmers, and the possible loss of work by the men and women the Congress intended in 1970 to protect.

Add to this the arrogance with which representatives of the Department of Labor have treated and threatened to treat the farmers, and one finds a situation in which the Federal Government or at least the Department of Labor is looked upon as nothing less than the enemy of the average small farmer attempting to make a living. I do not for a moment suggest that this Congress should relax reasonable standards for safety for any employee, when those standards have been established after reasonable deliberations by personnel who understand the situation. But this is the crux of the problem we face. It is quite obvious to me that representatives of the Department of Labor have not demonstrated an understanding of how to work with the members of the agricultural community in my State in providing responsible safety programs under the law. I suggest that safety and health requirements for agricultural employees can be more responsibly formulated and administered by representatives of the Department of Agriculture who have come, through a lifetime of experience, to understand the difference between managing a family farm on the one hand, and a large industrial or manufacturing plant on the other.

What we all want is optimum protection for all employees with respect to their health and their physical safety on the job, but a responsible approach to this goal requires a realistic attitude toward the facts involved. The health and safety of agricultural workers can be better protected, in this instance, if

the laws are administered by the Department of Agriculture rather than by the Department of Labor. What is missing in the Department of Labor, but present in the Department of Agriculture, is an understanding of the economic and managerial problems of the small farmer. In our desire to protect the workers, we should not allow ourselves to blindly overlook either the problems of the small farmer or the employment stability of the farmworkers. I urge you to defeat this amendment.

Mr. STEIGER of Wisconsin. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, let us understand at the outset that the controversy that surrounds the provision in the committee bill does not really deal with the issue of pesticides and their application. The controversy involves the decision of the Department of Labor to promulgate under section 6(c) of the Occupational Safety and Health Act a temporary emergency standard under the provisions of that act. I think that judgment was wrong. I think it was a serious mistake for the Department of Labor to issue an emergency standard, and I think what has happened since that decision was made in the early part of May is that by and large almost everybody in the field of agriculture and in labor recognizes that the initial decision of the Department of Labor was not correct. There was no emergency.

The facts on which they based their decision were wrong.

What has happened since then? And why do I very strongly support the Bergland amendment? What has happened is that on the 26th of June the Department of Labor released on amended version of their temporary standard. That amended version, among other things, reduced the number of regulated pesticides from 21 to 12. It reduced a number of the reentry times. It modified the types of personal protective equipment required of farmworkers, and it limited requirements of the standard where the employee has "substantial contact" with the pesticide-treated crop.

All of those basic changes that were made in the initially promulgated temporary emergency standard, it seems to me, go a long way, frankly, in terms of substantially responding to the very legitimate concerns that have been expressed by those in the field of peaches, apples, and all of the other crops that were affected by the initial standard.

What the Department of Labor has done, having made that initial mistake, in large measure is to correct the error of the way that they undertook this standard. But what we now find ourselves with is a provision in the agriculture bill, and what does it do? It does very simply, a rather unique thing. It, first of all, voids the standard, both modified and original.

Then what does it do? It says that any further promulgation of standard will not be made by the Department of Labor but will be made by the Department of Agriculture.

Where does that leave us? It leaves us in the position, if this amendment is not agreed to, of having the Department of Labor carry out all other responsibilities under the Occupational Safety and Health Act, and the Department of Agriculture setting standards for one particular set of problems in the pesticide field. This kind of split administration, it seems to me, is totally wrong and works to the disadvantage both of the farmer and of the farmworker.

A step in that direction would compound an already difficult problem. It does not solve the very real fact of life that some pesticides used in agriculture are harmful. This does not solve the initial decision made by the Department of Labor in the long run of having made the mistake of having issued a temporary emergency standard. Thus it seems to me this committee ought to undertake to attempt to resolve this problem in a far more effective fashion and adopt the Bergland amendment to allow the Department of Labor as it has done already to modify the provisions, to undertake the section 6(b) work, it has already started public hearings across the country, to recognize that the Department of Labor because of the court order has already stayed the effective date of July 13 any compliance on inspection of farm use of pesticides.

The Department of Labor's Safety Health Administration last Friday because of the action in Louisiana, are staying any further work on the farms. Thus it seems to me this committee would be well advised not to compound the difficulties that the amendment started by the Senator from South Carolina in the other body would cover, and with all due respect for the man who does such a good job, with respect to the decision of the Mizell amendment, I hope the Bergland amendment is adopted and then the House will keep up the pressure on the Department of Labor to do the job properly, but we should not take that authority away. It would be a serious mistake.

Mr. POAGE. Mr. Chairman, I rise in support of the amendment. I think we have blown this up out of all proportion. I cannot believe it is of the importance that has been attached to it but I do think what we must bear in mind is that while all of us have a tendency to want to see those agencies with which we are most closely associated have control, it does not always mean they are absolutely perfect and everybody else is absolutely wrong.

I do not know just where a great many of the interested parties stand on this matter. I had understood up until today that the Department of Agriculture felt the Bergland amendment was a perfectly sound approach. I had understood that the administration had decided they wanted to keep these programs in the agencies that are presently administering them.

I had personally felt that I had more experience with the Department of Agriculture and thought that it possibly would do a better job. I had also observed in the Department of Labor what I know was a very poor job of setting standards—in fact one of the worst I had ever seen—and I had thought that the Department of Agriculture could improve upon that.

But I do understand now that the administration feels it is better to keep the functioning of the different agencies as they are at the present time. Since they have the responsibility I think that those who have the responsibility probably ought to accept that responsibility, and maybe this discussion will point out to the Department of Labor just how far off they are from anything that is practical and they will try to get back to a practical position.

I do know that those who have felt the Department of Labor should administer this program have not changed their position nor have they fragmented over the matter as those of the other viewpoint have.

It seems to me we had better therefore forgo our natural prejudice in favor of the Department of Agriculture, those of us on the committee who naturally are favorable that way, and maybe we ought to forgo that and seek to achieve that which could be sound administration if the Department of Labor will exercise a degree of judgment and a degree of practicality. I, therefore, expect to vote for the Bergland amendment.

Mr. GERALD R. FORD. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, ordinarily I would not take the floor to participate in a discussion of an amendment of this nature except that I happen to have a good many constituents who are good apple growers, and they have been very concerned about the action taken by the Department of Labor. In addition, a number of Members of the House on both sides of the aisle were concerned about the rather precipitous action taken by the Department of Labor when it issued its first order and it was printed in the Federal Register. A number of Members on both sides of the aisle have asked me on two occasions to sign a joint letter to the President complaining of the action taken by the Department of Labor. I signed the first one and did not sign the second one.

Mr. Chairman, let me indicate some personal views, if I might. I think the Department of Labor was completely wrong factually in their justification for the issuance of a temporary emergency standard. The hook upon which they hung their hat, the so-called 800 deaths, was never justified. They pulled it out of the air of some Senate hearing and never made any independent investigation as to the credibility of that statement by a witness before that committee. That was the full grounds upon which they made their original finding. They ought to learn a lesson and do a little better homework.

I think they were wrong in promulgating temporary emergency standards which, in effect, precluded individuals from coming in and making a presentation so that all parties could be heard and an opportunity for review could have been given.

I believe under those circumstances a far better result would have been the

conclusion of this rather tragic story or circumstance.

After this mistake was made—and it was a serious mistake—I had communications with the Secretary of Labor, Pete Brennan, and after listening to the story that I gave him and the information that came to him from other sources in a meeting we had, the Department of Labor revised its original order. They modified it as to reentry requirements; they modified it as to protective equipment and modified it as to certain pesticides.

They did determine, however, that on a date certain these standards would go into effect that had been modified, but they then agreed that there should be hearings held throughout the country so that a permanent standard might be established. It is my understanding that they have established four places throughout the United States for hearings. Unfortunately, they ignore several very vital areas where there should be hearings, in my opinion.

In a matter of this consequence, where people are so vitally affected in so many areas, the Department of Labor would have been well advised to have more than four places for hearings, and would have been well advised to give people a better opportunity to testify without an undue burden on them of time or money.

Perhaps that can be modified. I hope it will be.

In the interim, lawsuits have been initiated, first against the original order but continued against the subsequent or modified order.

On July 10, 1973, the U.S. Court of Appeals for the Fifth Circuit in New Orleans stayed the July 13 effective date of the amended emergency temporary standard which was published in the Federal Register on June 29.

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

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

Mr. GERALD R. FORD. Mr. Chairman, the court's stay of the order is to remain in effect pending judicial review of the standard or until otherwise ordered by the court.

What this means is that there will be no standards that will be effective, in all likelihood, in 1973.

I believe the court was on good ground in taking the action that it did. I hope the action of the court will convince the Department of Labor that it made a mistake in the first instance and that when it goes into court for temporary emergency standards it should have a better factual justification for what it did.

Now we come to the question of whether in this bill we should, in effect, remove jurisdiction from the Department of Labor and transfer it to the Department of Agriculture. I have mixed emotions about this. Frankly, I have not made up my mind how I am going to vote.

I believe it is bad to fragment the control of occupational health and safety regulations and enforcement. Most of us, in my judgment, would rather have this kind of an operation in one department. At least I would.

On the other hand, the action taken by the Department of Labor in this particular case was pretty badly done, pretty sloppy. If they do not have a better batting average in the future then we ought to fragment it, and the sooner the better.

I wish to commend the Secretary of Labor for interjecting himself into the situation and getting a modification of the original order. The Secretary of Labor has written me dated July 10, 1973, urging my opposition to section 2 of H.R. 8860, the portion referring to OSHA. I will put the letter in the record after we leave the Committee of the Whole.

I also have a communication from Mr. Benjamin L. Brown, Deputy Under Secretary for Legislative Affairs, dated July 6, urging my opposition to this provision in the bill now before us.

I also have a communication from Assistant Secretary of Labor, John Stender, in effect urging my opposition to this provision, but he included something I believe is of broader nature and something that ought to be put in the record.

And I will later. But I would like to read to the Members some guidelines that Assistant Secretary of Labor Stender has issued, dated July 2. If these are implemented accurately and properly, I believe we can look upon OSHA as being better managed now than it was in the past. I am quoting from Mr. Stender's memorandum for Assistant Regional Directors in field compliance staffs. I am quoting from the third paragraph:

> I am not asking you to play a numbers game. I am not assigning a weekly or annual inspection quota for each compliance officer and industrial hygienist, because as a longtime union man I am opposed to a piecework operation.
>
> I am, however, asking each of you, using your own good judgment, to think about programming your time during the week so you can spend as much time as possible conducting inspections and related activity. Your good judgment and logic is a necessary ingredient to producing a safe work place. In my public appearances I have stated that we want to be practical in our professional approach to job safety.
>
> I urge you to be practical and not to nitpick.

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

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

Mr. RONCALIO of Wyoming. Mr. Chairman, will the distinguished minority leader yield?

Mr. GERALD R. FORD. I yield to the gentleman from Wyoming.

Mr. RONCALIO of Wyoming. Mr. Chairman, I would like to compliment the minority leader on his remarks, and I know we all hope that the act is being better administered now. It could not be much worse than it was.

I compliment the minority leader on his commendable work, and I appreciate the gentleman's remarks.

Mr. GERALD R. FORD. Mr. Chairman, let me compliment the Secretary of Labor for personally getting involved in this controversy. I think his actions are responsible for the modified order.

I also believe Secretary Stender, after taking a look at the situation, does recognize that perhaps a mistake was made at the outset, and I compliment him on what I think is a better approach to the compliance problem and the inspection problem of OSHA.

Quite frankly, I wish the problem had not arisen. But it is on our doorstep.

Mr. Chairman, I had mixed emotions, and I am going to wait and see, after we have a little more debate. If we could reprimand labor or the people who made the mistake in the first instance and leave the compliance and the inspection in their hands in the future, and hopefully they would do a better job, I would support the Bergland amendment. But if there is a repetition of the kind of problem we face or did face, then in my opinion the Bergland amendment should be defeated.

Mr. Chairman, the material I referred to earlier is as follows:

JULY 11, 1973.

HON. GERALD R. FORD,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN FORD: Because of your strong interest in the field of work place safety and health, I am sending to you a recent memorandum directed to our field compliance officers.

The Williams Steiger Act of 1970 2(b) states in part as a Congressional purpose, ". . . to assure as far as possible every working man and woman in the nation safe and healthful working conditions. . . ."

It is my purpose and the challenge of all of us in OSHA to carry out the mandate in the Act in a professional manner applying the safety standards in a practical way so as to assure a safe and healthful work place for all employees.

With all best wishes,

Sincerely,

JOHN H. STENDER,
Assistant Secretary of Labor.

U.S. DEPARTMENT OF LABOR, OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION,
Washington, D.C., July 2, 1973.

Memorandum for: Assistant Regional Directors and Field Compliance Staff.

I am very pleased about the increased level of inspection activity during the last few months. It is my belief that the success of the Occupational Safety and Health Act of 1970 lies in making both employees and employers conscious of the Act and stimulating them to comply with our standards through their own efforts.

Although our emphasis will be on making more inspections to stimulate compliance, we cannot do this at the expense of the quality of our inspections. Inspections, and possible self-compliance, can eliminate the hazards that exist in the workplaces of America. Reducing fatalities, injuries, and illnesses in the workplaces will be the real test for OSHA and the final gauge of our success or lack of it.

I am not asking you to play a "numbers" game. I am not assigning a weekly or annual inspection quota for each Compliance Officer and Industrial Hygienist because, as a longtime union man, I am opposed to a "piecework" operation. I am, however, asking this of each of you: using your own good judgment, think about programming your time during the week so you spend as much time as possible *conducting inspection and related activities.* Your good judgment and logic is a necessary ingredient to producing a safe workplace. In my public appearances, I have stated that we want to be practical in our professional approach to job safety. I urge you to be practical and not to nitpick.

Thank you for your past efforts. I feel confident that your dedication to our program will insure our future success.

JOHN H. STENDER,
Assistant Secretary of Labor.

U.S. DEPARTMENT OF LABOR,
OFFICE OF THE SECRETARY,
Washington, D.C., July 10, 1973.

Hon. GERALD R. FORD,
U.S. House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN FORD: This letter is in opposition to section 2 of H.R. 8860, the Agriculture and Consumer Protection Act of 1973. This section would transfer to the Secretary of Agriculture the authority to promulgate occupational safety and health standards relating to pesticides.

Congress has placed the general responsibility for safeguarding the safety and health of the Nation's employees in the hands of the Secretary of Labor giving the Department of Labor broad coverage over all employers. To place this portion of the Secretary of Labor's authority in the Department of Agriculture would be unwise and impractical. The proposed provisions would have the counterproductive effect of placing one group of employees, and with respect to only a certain group of hazards, under the authority of another Federal agency—creating confusion, distortions of the carefully worked out statutory scheme, and possible gaps in coverage.

This section would have the effect of nullifying the Secretary of Labor's emergency temporary standards as to the use of pesticides in farm employment. On the basis of additional information which the Occupational Safety and Health Administration has received, it amended the emergency pesticide standard on the ground that the original standard was broader than necessary to protect farm workers. The emergency standards will remain in effect for six months, during which time public hearings in different parts of the country are to be conducted before permanent standards are issued. In view of these facts, the enactment of the proposed amendment would be premature and would disrupt the prescribed procedures under the Occupational Safety and Health Act.

For these reasons, I urge that section 2 of H.R. 8860 not be enacted.

The Office of Management and Budget advises that it has no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely,

PETER J. BRENNAN,
Secretary of Labor.

U.S. DEPARTMENT OF LABOR,
OFFICE OF THE SECRETARY,
Washington, D.C., July 6, 1973.

DEAR CONGRESSMAN: This letter is in further regard to your recent expression of concern over the emergency standards protecting workers from pesticide exposure. As you were informed in June, the original standard was suspended in answer to Congressional complaints of its rigidity. We have issued a revised standard on the basis of new evidence which we feel will satisfy your concern in this matter.

On Tuesday, July 10, an amendment to H.R. 8860, the 1974 Agriculture Act, will be considered in the matter of pesticide controls. This provision would do great harm to the OSHA law by fragmenting the enforcement powers of the Secretary of Labor. Regulation of pesticide safety standards would be given to the Department of Agriculture which represents, as it were, the management side of the agriculture industry. We consider this a deliberate attempt to weaken the protection given to farm workers under the OSHA and, in effect, designate farm laborers as separate and distinct from other workers. The suspension and revision of the emergency standards in June indicated the Department of Labor's willingness to administer OSHA in a reasonable manner. We believe we have demonstrated a willingness to respond to the best judgments of Congress in the enforcement of the Act. I hope you will consider this when the amendment is brought up on Tuesday, July 10.

Thanking you very much for your consideration, I am,

Sincerely,

BENJAMIN L. BROWN,
Deputy Under Secretary
for Legislative Affairs.

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

Mr. Chairman, in answer to the one question the minority leader just raised, I do not believe in giving a man a second chance if he makes irresponsible statements. The minority leader was talking about Mr. Stender, who was responsible for this directive.

Mr. Stender made the irresponsible statement that 800 people died as a direct result of pesticides, and he also said 80,000 people became ill. There is not anybody who can prove that statement.

Mr. Chairman, I personally asked Mr. Stender to prove that statement. He refused to do it. He refused to answer my letter. I do not think a man of that type deserves a second chance.

Why transfer this from Labor to Agriculture? I wanted to refer that question to the minority leader, and he refused to yield to me.

I want this directive enforced by the rule of reason rather than by the rule of emotion, and this was strictly an emotional reason that came out of Labor.

I should also like to reply to what the gentleman from Minnesota (Mr. BERGLAND) said. The gentleman talked about a few people being killed by the use of pesticides in the tobacco fields, and the gentleman is correct, but he did not tell the whole story.

They did not happen to be workers who were working in that field but happened to be a few children who wandered in and were playing in the field that had been sprayed with parathion.

If you use parathion properly, it is not dangerous. Personally I have used many hundreds of pounds of parathion, and I am still able to sit up and eat three meals a day.

Mr. HORTON. Will the gentleman yield?

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

Mr. HORTON. Mr. Chairman, I rise in opposition to the Bergland amendment.

I agree with the gentleman from Pennsylvania. I think the difficulties that we have encountered in OSHA with respect to these regulations regarding the use of pesticides is something that is characteristic of OSHA and the way in which it has been managed.

Last year I sat and served on the Select Committee on Small Business. We had several hearings on the problems of small businessmen and the difficulties they were having with regulations. At that time the Department of Labor acknowledged they had been somewhat hasty in the regulations they laid down.

I think this has very serious consequences. The regulations they laid down on an emergency basis put a great deal of difficulty on people raising apples in my district. They had a very difficult time trying to get across the problems they would have in complying with these regulations.

I think if this is transferred over to the Department of Agriculture, there will be people who are more aware of what the problems are and will not be so quickly moved but will be more certain to give people time and opportunity to be heard than they have had in this instance.

Mr. MIZELL. Will the gentleman yield?

Mr. GOODLING. I yield to the gentleman from North Carolina (Mr. MIZELL).

Mr. MIZELL. I thank the gentleman from Pennsylvania for yielding.

As always, he has done an outstanding job.

You know, I am a little surprised at the chairman of my committee. After serving with him for these past 4½ years I never thought I would see the day when he would be willing to leave the farmer out in left field. That seems to be the case with my distinguished minority leader.

Yesterday Nolan Ryan threw a no-hitter at the Detroit Tigers, and that is nothing to what the apple pickers will experience if we do not get this out of the hands of OSHA and into the hands of the Department of Agriculture where it should be.

I will say to the Members of the House that a great mistake has been made. The mistake was made in declaring an emergency. They have never revoked that position, and they still say an emergency exists, but the experts say it does not exist.

The regulations are not called for because an emergency does not exist, but at the same time OSHA is imposing a $50 million cost on the food producers of this country, and the consumer will have to pay the bill.

I would say any regulation prohibiting a farmer from going into a field and working is not doing him a favor. He is not bringing home any bacon, if he isn't working.

These regulations were wrong then, they are wrong now, so, for Heaven's sake, let us not let them be wrong for eternity. Let us defeat the amendment. Put the responsibility with the Secretary of Agriculture.

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

Mr. Chairman, I shall not take the 5 minutes, but I want to say to my colleagues in this chamber that I am in opposition to this amendment.

What the gentleman from North Carolina said is absolutely true. I was in the Champlain Valley and in Lake Ontario, two of the great apple areas in my district. I have talked to physicians in the area as well, and I said "Tell me about the deaths that resulted from these sprays." I have had no cases mentioned to me.

A score of people are out of work because of OSHA. I hope they are as right in that case as they can be, but I am not at all sure they are.

At the same time, Mr. Chairman, an entire industry in my district is threatened. Unlike the apple growers and the other fruit farmers, and all of the others banded together, this happens to be a pecular industry in my district that may exist in only one other district in the country, so we cannot elicit much support. But I hope this agricultural part is transferred out of the Department of Labor, because the way it overreacted, and that it be put in a place where there is an understanding of those who produce the food and fiber for America, and that is the Department of Agriculture.

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

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

Mr. WYLIE. Of course, none of us like the arbitrary manner in which the Department of Labor acted initially in this area. But, I wonder about the advisability of putting this kind of control under the Department of Agriculture. I feel a little bit like the minority leader when the gentleman from Michigan said that he was not sure how he would vote. May I ask if there was any consideration given during the deliberations of the Committee on Agriculture of placing this control under the Environmental Protection Agency which was created for just such purpose?

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

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

Mr. TEAGUE of California. To the best of my recollection no consideration whatsoever was given to such a proposal, and if it had been offered I do not believe it would have been accepted.

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

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

Mr. BERGLAND. Mr. Chairman, no consideration was given to the transferring of this program to the Department of Agriculture until we were in the markup session, and not one bit of testimony was received in support of the proposition.

Mr. WYLIE. Mr. Chairman, I would ask would the gentleman who offered the amendment consider placing this control under the Environmental Protection Agency?

Mr. BERGLAND. If the gentleman will yield, I think it should stay in the Department of Labor where they have the training and the expertise. They know how to run it with the advice and consent of the Department of Agriculture. Let us not set up another agency to duplicate what another one is doing.

Mr. McEWEN. Mr. Chairman, if I have any time remaining, let me say to the gentleman from Minnesota that it should not come as any surprise when the gentleman from North Carolina offered his amendment, because there are still a lot of apple-knockers around this Chamber who were pretty darned upset with OSHA.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota (Mr. BERGLAND).

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by clerks, and there were—ayes 221, noes 177, not voting 36, as follows:

[Roll No. 340]

AYES—221

Abzug	Gray	Podell
Adams	Green, Pa.	Preyer
Albert	Griffiths	Price, Ill.
Alexander	Grover	Pritchard
Anderson, Calif.	Gude	Quie
Anderson, Ill.	Haley	Railsback
Andrews, N. Dak.	Hamilton	Rangel
Annunzio	Hanley	Rarick
Ashley	Hanrahan	Rees
Aspin	Hansen, Idaho	Reuss
Badillo	Hansen, Wash.	Riegle
Barrett	Harrington	Rinaldo
Bennett	Hawkins	Roberts
Bergland	Hays	Robison, N.Y.
Bevill	Hechler, W. Va.	Rodino
Biaggi	Heckler, Mass.	Roe
Biester	Heinz	Roncalio, Wyo.
Bingham	Hicks	Roncallo, N.Y.
Boggs	Hillis	Rooney, N.Y.
Bolling	Holifield	Rooney, Pa.
Brademas	Holtzman	Rosenthal
Brasco	Howard	Rostenkowski
Breaux	Jones, Ala.	Roybal
Brotzman	Jones, N.C.	Ryan
Brown, Calif.	Jones, Okla.	St Germain
Buchanan	Jones, Tenn.	Sarasin
Burke, Calif.	Jordan	Sarbanes
Burke, Mass.	Karth	Schroeder
Burton	Kastenmeier	Seiberling
Carey, N.Y.	Keating	Shriver
Carney, Ohio	Kluczynski	Sikes
Casey, Tex.	Koch	Sisk
Clark	Kyros	Slack
Clay	Landrum	Smith, Iowa
Cohen	Leggett	Staggers
Collins, Ill.	Lehman	Stanton, J. William
Conte	Litton	Stanton, James V.
Corman	Long, La.	Stark
Cotter	Long, Md.	Steele
Coughlin	McCloskey	Steiger, Wis.
Cronin	McDade	Stephens
Culver	McKay	Stubblefield
Daniels, Dominick V.	McSpadden	Stuckey
Delaney	Macdonald	Studds
Dellenback	Madden	Sullivan
Dellums	Maraziti	Teague, Tex.
Dent	Matsunaga	Thompson, N.J.
Diggs	Mazzoli	Tiernan
Dingell	Meeds	Udall
Donohue	Melcher	Van Deerlin
Drinan	Metcalfe	Vanik
Dulski	Mezvinsky	Veysey
du Pont	Milford	Vigorito
Eckhardt	Mills, Ark.	Waldie
Edwards, Calif.	Minish	Whalen
Eilberg	Mink	Widnall
Erlenborn	Mitchell, Md.	Wiggins
Esch	Moakley	Williams
Evans, Colo.	Mollohan	Wilson, Charles H., Calif.
Fascell	Moorhead, Pa.	Wilson, Charles, Tex.
Flood	Mosher	Wolff
Ford, William D.	Moss	Wright
Forsythe	Murphy, Ill.	Wyatt
Fraser	Natcher	Wydler
Frelinghuysen	Nedzi	Wylie
Frenzel	Nichols	Yates
Fulton	Nix	Yatron
Fuqua	Obey	Young, Fla.
Gaydos	O'Hara	Young, Ga.
Giaimo	Owens	Young, Ill.
Gibbons	Passman	Zablocki
Gonzalez	Patman	
Grasso	Patten	
	Perkins	
	Peyser	
	Pike	
	Poage	

NOES—177

Abdnor	Baker	Brooks
Andrews, N.C.	Beard	Broomfield
Archer	Blackburn	Brown, Mich.
Arends	Bowen	Brown, Ohio
Armstrong	Bray	Broyhill, N.C.
Ashbrook	Breckinridge	Broyhill, Va.
Bafalis	Brinkley	Burgener
Burleson, Tex.	Hammer-schmidt	Randall
Burlison, Mo.	Harsha	Regula
Butler	Harvey	Rhodes
Byron	Hastings	Robinson, Va.
Camp	Henderson	Rogers
Carter	Hinshaw	Rose
Cederberg	Hogan	Roush
Chamberlain	Holt	Rousselot
Chappell	Horton	Roy
Clancy	Hosmer	Runnels
Clausen, Don H.	Huber	Ruppe
Clawson, Del	Hudnut	Ruth
Cleveland	Hungate	Sandman
Cochran	Hunt	Satterfield
Collier	Hutchinson	Saylor
Collins, Tex.	Ichord	Scherle
Conable	Jarman	Schneebeli
Conlan	Johnson, Colo.	Sebelius
Crane	Johnson, Pa.	Shipley
Daniel, Dan	Kazen	Shoup
Daniel, Robert W., Jr.	Ketchum	Shuster
Davis, Ga.	Kuykendall	Skubitz
Davis, S.C.	Latta	Smith, N.Y.
Davis, Wis.	Lent	Snyder
de la Garza	McClory	Spence
Denholm	McCollister	Steed
Dennis	McCormack	Steelman
Derwinski	McEwen	Steiger, Ariz.
Devine	Madigan	Stratton
Dickinson	Mahon	Symington
Dorn	Mallary	Symms
Downing	Mann	Taylor, N.C.
Duncan	Martin, Nebr.	Teague, Calif.
Eshleman	Martin, N.C.	Thomson, Wis.
Findley	Mathias, Calif.	Thone
Fish	Mathis, Ga.	Thornton
Flowers	Mayne	Towell, Nev.
Flynt	Michel	Ullman
Foley	Miller	Vander Jagt
Ford, Gerald R.	Minshall, Ohio	Waggonner
Fountain	Mitchell, N.Y.	Walsh
Frey	Mizell	Wampler
Froehlich	Montgomery	Ware
Gettys	Moorhead, Calif.	White
Gilman	Myers	Whitehurst
Ginn	Nelsen	Whitten
Goodling	O'Brien	Winn
Green, Oreg.	Parris	Wyman
Gubser	Pickle	Young, Alaska
Gunter	Powell, Ohio	Young, S.C.
Guyer	Price, Tex.	Young, Tex.
	Quillen	Zion
		Zwach

NOT VOTING—36

Addabbo	Gross	Mailliard
Bell	Hanna	Morgan
Blatnik	Hébert	Murphy, N.Y.
Boland	Helstoski	O'Neill
Burke, Fla.	Johnson, Calif.	Pepper
Chisholm	Kemp	Pettis
Conyers	King	Reid
Danielson	Landgrebe	Stokes
Edwards, Ala.	Lott	Talcott
Evins, Tenn.	Lujan	Taylor, Mo.
Fisher	McFall	Treen
Goldwater	McKinney	Wilson, Bob

Mr. MONTGOMERY changed his vote from "aye" to "no."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Mr. WOLFF. Mr. Chairman, there is one feature to the Agriculture and Consumer Protection Act of 1973 for which I would like to commend the committee and its distinguished chairman. This is the provision which provides for the termination of the 75 cents per bushel certificate tax on wheat which the miller pays in processing wheat into flour, the so-called bread tax, which is passed on from the miller to the baker to the consumer. This highly regressive tax, which it is estimated has increased the cost of bread by 2 cents a loaf, has long outserved its purpose and has become an unnecessary burden upon the American consumer. When Congress first enacted the wheat certificate program in the early 1960's, the purpose of the wheat certificate tax was to insure that processors would pay at least $2 per bushel. With the

present market price of wheat, it is unjust and, indeed, absurd to continue to charge an excise tax that must be absorbed by the American consumer. As my colleagues well know, the cost of flour has skyrocketed in recent months largely because of U.S. foreign sales of wheat to the Soviet Union. The increase has brought with it exorbitant food costs. Repeal of the bread tax will help to bring down the cost of bread on the supermarket shelves.

Several weeks ago, the Senate voted 77 to 12 on an amendment to repeal the unjust bread tax. It is to our committee's credit that it has seen fit to include this provision in the bill before us today. I would like to commend the committee's work in this area and advise the Members of my full support for repeal of the wheat certificate tax.

Mr. Chairman, there is another related issue which I would like to raise in connection with the Agriculture and Consumer Protection Act of 1973. This is the matter of U.S. foreign sales of food products, in particular feed grains which influence the supply and cost of virtually every basic foodstuff, such as we have witnessed in the past year. For several weeks in March, I sponsored hearings in New York along with a number of colleagues from the metropolitan area to consider questions relating to the tremendous price rises in the cost of food since January. One clear fact that emerged was the direct relationship between the Russian wheat deal and the impending China grain deals, other grain exports, and the rise in prices of bread, meat, poultry, and dairy products.

Now the General Accounting Office has released its report corroborating this relationship and further indicating that the United States-Soviet wheat deal was one of the most mishandled and misrepresented export deals in the history of this Nation. Not only has the Russian deal resulted in significantly higher food costs to the detriment of the American consumer, but it has necessitated massive export subsidies to the tune of over $300 million, which comes out of the American taxpayer's pocket. GAO has also confirmed that American farmers were hurt by the deal, not receiving from the administration the information or assistance needed to make sound marketing decisions. Consequently, many farmers sold their wheat before their normal time at prices far lower than could have been gotten had they known the implications of the Soviet agreement.

The General Accounting Office has made several recommendations as to how we can prevent future economic damage like that which was created by the Russian wheat deal. It is essential that the Congress give serious consideration to these recommendations, to the need for establishing a mechanism whereby it will be informed of all the economic ramifications and implications of export deals before they take place, and to require the administration to set forth complete data concerning the benefits of an anticipated export agreement as compared with the impact of such agreement upon the domestic economy.

Mr. Chairman, this Congress must also insure that future food export deals are not going to be financed at the expense of the American taxpayer. Because of the Russian deal, the American people were shortchanged to the tune of $300 million in grain subsidies, $400 million in transportation subsidies, $750 million that the Commodity Credit Corporation needed to finance the deal, and increased food costs on top of it all. Mr. Chairman, I was dismayed that the amendment offered early in the week to the bill before us, which would have prohibited the use of Commodity Credit Corporation funds to finance any future sale of wheat or feed grains to the Soviet Union or the People's Republic of China, failed to pass the House. I felt that this amendment was a needed and welcome step in the right direction to prevent the continuation of the misguided policies which characterized the first Russian wheat deal and which placed such a burden on the American people. I am dismayed that, when even now there is talk of negotiating a similar wheat deal to cover the coming grain season, the House did not act to protect the interests of the American taxpayer.

Mr. Chairman, the 1973 agriculture bill does not include a mechanism or device to prevent the kind of economic damage that occurred as a result of the Russian wheat deal. I, along with several other Members, have introduced separate legislation to prohibit these kinds of export deals whenever they would have severe detrimental effects on domestic food supplies and costs; but it seems to me that the House has missed an opportunity, through legislation we are considering now, to provide built-in safeguards in the handling of any future foreign food sales that are going to be financed by the American people.

Mr. Chairman, this is one very grave shortcoming in the 1973 farm bill. I am concerned, too, that the present bill provides no real alternative to farm policies which have proved costly to the consumer and not helpful to the small farmer. Although this bill is a gesture toward curtailing the farm subsidy program, we have not done what in my mind would have been a real service to both the American people and the American farmer, that is, seek to develop a means by which we could eliminate the folly of farm subsidies altogether. It makes no sense to me that with the rapidly rising cost of food, we should continue to encourage farmers with large cash subsidies not to grow crops.

The farm subsidy program was once a viable source of raising and later maintaining farm prices so that the average farmer could do more than eke out a living; but this is no longer the case; the farm subsidy program has outserved its purpose. Presently, farm subsidies are received by a very small percentage of farmers, and oftentimes, it is these farmers who need the subsidies the least. The average and small farmers receive very little benefit from the program and would be better served by a revamping of the subsidies program. Yet, each year we perpetuate the waste and drain on the American taxpayer created by the farm subsidy program by not considering this revamping.

In short, Mr. Chairman, while there are features of this bill which I support, such as the elimination of the bread tax, I find myself again faced with another omnibus bill which lacks provisions essential to the economic security of this Nation and contains elements which continue to place a burden on the American taxpayer. The concept of target pricing with the built-in escalator clause, which it is estimated will add an extra $2 to $4 billion in additional costs over a 4-year period, seems to me a poor compromise and not a productive substitute for the old concept of price supports. It means that the farmer will still be getting a major part of his income out of the Public Treasury, and it means that the American taxpayer will continue to subsidize the farmer without getting any real assurance of adequate food supplies at reasonable costs.

Mr. Chairman, as long as we continue to base our farm policies on a penalization of the American taxpayer and consumer, it is difficult for me to believe we are enacting legislation in the best interests of the country. While I would like to see certain of the provisions in the 1973 farm bill put into law, I feel that the positive features of this legislation are overridden by the negative elements, and I cannot support its passage.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 3. Section 301 of the Act of August 14, 1946 (Public Law 79–733), as amended (7 U.S.C. 1628), is hereby repealed.

FOOD STAMPS

SEC. 4. The Food Stamp Act of 1964, as amended, is amended—

(a) by inserting after the sentence which would be added to subsection (e) of section 3, effective January 1, 1974, by section 411 of the Act of October 30, 1972, the following: "Notwithstanding any other provision of law, households in which members are included in a federally aided public assistance program pursuant to title XVI of the Social Security Act shall be eligible to participate in the food stamp program or the program of distribution of federally donated foods if they satisfy the eligibility criteria applied to other households."

(b) That (a) the second sentence of section 3(e) of the Food Stamp Act of 1964 (7 U.S.C. 2012(e)) is amended—

(1) by striking out "or"; and

(2) by inserting before the period at the end thereof the following: ", or (3) any narcotics addict or alcoholic who lives under the supervision of a private nonprofit organization or institution for the purpose of regular participation in a drug or alcoholic treatment and rehabilitation program."

(c) Section 3 of the Food Stamp Act of 1964 (7 U.S.C. 2012) is amended by adding at the end thereof the following new subsection:

"(a) The term 'drug addiction or alcoholic treatment and rehabilitation program' means any drug addiction or alcoholic treatment and rehabilitation program conducted by a private nonprofit organization or institution which is certified by the State agency or agencies designated by the Governor as responsible for the administration of the State's programs for alcoholics and drug addicts pursuant to Public Law 91–616 'Comprehensive Alcoholic Abuse and Alcohol Prevention, Treatment, and Rehabilitation Act' and Pub-

lic Law 92-255 'Drug Abuse Office and Treatment Act of 1972' as providing treatment that can lead to the rehabilitation of drug addicts or alcoholics."

(d) Section 5 of the Food Stamp Act of 1964 (7 U.S.C. 2014) is amended by adding at the end thereof the following new subsection:

"(d) The Secretary shall establish uniform national standards of eligibility for households described in section 3(e)(3) of this Act."

(e) Section 5(c) of the Food Stamp Act of 1964 (7 U.S.C. 2014(c)) is amended by adding at the end thereof the following: "For the purposes of this section, the term 'able-bodied adult person' shall not include any narcotics addict or alcoholic who regularly participates, as a resident or nonresident, in any drug addiction or alcoholic treatment and rehabilitation program."

(f) Section 10 of the Food Stamp Act of 1964 (7 U.S.C. 2019) is amended by inserting at the end thereof the following new subsection:

"(i) Subject to such terms and conditions as may be prescribed by the Secretary in the regulations pursuant to this Act, members of an eligible household who are narcotics addicts or alcoholics and regularly participate in a drug addiction or alcoholic treatment and rehabilitation program may use coupons issued to them to purchase food prepared for or served to them during the course of such program by a private nonprofit organization or institution which meets requirements (1) (2), and (3) of subsection (h) above. Meals served pursuant to this subsection shall be deemed 'food' for the purposes of this Act."

(g) By striking the second sentence of section 5(b) and inserting in lieu thereof the following:

"The standards established by the Secretary, at a minimum, shall prescribe the amounts of household income and other financial resources, including both liquid and nonliquid assets to be used as a criteria of eligibility. The maximum allowable resources, including both liquid and the equity in nonliquid assets, of all members of each household shall not exceed $1,500 for each household, except, for households including two or more persons age sixty or over the resources shall not exceed $3,000: *Provided*, That the home, one automobile, household goods and clothing; the tools of a tradesman or the machinery of a farmer; total resources of a roomer or boarder, or of a member of the household (other than the head of the household or spouse) who has a commitment to contribute only a portion of his income to pay for services including food and lodging; and Indian lands held jointly with the tribe, or land that can be sold only with the approval of the Bureau of Indian Affairs, shall be excluded in determining the value of the other financial resources."

(h) By adding at the end of section 6(a) the following new sentence: "Such certification shall be made prior to the issuance of any food stamps under this program: *Provided, however*, That in the event of a natural disaster some or all of the requirements for certification may be waived by the Secretary."

(i) By adding at the end of subsection (h) of section 10, the following: "Subject to such terms and conditions as may be prescribed by the Secretary, in the regulations issued pursuant to this Act, members of an eligible household who are sixty years of age or over or elderly persons and their spouses may also use coupons issued to them to purchase meals prepared by senior citizens' centers, apartment buildings occupied primarily by elderly persons, any public or nonprofit private school which prepares meals especially for elderly persons, any public or private eating establishment which prepares meals especially for elderly persons during special hours, and any other establishment approved for such purpose by the Secretary."

(j) By striking out "June 30, 1972, and June 30, 1973" in the first sentence of subsection (a) of section 16, and substituting "June 30, 1972, through June 30, 1977"

(k) Section 3(b) of the Food Stamp Act of 1964 (7 U.S.C. 2012(b)) is amended by inserting after "tobacco," the following: "such food and food products as may be determined by the Secretary to be of low or insignificant nutritional value,".

(l) By adding at the end of subsection (b) of section 3 the following: "It shall also include seeds and plants for use in gardens to produce food for the personal consumption of the eligible household."

(m) Section 3(f) of the Food Stamp Act of 1964 (7 U.S.C. 2012(f)) is amended by striking the second sentence and inserting in lieu thereof the following new sentence: "It shall also mean a political subdivision or a private nonprofit organization or institution that meets the requirements of sections 10(h) or 10(i) of this Act."

(n) Section 5(b) of such Act is amended by inserting after the third sentence thereof the following: "No person who has reached his eighteenth birthday and who is a student at an institution of higher learning shall be eligible to participate in the food stamp program established pursuant to the provisions of this Act: *Provided*, That such ineligibility shall not apply to any member of a household that is otherwise eligible for or is participating in the food stamp program—nor shall it apply to married persons with one or more children and who are otherwise eligible."

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

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

There was no objection.

Mr. POAGE. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. NATCHER, 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. 8860) to extend and amend the Agricultural Act of 1970 for the purpose of assuring consumers of plentiful supplies of food and fiber at reasonable prices, had come to no resolution thereon.

A NATION'S LOSS IN THE DEATH OF CARROLL NOBLE

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

Mr. RONCALIO of Wyoming. Mr. Speaker, Wyoming has lost one of her favorite sons with the passing away of Mr. Carroll R. Noble. Carroll was deeply imbedded with a strong sense of conviction to preserve and maintain all that is beautiful in Wyoming. While his thoughts were not always congruent with those who wished to forsake nature for progress, his singular personality enabled him to persevere where lesser men would have dropped along the wayside. Carroll's ability to achieve his conservationist goals was not marred by overaggressiveness but rather complemented by an insatiable gift of giving to others of himself and asking for nothing in return.

Carroll was well rounded in all respects. He ranched the same land on which he was born over 70 years ago of homesteader parents near Cora, Wyo. As a cattleman he conducted himself with the skill and care handed down from his frontier heritage. He was an accomplished horseman in a land where horses are a way of life. His humanitarian and civic interests predicated his involvement on hospital boards and numerous community activities. But it was his career as a conservationist, sparked by his love for natural beauty, for which he will be most remembered.

He was instrumental in organizing the Wyoming Outdoor Coordinating Council to unite conservation efforts in the State and was a director of the council at the time of his death. Carroll was Wyoming's delegate to the National Wildlife Federation for 8 years and regional director for 13 years. He served for many years on the advisory board for the Pinedale Bureau of Land Management in addition to the State and national BLM boards. He was also a member of the Bridger National Forest Advisory Council. Carroll's efforts were recognized nationally in 1971 when he was named .. recipient of the American Motors Conservation Award.

Carroll Noble will not be forgotten. Although his reassuring physical presence is lost to us, his spirit which he instilled in the individuals and organizations with whom he associated remains for the propserity of Wyoming and the Nation.

JOE W. ANDERSON RETIRES

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

Mr. STEED. Mr. Speaker, one of Oklahoma's outstanding public servants, our friend Joe W. Anderson, has retired effective June 30 as Director of the Veterans' Administration Regional Office at Muskogee. He held this position for more than 7 years and earlier in other capacities gave fine service to Oklahoma veterans.

Only recently he received the distinguished career service award from the Administrator of Veterans' Affairs, Mr. Donald E. Johnson.

Our entire congressional delegation expressed its thanks for the inspiring work Joe Anderson has done in a letter to him which follows:

HOUSE OF REPRESENTATIVES,
Washington, D.C., July 10, 1973.

Mr. JOE W. ANDERSON,
Hugo, Okla.

DEAR JOE: For more than seven years as Manager of the Regional Office of the Veterans Administration at Muskogee, and for many years previously in prior capacities, you have given unstinting superior service to the veterans of our state.

The dedication and good will you have brought to the task has been reflected in the high standards and courtesy so consistently shown by you and your staff.

The many awards presented to you by the veterans organizations shows their high evalaution of our work. In addition you have found the time to take part in many civic activities.

It is altogether fitting that the Administrator of Veterans Affairs presented you with the Distinguished Service Career Award.

You are the kind of person who makes the

ideal of public service a living one. On behalf of the people of Oklahoma as well as ourselves as individuals we want to thank you for your splendid contribution to the general welfare. We wish for you many rewarding years ahead.

With kindest personal regards, we are,

Sincerely yours,

Henry L. Bellmon, USS, Carl Albert, M.C., Tom Steed, M.C., Dewey F. Bartlett, USS, John Jarman, M.C., Happy Camp, M.C., James R. Jones, M.C., and Clem McSpadden, M.C.

Joe spent some 2 years on Capitol Hill in the period 1957–59 when he served as administrative assistant to Mr. ALBERT, who was then majority whip of the House.

He now goes back to his hometown of Hugo, Okla., where we all wish him every happiness.

ABORTION AND LIBERALIZED ABORTION LAWS

The SPEAKER pro tempore (Mr. MAZZOLI). Under a previous order of the House, the gentleman from Maryland (Mr. HOGAN) is recognized for 60 minutes.

Mr. HOGAN. Mr. Speaker, I have requested time today to discuss an issue of overriding importance to the Nation. The issue is abortion.

For many years now we have heard debate on the State and local levels regarding abortion. There has been a strong push in some States for liberalized abortion laws, but there have been equally vigorous efforts made to retain or strengthen laws protecting the lives of the unborn.

New York State is a good example of what has been happening during the past few years. In 1970 the New York State Legislature passed a very liberal abortion law. After only 2 years the legislature reversed itself and repealed the liberalized law only to have it vetoed by Gov. Nelson Rockefeller.

In the 1972 election two States held referendums on whether not to liberalize their abortion laws. In both North Dakota and Michigan the voters overwhelming rejected the liberalized abortion laws. The results of the referendums on liberalized abortiton laws were as follows: Michigan, yes, 39 percent, no 61 percent; and North Dakota, yes, 23 percent, no 76.5 percent.

So, in retrospect we see that, despite the strong efforts made by proabortion groups across the country and despite the wide publicity given to so-called liberalized attitudes toward abortion, the pendulum was clearly swinging the other way—against liberalized abortion laws. My own State of Maryland refused, on a number of occasions, to make it easier to get an abortion.

On January 22, 1973, the Supreme Court ignored what the voters had been saying, ignored the rights of States to regulate abortion, ignored the scientific facts and created a new "right to privacy" and held that unborn babies can be destroyed up until the moment of birth in every State of the Union.

Many are under the misconception that the court decision allows abortion only during the early stages of pregnancy. The decision is far more sweeping than that. Let us take a look at exactly what the court decision says:

During the first 3 months of pregnancy, the State may neither prohibit nor regulate abortion. It is "left to the medical judgment of the pregnant woman's attending physician." In other words, the woman and her physician for no reason whatsoever, can decide to destroy the unborn child.

From the end of the first 3 months to viability—"viability is usually placed at about 7 months or 28 weeks, but often occurs as early as 24 weeks—the State may not prohibit abortion but may "regulate the abortion procedure in ways that are reasonably related to maternal health." No consideration is given to the health of the unborn child, only to the mother.

"For the stage subsequent to viability," the State may regulate and even proscribe, abortion "except where it is necessary, in appropriate medical judgment, for the preservation of the or health of the mother." The health of the mother includes, "psychological as well as physical well being," and "the medical judgment may be exercised in the light of all factors—physical, emotional, psychological, familial, and the woman's age—relevant to the well-being" of the mother. In other words if, a day before normal birth a woman decides that her "emotional" or "psychological" well-being would be impaired by the birth of the child, the child can be destroyed.

In other words, during the first 6 months of pregnancy there are no restrictions whatsoever on the performance of abortions, only minor regulations that can be established by the States as to the procedures that can be used, and during the last 3-month period the decision leaves so many doors open that any woman who wants an abortion will be able to get one.

I was badly shaken by the Supreme Court decision in January. I have been fighting abortion for some time because I cannot accept that it can be right—that it can be legal—to end one human life for the convenience of another human being. I wish every Member of Congress would take the time to see photographs of what the unborn child, the so-called fetus, looks like. Seeing the perfectly formed human features no one can logically challenge the obvious fact that this is a human being. It can be nothing else. So when we talk of abortion we should weigh the rights of this other human being as well as the rights of the mother. The Supreme Court did not do this.

On January 30 I introduced a constitutional amendment, House Joint Resolution 261, which would overturn the Supreme Court's decision on abortion. It is a simple amendment that would guarantee the right to life of the unborn child "from the moment of conception."

My amendment also addresses itself to the frightening trend that antilife forces are now pushing for euthanasia in the same way in which they pushed for abortion a few years ago. Therefore, section 2 of my constitutional amendment says:

Neither the United States nor any State shall deprive any human being of life on account of illness, age, or incapacity.

Since the introduction of my constitutional amendment, my office has been flooded with letters and phone calls from all over the Nation, from people who were as upset as I was about the Supreme Court's abortion decision. They wanted to express their support for a constitutional amendment to overturn the Supreme Court's decision. To date I have received over 7,000 letters regarding my constitutional amendment and, of that number, only about 500 of them have been in opposition to the amendment.

It is also noteworthy that since the Supreme Court decision in January, 11 States, the House of Representatives of Montana, and the Senate of West Virginia have passed memorial resolutions urging the Congress to enact a constitutional amendment to overrule the Court's abortion decision.

The States of Maine, Minnesota, Oklahoma, Utah, and West Virginia, Idaho, Louisiana, Maryland, Montana, Nebraska, New Jersey, North Dakota and South Dakota ask Congress to adopt an amendment to the Constitution to protect the unborn.

Certainly, for such a significant number of States to have already responded, it should clearly indicate to Congress that the people of the United States expect Congress to face up to this issue and do something about it.

More than 32 Members of the House have sponsored constitutional amendments on the question of abortion in the House and eight Members of the other body have also sponsored constitutional amendments.

On four separate occasions the House has had the opportunity to vote on amendments to bills that relate to the question of abortion. On May 31, the House approved by a vote of 354 to 8 the Roncallo amendment to the biomedical research bill prohibiting the experimentation on live human fetuses, or more accurately on live babies because the child is no longer a fetus after it is alive outside the mother's body. On June 22, a similar amendment to the National Science Foundation bill was adopted by a vote of 288 to 73. On June 21, I offered an amendment to the Legal Services Corporation Act which was adopted by a vote of 301 to 68 as amended by the Froehlich amendment, accepted by a vote of 316 to 53. These provisions prohibited legal assistance from the Legal Services Corporation in connection with abortions.

With this overwhelming evidence of the great interest of the public in the issue of abortion, and with clear evidence that the House is willing to act, one would logically expect that hearings would be held by the House Judiciary Committee on antiabortion measures and that some measure would be quickly proceeding through committee so that the House could vote on some type of prolife proposal in the near future.

The fact is that my amendment and the others offered thus far, are still pending before the Subcommittee on Civil Rights and Constitutional Rights of the Judiciary Committee with no hearings yet scheduled and no indication that the committee is inclined to take any action.

The rules of the House provide a rem-

edy for a situation such as this, the discharge petition. So, on July 10, I filed with the Clerk a discharge petition that would relieve the committee of jurisdiction over House Joint Resolution 261 and bring it to the House floor for a vote.

I have followed the orderly procedures of the House so that this legislation could be considered in the customary manner.

And, if it were not literally a matter of life and death, I would still be waiting most patiently for hearings and consideration by the committee in the normal course of legislative events. But because thousands upon thousands of lives are being destroyed every day we delay, I have no choice but to take any action I can to enable the Congress to act as quickly as possible.

I hope that 218 of my colleagues will join me in signing this discharge petition which is at the desk so we can vote one way or the other on my constitutional amendment. Unless we get 218 signatures on that discharge petition, we will not be afforded the opportunity to vote one way or the other on that constitutional amendment.

Mr. Speaker, 116 years ago the U.S. Supreme Court handed down another infamous decision also by a lopsided majority, a decision of which we, as Americans, have been deeply ashamed ever since. That was the Dred Scott decision which declared that all Americans were equal under the law unless they were black and were born in slavery. One human being had the legal right to own another human being. Slavery was declared to be constitutional because of the Dred Scott decision.

Now we have gone even further than that. If it was shocking to think that one human being could own another, what is it to say that one human being can kill another with impunity? That is where we are today with the Supreme Court decision on abortion. What value will the Supreme Court uphold if it cannot uphold the value of human life itself?

I think that every Member of the House of Representatives has the responsibility to see that this decision is overturned. I invite every Member to take a close look at the questions raised by the court decision, and I urge them to make every effort to insure consideration of remedial legislation by the House. I also urge them to look at the color pictures of what an unborn baby looks like, and then I urge them to sign my discharge petition so that we can erase this sad chapter from American history.

Mr. ZWACH. Will the gentleman yield?

Mr. HOGAN. I will be happy to yield to the gentleman.

Mr. ZWACH. I thank the gentleman for yielding and want to associate myself with his remarks.

Mr. Speaker, on February 1, 1973, I introduced House Joint Resolution 284 into the House of Representatives, one day after my distinguished colleague and friend Larry Hogan introduced his House Joint Resolution 261. The two bills are identical except that my bill states that:

Neither the United States nor any State shall deprive any human being, from conception, of life without due process of law; nor deny to any human being, from conception, within its jurisdiction, the equal protection of the laws.

House Joint Resolution 261 uses the phraseology "from the moment of conception." While the definition of conception differs in the two bills, the intent is the same—to stop the feticide of our unborn citizens.

I was shocked at the January 22 ruling of the Supreme Court legalizing abortions during the first 6 months of pregnancy. I believe this decision is bad logic, bad law, and very bad morals.

This decision, which strikes down the laws of 31 States and will require the rewriting of the laws of all the States except Alaska, Hawaii, New York, and Washington, to conform to the decision, cannot be allowed to stand.

The Court only a few months earlier revoked the death penalty for kidnapers, rapists, and murderers, and then it imposed it on living, unborn babies. This is one of the most brazen displays of raw judicial power in our Nation's history. How can the Court say that at one certain month of its fetal life an unborn human has no rights, not even the right to life, and the very next month it has those rights.

This decision could open up an era of self-worship and selfishness never intended under our guarantee of life, liberty, and the pursuit of happiness. We would be following in the footsteps of Sodom and Gomorrah.

If we are allowed today to kill the unborn, it will be but a small step to kill the infirm, the aged, or those of unsound mind.

As we all know the legislative process proceeds slowly. But the efforts of the "pro-life" Member have paid off in a number of cases during this session.

The so-called conscience clause, which was included in the Health Programs Extension, has become Public Law 93-45. As a cosponsor of this legislation, I am extremely glad to know that a physician or other health care personnel cannot be discriminated against because he or she refused to perform or assist in a sterilization or abortion operation on the grounds of moral convictions or religious beliefs. If we are going to allow abortions, we certainly cannot punish those who do not wish to take part in them in any way, shape, or form. If we are going to stress individual rights, we must stress them for everyone, not just a particular group.

Through the efforts of the distinguished gentleman from New York (Mr. RONCALLO) and others, the House has added provisions to the biomedical research bill on May 31 and the National Science Foundation appropriations authorization on June 22 to prohibit funds for research on human living fetuses.

As a cosponsor of this legislation, I was glad to see favorable action by the House to guard against the ghoulish practice of using a live, human fetus for a guinea pig.

On June 21 the House passed a Legal Services Corporation bill. Through the efforts of the distinguished Member from Maryland legal assistance would not be provided in litigation seeking to compel the performance of nontherapeutic abortions contrary to the religious beliefs of an individual or institution under the legal services corporation.

I believe the approval of these bills indicates congressional feeling against feticide.

On May 8, the legislature of my home State of Minnesota passed a resolution memorializing the Congress of the United States to propose a constitutional amendment offering and protecting the value of human life. The resolution follows. It supports my amendment:

H.F. No. 479—RESOLUTION No. 5

A resolution memorializing the Congress of the United States to propose a constitutional amendment affirming and protecting the value of human life

Whereas, the United States Supreme Court has recently put on the United States Constitution a construction that is contradictory to the convictions of the people of the United States about the value of human life; now, herefore,

Be it resolved, by the Legislature of the State of Minnesota that the Congress of the United States should speedily propose to the states for their ratification an amendment to the United States Constitution substantially in the following form:

"Article ——

SECTION 1. No. person shall be deprived of life, liberty, or property, from conception until natural death without due process of law, nor denied the equal protection of the laws; provided that this article shall not prevent medical operations necessary to save the life of a mother.

SEC. 2. The Congress and the several states shall have concurrent power to enforce this article by appropriate legislation."

Be it further resolved, that the Secretary of State of the State of Minnesota transmit copies of this resolution to the Speaker of the United States House of Representatives, the president of the United States Senate, the chairmen of the Judiciary Committees of the United States House of Representatives and Senate and the Minnesota Representatives and Senators in Congress.

Mr. Speaker, it passed Minnesota House 98 to 21 and it passed Minnesota Senate 51 to 12.

I have received thousands of letters and petitions in support of my pro-life amendment.

Numerous other States have passed similar resolutions calling on Congress to act on a constitutional amendment. For years the Congress has bypassed the feticide issue, passing it off as a "State matter." The time has come for the Congress to move in this area. We have the legislation introduced, now we need hearings, committee approval, and floor action. The time is now.

In 1776, our forefathers said,

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their creator with certain unalienable rights, that among these are Life, Liberty, and the Pursuit of Happiness. . . .

The unborn child, as a member of our human society, must have all of these inalienable rights. To take the ilfe of an unborn is to deny life, liberty, and the pursuit of happiness to one who is unable to yet fight for his own well being. We cannot take these rights away.

Life is a gift that keeps on giving. Only God has the right to say when it should start and when it should end.

Mr. Speaker, I would like to include in my remarks, the following article on "The Abortion Culture" by Nick Thimmesch in the July 9 issue of Newsweek.

THE ABORTION CULTURE

(By Nick Thimmesch)

A journalist often gets caught up in events flaring into instant print and broadcast—a Watergate, feverish inflation, a fretful fuel crisis. We grab at these, try to make some sense out of it all and soon turn to what's next. Occasionally we come on to something that strikes the core and won't go away. For me, it has been the question of the value of human life—a question embracing abortion, letting the newborn die, euthanasia and the creeping utilitarian ethic in medicine that impinges on human dignity. It's all reminiscent of the "what is useful is good" philosophy of German medicine in the '30s—a utilitarianism that sent 275,000 "unworthy" Germans to death and helped bring on the Hitler slaughter of millions of human beings a few years later.

Now super-abortionists and others who relish monkeying around with human life cry that this is scare stuff inspired by hysterical Catholics waving picket signs. Not so. There is growing concern among Protestant and Jewish thinkers abount "right to life" and the abortion-binge mentality.

Fetal life has become cheap. There were an estimated 1,340,000 legal and illegal abortions in the U.S. last year. There were a whopping 540,245 abortions in New York City in a 30-month period under the liberalized state abortion law. The abortion culture is upon us. In one operating room, surgeons labor to save a 21-week-old baby; in the next, surgeons destroy, by abortion, another child, who can also be reckoned to be 21 weeks old. Where is the healing?

PLASTIC BAGS

Look beyond the political arguments and see the fetus and what doctors do to it. An unborn baby's heartbeat begins between the 18th and 25th day; brain waves can be detected at seven weeks; at nine to ten weeks, the unborn squint, swallow and make a fist. Look at the marvelous photographs and see human life. Should these little human beings be killed unless it is to save the mother's life?

Other photos show this human life aborted, dropped onto surgical gauze or into plastic-bagged garbage pails. Take that human life by suction abortion and the body is torn apart, becoming a jumble of tiny arms and legs. In a D and C abortion, an instrument slices the body to pieces. Salt poisoning at nineteen weeks? The saline solution burns away the outer layer of the baby's skin. The ultimate is the hysterotomy (Caesarean section) abortion. As an operation, it can save mother and child; as an abortion it kills the child. Often, this baby fights for its life, breathes, moves and even cries. To see this, or the pictures of a plastic-bagged garbage can full of dead babies, well, it makes believers in right-to-life.

It's unfair to write this way, cry the super-abortionists, or to show the horrible photos. But Buchewald and Dachau looked terrible, too. Abortions are always grisly tragedies. This truth must be restated at a time when medical administrators chatter about "cost-benefit analysis" factors in deciding who lives and who dies.

THE "GOOD DEATH"

The utilitarian ethic is also common in the arguments of euthanasia advocates at work in six state legislatures. Their euphemisms drip like honey (should I say, cyanide?) just as they did in Germany—"death with dignity," the "good death." Their legal arguments fog the mind. Their mentality shakes me. One doctor, discussing the suicide-prone, wrote: "In such instances, positive euthanasia—a nice, smooth anesthetic to terminate life—appears preferable to suicide." Dr. Russell Sackett, author of the "Death With Dignity" bill in Florida, said: "Florida has 1,500 mentally ill patients, 90 per cent of whom should be allowed to die." The German utilitarians had concluded the same when they led the first group of mental patients to the gas chamber at the Sonnestein Psychiatric Hospital in 1939. It bothers me that eugenicists in Germany organized the mass destruction of mental patients, and in the United States pro-abortionists now also serve in pro-euthanasia organizations. Sorry, but I see a pattern.

Utilitarianism isn't all abortion or euthanasia. Utilitarians ran the experiment in which syphilitic black men died through lack of penicillin. There are also experiments on free-clinic patients, students, the institutionalized. Senate hearings revealed that two experimental birth-control drugs were used on the "vulnerable" for purposes other than those approved by the Food and Drug Administration.

This monkeying around with people is relentless. Some medics would like to sterilize institutionalized people from here to breakfast. Psychosurgery is performed on hundreds of Americans annually, not to correct organic brain damage, but to alter their behavior. This chancy procedure, a first cousin of the now discredited prefrontal lobotomy that turned 50,000 into human vegetables, is performed on unruly children and violence-prone prisoners.

Experimenters produce life outside the womb—combining sperm and ovum—and dispose of the human zygotes by pouring the solution down the sink drain. Recently scientists debated guidelines for experimenting with the live human fetus as an organ, like, say, a kidney. Dr. Andre Hellegers of Georgetown University pointed out that fetuses have their own organs and cannot be considered organs themselves. How does one get consent from a live fetus? he asked. Or even from its donors—the parents who authorized the abortion?

Once fetal experimentation is sanctioner, are children to be next? Farfetched? No. In the New England Journal of Medicine, Dr. Franz Ingelfinger recently advocated removing the World Medical Association's absolute ban on experimenting with children and mental incompetents.

We can brake the tendencies of technocratic-minded doctors and administrators coldly concerned with "cost-benefit analysis." There was no such brake in Germany. After the first killings at Sonnestein, respected German doctors, not Nazi officials, killed 275,000 patients in the name of euthanasia. Many were curable. Eventually the doomed "undesirables" included epileptics, mental defectives, World War I amputees, children with "badly modeled ears" and "bed wetters."

UTILITARIAN ETHIC

The worst barbarisms often have small beginnings. The logical extension of this utilitarian ethic was the mass exterminations in slave-labor camps. In "A Sign for Cain," Dr. Frederic Wertham tells how death-dealing technicians from German state hospitals (and their equipment) were moved to the camps in 1942 to begin the big job.

Could the "what is useful is good" mentality lead to such horror in the U.S.? Not so long as I am allowed to write like this—which German journalists couldn't. Not so long as right-to-life Americans can dispute—which Germans couldn't. The extremes of the utilitarian mentality rampaging today through medicine, the drug industry and government will be checked by our press, lawmakers and doctors, lawyers and clergymen holding to the traditional ethic. The Germans weren't blessed that way.

(Mr. ZWACH asked and was given permission to revise and extend his remarks and include extraneous matter.)

Mr. HOGAN. I thank the gentleman from Minnesota not only for his contribution today but for his staunch help in this fight in defense of life.

Mr. RONCALLO of New York. Mr. Speaker, will the gentleman yeld?

Mr. HOGAN. I yield to the distinguished gentleman from New York (Mr. RONCALLO).

Mr. RONCALLO of New York. Mr. Speaker, I thank the gentleman for yielding and I wish to compliment my good friend and colleague, the distinguished gentleman from Maryland (Mr. HOGAN), for taking this special order on behalf of those who seem to have no one else to speak in their behalf.

The Supreme Court decision to permit abortion on demand has given added impetus to segments of our society which hold human life as a cheap commodity, available for disposal if it is unwanted or somehow differs from an ill-defined norm. This demeaning, strictly pragmatic approach to life as a direct result of the Supreme Court decision can be measured. For example, at a recent meeting of the American Medical Association, Dr. Joseph P. Donnelly noted that there were more abortions last year in New York City than live births. Over one and a third million young American lives were ended by abortion in 1972.

Who can speak for these young lives, if not we in the Congress? Certainly not their mothers who were free to refrain from conception but refuse to take advantage of available alternatives to abortion which would allow the life they nurture in their womb to develop into a contributing member of society. Certainly not the medical profession, which has of late abjured its Hippocratic Oath to protect life and has transformed the physician into a technician performing at the whim of his adult patients.

As an Episcopal priest, the Reverend Charles Patrick Carroll, so correctly told the AMA's Conference on Medicine and Religion:

> Medicine right now is without an ethic. The moment that you do what the patient demands, you open yourself to do what the state demands. If you can take life so glibly in the first two trimesters, what is to prevent you, please tell me, from taking it at any point in the spectrum?

No; it remains for us to speak for these unwanted lives and to extend to them the equal protection of our laws. The Constitution, and especially its amendments, were designed to protect the minority from the adverse actions of the majority. Until recently, the vast majority of the American people never guessed that one minority was left out. I still do not feel that an amendment such as I have introduced should have been necessary, but the Supreme Court's misinterpretation makes it imperative.

The abortion culture that has grown in the United States since the Supreme Court decision extends far beyond the abortion issue itself. All human life is being threatened by this pragmatic approach to research and medicine. In their never-ending quest for data, regardless of its significance, regardless of its availability through other means, researchers are filling their journals and computers without consideration for the

humanity of their unwitting subjects. By setting up knowledge as a god, under the pretext of saving future lives, they are rejecting the spark of God in the already-existing lives they are sacrificing at their altar.

Doctors are aborting babies on demand, researchers are taking many of these human lives and performing the most bizarre experiments on them while a heart still beats in their tiny breasts. Others withhold penicillin from a group of black men suffering from syphilis so that the effects of this mind-crippling killer can be studied in detail. The retarded are given hepatitis to see why others have become infected. Now euthanasia once again rears its ugly head in our midst.

These people obviously cannot give their own informed consent, nor can it be given by others to the harm of the subject involved. As far back as 1944, in Prince against Massachusetts, a Federal Court held that:

> Parents may be free to become martyrs themselves, but it does not follow that they are free to make martyrs out of their children.

Even at NIH, which has wittingly or unwittingly funded live fetus research, a few voices for sanity are heard. Dr. Donald T. Chalkley of that institution told the American Federation for Clinical Research that:

> A parent has no right to give consent for the involvement of his child in an activity not for the benefit of that child. No legal guardian, no person standing *in loco parentis, has that right.*

He noted that if harm came to the child, the parent would be an "accessory before the fact."

Research on live human fetuses, which so demeaningly compounds the evils of abortion, has been of particular interest to me. Here we have the classic case: the subject cannot speak for itself and the mother cannot properly give consent because she already is on record as uninterested or hostile to the welfare of the child in her womb. Since the subject has lived an independent existence, albeit fleeting, its estate could possibly undertake an action for wrongful death, but there is no one to bring suit.

The answer, therefore, must be found in legislation which I have introduced with dozens of cosponsors to protect these lives by banning the use of appropriated funds for live fetus research and making such research a Federal crime.

Much of the so-called knowledge obtained from these experiments does not significantly have application for the good of mankind. It is merely knowledge for its own sake. In most cases where it is valuable, tissue or organs can be taken after the heart has stopped beating and life has ended of its own accord. In other cases, the knowledge can be obtained through experimental therapeutic procedures where the possible benefits to the subject outweigh the risks. In still other cases, lower primates, such as the rhesus monkeys, can be used as physiologically analogous to humans. If none of these possibilities exist, then I say the human race can wait for such knowledge until one does. The integrity of a single existing human life is more important to the well-being of mankind than any collection of research data.

The researchers say that the fetus will die in any case. So will we all, Mr. Speaker, so will we all. The only difference between that fetus and us in this Chamber today is that we are bigger and more powerful. Might does not always make right. In this case, it most assuredly does a grievous wrong.

The House can correct this wrong by letting the States have a chance to ratify the proposed constitutional amendment on abortion, by passing the fetal research bills and by dealing promptly with the remaining areas of experimentation other human subjects, nonconsentual sterilization and, if necessary, euthanasia.

I would like to call the attention of my colleagues to an article which I will place in the RECORD at the end of these remarks. The article, by Nick Thimmesch of Newsday, is an articulate analysis of the broad spectrum of antilife activities in the United States today and what is being done to stop them.

The article ends, as will I, with a quote from the late Albert Schweitzer, a Protestant whose thoughts are respected by people of all religious persuasions:

> If a man loses reverence for any part of life, he will lose his reverence for all life.

[From Newsday, July 8, 1973]

A WIDER "REVERENCE FOR LIFE"

(By Nick Thimmesch)

What's going on with the Right-to-Life organization, the movement that had a winning record in state legislatures, only to be stopped by January's U.S. Supreme Court ruling on abortion? The high court's sweeping decision was that legal personhood doesn't exist until a child is born, thus giving a woman the ultimate right to abort. The Right-to-Lifers called it a "Day of Infamy," but from the display of earnestness and the record turnout at their recent national convention in Detroit, they show no sign of quitting their crusade.

That convention, in fact, reflected not only the vigor and determination of the movement, but a broader-based membership, a wider scope on the "value of human life" and indications of maturity going beyond political action. Abortion remains their key concern, but workshops dealt with euthanasia, increasing experimentation with prisoners, students and institutionalized patients; development of human life outside the womb; research with live fetuses and the trend toward utilitarian ethics in medicine.

There is growing realization that "Right to Life" should not be thought of as a Catholic issue or organization, thus leaving it vulnerable to accusations that it is a bunch of hysterical Catholics brandishing picket signs and doing Rome's unholy work.

Indeed, the principal speaker at the Detroit convention was Sen. Mark Hatfield (R-Ore.) a Baptist; the invocation was pronounced by the Rev. Carl Berrmann, a Lutheran pastor, and the keynoter was Dr. Mildred Jefferson, a prominent black surgeon, who is a Methodist. Moreover, prominent Jewish thinkers, like Northwestern Law School Prof. Victor Rosenblum, were recruited, with the reminder that it was utilitarian German medicine that led to the Nazi death camps.

Similarly, there is an effort to get more black leaders interested. The Right-to-Lifers argue that it is black people whom abortionists want to remove, and it is black people who often wind up as those experimented with in medical clinics and institutions. Dick Gregory is against abortion. Duke Ellington is a member of Right-to-Life. And in Chicago the Rev. Jesse Jackson calls abortion "a form of genocide practiced against blacks" and condemns "the moral emptiness and aloofness that comes when protecting human life is not considered sacred."

The Right-to-Lifers are now pushing the "Human Life Amendment" propsed by Sen. James Buckley (R-N.Y.) and Sen. Hatfield that would specify that the word "person" in the Constitution shall apply to all human beings, including the unborn. It is significant that all the senators who cosponsored the amendment are Protestants except one, Dewey Bartlett (R-Okla.) (a Catholic). The others are Harold Hughes (D-Iowa), Wallace Bennett (R-Utah), Milton Young (R-N.D.) and Carl Curtis (R-Neb.). Equally significant is that the most symbolic Catholic in the Senate, Edward Kennedy (D-Mass.) was hardly solicited to cosponsor, and although firmly against abortion, hasn't put his name on the bill.

One of the more interesting sheaves of literature available at the convention was the "Practical Politics Kit," distributed by the Celebrate Life Committees of Huntington, L.I. The prime advice is how to pressure the "pragmatic politician, the legislator who cares little about the idealistic questions involved" and whose concern is reelection. Right-to-Lifers are advised that he will keep "hot" legislative proposals, like anti-abortion, bottled up in committee, and that the task is to convince him "that it is more inconvenient to avoid a vote than to have one."

Since the "pragmatic politician" doesn't like opposition in a primary, the kit declares, a pro-life candidate can make a deal with him to get the bill out of committee in return for withdrawing from the primary. The candidate must never disclose the deal, says the practical kit, and there is the comment: "It all sounds terribly cold-blooded, doesn't it? And it is."

Besides such political maneuvering, the pro-lifers are encouraged to write letters to the editor, keep pressure on local politicians, get on radio and television talk shows, and work for the constitutional amendment. Another area that adherents are asked to explore is that of hospital and health insurance. They are urged to ask Blue Cross and Blue Shield executives to enact group plans for "conscientious objectors to abortion," or to ask employers to "substitute a medical need now not covered, such as eyeglasses or dental work, for abortion coverage." If that doesn't work, then pro-lifers are urged to work to make sure that insurance programs are as generous to patients, married and unmarried, who have full-term pregnancies as they are to women having abortions.

Pro-lifers are increasingly aware of the euthanasia movement, and moves to pass euthanasia legislation. In Oregon, a negative euthanasia bill, labeled "Death with Dignity," authorizes a person to direct his physician to stop "maintenance medical treatment" if he has a "terminal illness." The bill also allows "other people" to issue the order if the patient is incapacitated, thus bringing an action, possibly against his will. But "maintenance medical treatment" could include food and water, and "terminal illness" is considered dangerously vague. "Other people" could include the state, and that raises the question of what could go on in state hospitals with hopeless cases. It is reminiscent of Germany of the '30s.

Oregon also considers a *positive* euthanasia bill permitting a physician or a nurse, acting on a physician's orders, to induce death painlessly for the "qualified patient," who must be of voting age and certified by two physicians as appearing "to be suffering from an irremediable condition," physical or

mental. Loophole: physicians and nurses are exonerated from "any offense" if they act in "good faith" on such a request. Worse loophole: "The Department of Human Resources shall make regulations under this Act for determining *classes of persons* [my emphasis] who may or may not sign a declaration by way of attestation." Thus a legal guardian could grin and declare for a legally incompetent person, and compulsory euthanasia could result.

If this is scary, so are the thoughts of some euthanasia advocates. Dr. Robert H. Williams of Seattle says the extremely suicide-prone should have "positive euthanasia—a nice, smooth anesthetic to terminate life—appears preferable to suicide." Dr. Walter Sackett, who introduced a "Death With Dignity" bill in Florida, has said, "Florida has 1,500 mentally retarded and mentally ill patients, 90 per cent of whom should be allowed to die." Both the Oregon and Florida bills were stopped this year. There are euthanasia proposals in four other state legislatures.

This is called utilitarianism, the ethic that prevailed in German medicine in the '20s and '30s. There are signs of it now in the U.S. The withholding of penicillin from syphilitic prisoners, as part of an experiment, is a well known outrage. Recent Senate hearings revealed that experimental birth control drugs "DES" and Dope-Provera, were used on students, free-clinic and institutionalized patients for purposes other than those approved by the Food and Drug administration. Then there's psychosurgery, an operation performed annually on hundreds of Americans, not to correct organic brain damage, but to alter human behavior, often on violence-prone prisoners and sometimes on disruptive children.

One form of experimentation under severe criticism by pro-lifers is that with the live, human fetus. They ask, how do you get consent from a fetus or even from its donors—the parents who didn't want the fetus in the first place? On May 31, 1973, an amendment to the bio-medical research bill by Rep. Angelo R. Roncallo (R-New York) prohibiting research on a living fetus "outside the womb of its mother and alive with a beating heart," was passed overwhelmingly by the House. In Minnesota, pro-lifers got a bill through this session forbidding experimentation with, or sale of, live human fetuses.

The fetus is where it starts, argue the pro-lifers, and once it can be tampered with, other life is fair game for experimentation. In the prestigious New England Journal of Medicine, it recently was advocated that the World Medical Association's absolute ban on experimentation with children and mental incompetents be removed and a broadly based system of experimentation be devised. Again, this is reminiscent of Germany.

Taunted by the U.S. Supreme Court ruling, and challenged by the widening scope of involvement, the Right-to-Life movement seems as vigorous as ever. Attendance at this year's Detroit convention was three times what it was a year ago. More than 1,000 are expected to attend the Northeast Regional Convention in Syracuse this October. A new national headquarters office is being opened in Washington. And, according to President-Elect Edward J. Golden of Troy, $100,000 will be raised for the organization this year through sale of Right-to-Life bracelets. The tax-exempt educational branch of Right-to-Life is "Americans United for Life," a group appealing to the intelligentsia.

Right-to-Life also works with Alternatives to Abortion Inc. and its Pro-Life Emergency Services. This group provides counseling for pregnant women, helping them find maternity homes or ways of having their babies (including financial aid), and maintains a worldwide directory of emergency pregnancy services. There is also a National Youth Pro-Life Coalition working on the Buckley-Hatfield amendment. This group has a folksinger, Barbara Breuer-Sipple, out on the road to give meetings greater appeal.

As Americans face the complicated questions about medical decisions that are made from conception right on through life, people in the Right-to-Life movement are challenged to provide intelligent, responsible and credible answers. Beyond this, they can invoke the wisdom of history and philosophers, including Albert Schweitzer, the Protestant humanitarian, who wrote: "If a man loses reverence for any part of life, he will lose his reverence for all life."

Mr. O'BRIEN. Mr. Speaker, will the gentleman yield?

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

Mr. O'BRIEN. I thank the gentleman for yielding.

(Mr. O'BRIEN asked and was given permission to revise and extend his remarks and to include extraneous matter.)

Mr. O'BRIEN. Mr. Speaker, the issue of abortion is not receiving adequate attention and I am concerned. A number of constitutional amendments have been proposed to correct the adverse effects of the Supreme Court ruling in Roe against Wade, a ruling which severely limits the State's ability to restrict or regulate the practice of abortion.

Despite widespread public support for congressional action, the subcommittee of the House Judiciary Committee which is responsible for these resolutions has not even scheduled hearings.

I do not believe in abortion. As a member of the Illinois General Assembly, I opposed any attempt to weaken the State's antiabortion statutes. I personally favor and support a nationwide prohibition of abortion such as that proposed by our distinguished colleague from Maryland, the Honorable LARRY HOGAN.

However, I recognize that there are Members of Congress who are reluctant to vote for a ban on abortion in the United States. Therefore, I have introduced an alternative to the "right-to-life" approach which would simply return to the States the power to regulate or limit abortion practices.

This alternative should have appeal not only to those who oppose abortion, but also to those who, though favoring liberalized abortion practices, believe that the Supreme Court in their decision, overstepped the legitimate bounds of their authority and preempted legislative decisions.

But my purpose today is not to discuss the moral issues precipitated by the Court's decision, nor to dwell on the political advantages of the various approaches toward correcting that mistaken position.

To those of my colleagues who have not given the Supreme Court's decision in the Roe case a great deal of thought, I recommend a Yale Law Journal article entitled, "The Wages of Crying Wolf: A Comment on *Roe* v. *Wade*." This article, written by John Hart Ely, professor of law at the Yale University Law School, and incidentally, a proponent of abortion, contains a most perceptive and scholarly analysis of the Supreme Court's abortion ruling.

The Roe decision creates a superprotected right to an abortion which, in Professor Ely's words, "lacks even colorable support in the constitutional text, history, or any other appropriate source of constitutional doctrine."

To create such a superright is simply bad constitutional law as Professor Ely's article so ably demonstrates. Even if the majority of citizens agreed that the Roe decision represented social progress, it would remain bad constitutional law.

The truth, of course, is that a majority of the Nation's citizenry oppose the easy abortion practices which the Roe decision mandates. To a great many Americans, the ruling is worse than just bad constitutional law. It is an abomination.

Whether the Supreme Court will eventually recognize the error of its ways and reconsider their holding in Roe, I can only hope. Certainly critical academic comment such as Professor Ely's will be most helpful in promoting such a reconsideration.

With respect to whether the Congress of the United States will act to protect the life of unborn millions, however, I can do more than hope. I can urge and continue to press with every legislative device at my disposal for a prompt remedy of unconscionable situation which the Supreme Court's ruling has created. Whether the Congress acts in the manner suggested by Mr. HOGAN to guarantee the "right-to-life" nationwide or simply to restore decisionmaking authority in the area of abortion to the States, seems to me less important than that the Congress act and act promptly.

Mr. HOGAN. I thank the gentleman from Illinois. He makes the point very well that so many lawyers are distressed with the legality of the decision of the Supreme Court itself. It is on a foundation of sand, even legally.

I thank the gentleman for his contribution and his support.

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

Mr. HOGAN. I yield to the gentleman from New Jersey.

Mr. SANDMAN. Mr. Speaker, I am very happy to join my colleague, the gentleman from Maryland, in this endeavor. I may say that this is the first time in my life as a legislator of more than 18 years that I have chosen to take the attitude of amending the Constitution because I have such a strong disagreement with the decision of the Highest Court. I do not subscribe to that but in this case I fear the subject matter is so important that action should be taken and it must be taken immediately. Of course the only way it can be corrected is as suggested by my colleague, the gentleman from Maryland.

Mr. Speaker, I insert the following statement of support for Mr. HOGAN'S efforts to move House Joint Resolution 261.

The resolution is now in the Judiciary Committee but it is to me, literally, a matter of life or death that we lend our support to a discharge petition and act on the floor swiftly.

The resolution, in effect, would nullify the Supreme Court's ruling for abortion

on demand. This ruling must not be allowed to stand. The lives of countless unborn are at stake.

Normally constitutional amendments take years to ratify, but I sincerely believe there is no other course at this time. I do not expect the Court to change its stand. Therefore, we must act for them in concert with the several States.

H.J. RES. 659

Joint resolution proposing an amendment to the Constitution of the United States guaranteeing the right to life to the unborn, the ill, the aged, or the incapacitated

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as a part of the Constitution only if ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission by the Congress:

"ARTICLE —

"SECTION 1. Neither the United States nor any State shall deprive any human being, from the moment of conception, of life without due process of law; nor deny to any human being, from the moment of conception, within its jurisdiction, the equal protection of the laws.

"SEC. 2. Neither the United States nor any State shall deprive any human being of life on account of illness, age, or incapacity.

"SEC. 3. Congress and the several States shall have the power to enforce this article by appropriate legislation."

Mr. HOGAN. I thank the distinguished gentleman from New Jersey for his contribution. He is absolutely correct. I opposed the process of the constitutional amendment myself until the Supreme Court handed down its decision. This left us with no recourse but to proceed by that route of amending the Constitution.

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

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

Mr. FROEHLICH. Mr. Speaker, I would like to commend the gentleman for the outstanding leadership he is providing in this area.

As one member of the Judiciary Committee I want to say I am displeased with the action of the subcommittee that seems disinclined to discuss and to have public hearings on this issue. I have requested of the subcommittee chairman both on the floor and by written request, of him and members of the subcommittee, to bring this matter to public hearings so that the people of this Nation can speak to the issue. There is widespread support for either amending the Constitution or of finding a legislative way around that decision. To sit on it is just not in accord with the democratic process.

I want the gentleman from Maryland to know I will aid him in every effort to bring this matter to hearing or discussion on this floor and I commend him for his continued interest in this matter.

Mr. HOGAN. I thank the gentleman for his support and contribution to this matter today.

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

Mr. HOGAN. I yield to the Representative from New York.

Ms. ABZUG. Mr. Speaker, I thank the gentleman for yielding.

Of course I differ from the gentleman entirely. I rise to object to your interpretation of the Constitution and the Supreme Court decision. It is very interesting, gentlemen, that the subject matter of that decision happened to be the women in this country. It is very interesting, gentlemen, that the remarks made here in this discussion reflect a view that one does not have to recognize the fundamental constitutional right of privacy of a woman over her body and over her decisions. I find it very interesting indeed that a few men of this body find that they object to the Supreme Court decision on that ground. It is almost as though they find it inconceivable that there could be such a finding that there is such a right.

The fact is that the courts have been moving in the direction of finding, correctly, that matters concerning sex, family, and marriage are indeed matters of privacy and matters to be determined by the parties involved. This right of privacy has the protection of the 1st and 9th amendments and cannot be legislated against under the 14th and 5th amendments.

Much argument is being made here that there is no right of privacy—that in fact this right was sort of made up by the Supreme Court to cover abortion. This is legal and constitutional nonsense. In Roe against Wade, the Court said:

The Constitution does not explicitly mention any right of privacy. In a line of decisions, however, going back perhaps as far as *Union Pacific R. Co.* v. *Botsford*, 141 U.S. 250, 251 (1891), the Court has recognized that a right of personal privacy, or a guarantee of certain areas or zones of privacy, does exist under the Constitution. In varying contexts the Court or individual Justices have indeed found at least the roots of that right in the First Amendment, *Stanley* v. *Georgia*, 394 U.S. 557, 564 (1969); in the Fourth and Fifth Amendments, *Terry* v. *Ohio*, 392 U.S. 1, 8–9 (1968), *Katz* v. *United States*, 389 U.S. 347, 350 (1967), *Boyd* v. *United States*, 116 U.S. 616 (1886), see *Olmstead* v. *United States*, 277 U.S. 438, 478 (1928) Brandeis, J., dissenting); in the penumbras of the Bill of Rights, *Griswold* v. *Connecticut*, 381 U.S. 479, 484–485 (1965); in the Ninth Amendment, *id.*, at 486 (Goldberg, J., concurring); or in the concept of liberty guaranteed by the first section of the Fourteenth Amendment, see *Meyer* v. *Nebraska*, 262 U.S. 390, 399 (1923). These decisions make it clear that only personal rights that can be deemed "fundamental" or "implicit in the concept of ordered liberty," *Palko v. Connecticut*, 302 U.S. 319, 325 (1937), are included in this guarantee of personal privacy. They also make it clear that the right has some extension to activities relating to marriage, *Loving* v. *Virginia*, 388 U.S. 1, 12 (1967) procreation, *Skinner* v. *Oklahoma*, 316 U.S. 535, 541–542 (1942), contraception, *Eisenstadt* v. *Baird*, 405 U.S. 438, 453–454 (1972); *id.*, at 460, 463–465 (WHITE, J., concurring), family relationships, *Prince* v. *Massachusetts*, 321 U.S. 158, 166 (1944), and child rearing and education, *Pierce* v. *Society of Sisters*, 268 U.S. 510, 535 (1925), *Meyer* v. *Nebraska*, *supra*.

And the Court went on to hold:

This right of privacy, whether it be founded in the Fourteenth Amendment's concept of personal liberty and restrictions upon state action, as we feel it is, or, as the District Court determined, in the Ninth Amendment's reservation of rights to the people, is broad enough to encompass a woman's decision whether or not to terminate her pregnancy.

I am not going to spend a great deal of this special order that has been taken by the gentleman from Maryland (Mr. HOGAN) to argue over other matters here.

I also find it very interesting that the gentlemen who spoke here for a constitutional amendment just said they always oppose constitutional amendments except in this instance.

Either the gentleman from Maryland (Mr. HOGAN) or one of the other Members who participated in this special order indicated that more than 1.3 million abortions took place in 1972. Indeed yes, 1.3 million abortions and probably more took place in 1972 and I would venture to say that they have taken place in that number for many years before and will continue to take place in that number for many years to come. There is a great deal of hypocrisy in this House on the part of those who act as though they did not know this prior to the decision; and who would like to hear no more of it; and would further like to ban abortions by legislating against them. The fact of the matter is that abortions do take place and will take place.

The Supreme Court decision, by eliminating abortions from the criminal statutes, will now make it possible for abortions to be performed under safe medical conditions and not in the back alleys of the past which have crippled and taken the lives of many women.

Are we in this House going to overturn a decision of the Supreme Court of the United States which recognizes a fundamental right, and that is that a woman has a right to determine what happens to her own destiny and her own body?

You are entitled to your personal religious and moral views but they are irrelevant to this Supreme Court decision.

For example, one has a right to free speech. I am sure the Members will recognize that. They may not like what one is saying when one is expressing that right of free speech. But if it is a valid exercise of free speech one cannot interfere with that right. Your remedy is to have the free choice not to listen.

The same thing goes with the subject of abortion. You cannot choose whether or not you want an abortion because you all happen to be men. But there are women in this country who may choose not to have abortions, and indeed that is their right. Nothing in this decision coerces abortion. But those who object to abortion have no right to prevent others from exercising their valid constitutional right to have an abortion. Their remedy is to have the free choice not to have an abortion.

Mr. Speaker, I think this issue is a matter which might be discussed out in the community, but it should not be a matter which takes the time of this body when the Supreme Court has acted, at long last, to protect what is an important existing constitutional right.

Mr. HOGAN. Mr. Speaker, I think it is paradoxical that the representative from New York (Ms. ABZUG) cited in argument for her case a number of "amendments" to the Constitution. That is why there is a provision available to amend the Constitution, so that the people can express their will and thereby change, amend, the Constitution. For her to recite certain amendments to the Constitution as arguments for her point of view and then say we should not take the time of this body to debate what the Supreme Court has done seems patently ridiculous to me. This would deny us the right to even amend the Constitution. We want to amend it as soon as possible to assure the right to life of unborn children.

Prior to January 22, there was no such thing recognized under the Constitution as a "right to privacy." The only right to privacy that was ever invested in the law was one statutorily given by States and it related only to advertising and commercial exploitation of one's name or picture. There was never a right of privacy under the Constitution until the Supreme Court created one out of the thin air on January 22.

What we are proposing to do is amend the Constitution to return to the pre-January 22 constitutional interpretation, which says that the unborn child, as a human being, has certain rights and certainly has a right to live. This right to his life supersedes the convenience of his mother. That is basically what we are talking about.

We are trying to put on a human scale the inconvenience of the mother aganst the very life of the baby. I say, on that kind of scale inconvenience has to come second to life.

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

Mr. HOGAN. I yield to the gentleman from California (Mr. RYAN).

The SPEAKER pro tempore. The Chair would advise persons in the gallery that they are here as the guests of the House of Representatives. Accordingly, they will show neither approval nor disapproval of any actions taken on the floor, or will be subject themselves to appropriate dismissal from the Chamber.

Mr. RYAN. Mr. Speaker, I thank the gentleman from Maryland for yielding to me.

I would only like to insert myself into this colloquy for a particular purpose. I am not so sure that I am that much in favor of the constitutional remedy as a remedy for a difficult problem, but I would like to respond to the remarks of the gentlewoman from New York by pointing to a distinction I think she failed to make in the course of her remarks.

We talk about the fact that because men are men and cannot have children they therefore cannot have sympathy with the right of a woman to control her own body. Since all of us began at some point in time in the womb of some woman, our mother, I believe we can begin with a common viewpoint.

The fact is that nature has endowed women with a particular set of organs different from those of men. We learned this in school. From that time the problem gets worse, because from then on somehow the child becomes, while it is in the womb, simply a kind of appendage to the woman, in the viewpoint of too many women in this country, especially those who are opposed to some kind of regulation of the manner in which abortions are performed.

I have listened for years to those who classify themselves as liberal, among whom I consider myself one, but I have been puzzled for years, because they seem to be in favor of the abolition of capital punishment, which is the taking of life, yet they are in favor of abortion, which is the taking of life.

What bothers me further, in the case of capital punishment it is the taking of life for a particular reason so defined by a particular State wherein the offense occurs. In the taking of the life of the unborn child, I believe that no one says seriously any more the child has not reached bare existence, or birth, is not a child, or is not somehow human, yet in the taking of the life of the unborn child the argument is simply that the mother has property, as if it were some kind of a real property to be taken or dismissed as the mother chooses.

I should like to insert here, as the father of five children, at this point, the fact that while my wife had those five children, believe me, I insist on the right of every male in this country who has any concern about his children, to say that those children also belong to him, were fathered by him, and that he has as much right as the woman does to determine the fate of the child in the womb.

Last year as a member of the California State Legislature I was able to get a law passed by that body which, for the first time, I am told, in American law cites a principle which is new.

In matters of child abuse in California from that time on, and now, when there is any kind of an action taken in court in which the accused child abuser—that is usually the parent—is prosecuted by the State, by the district attorney, they will allow the accused to have a defense attorney, for this is an adversary proceeding, which is usual in any proceeding in court today when it is a criminal matter, but now, in the State of California, at any hearing like that, at any proceeding like that, there is a third attorney who must be present, and it is a requirement of the court, and that attorney is appointed by the court to represent the interest of the child.

I would suggest here, in this discussion and dialog about abortion, if there is going to be a law which allows for abortion, as the Supreme Court said there may be, and if we are to have some kind of a constitutional limitation to bring it back to where it was, that may not be quite the total answer yet, because the gentlewoman from New York (Ms. ABZUG) does have a point when she says we should stop the criminal abortions that take place in the back alleys and so on, which are totally forbidden.

But within this framework I believe it is possible to set up a procedure which allows, either under the Constitution or otherwise, for a proceeding which will allow that child, unborn, unspeaking and unrecognized, apparently, some kind of a right to be heard, and in any kind of abortion hearing they should include at least someone who speaks for the life of that child, for that person, for that adult, for that human being who may never be born simply because of the convenience of the mother, whose claim it is she owns the child until it is born.

I reject that argument, that concept, mostly because, as I say, we all began that way. I would hate to see the number of people who might otherwise not appear and not have an opportunity to breathe on this Earth, simply because of the convenience of a mother, in an argument too simplistic about whether or not there should be an abortion.

I thank the gentleman for yielding.

Mr. HOGAN. Mr. Speaker, the gentleman makes a very interesting point. This is one of the tragedies of the Supreme Court decision, that the rights of the unborn child are totally ignored as if this human being did not exist. And obviously it does exist, and the mother who does not want it, does not want it to exist. The reason that she wants the "pregnancy to be terminated," to use the euphemism that proabortionists use, is that she does not want to have a baby. So, it is obvious and inherent in the situation itself that it is a "baby" that she does not want to have, not some other "thing." The gentleman makes an excellent point that that baby has legal rights that are now being ignored as a result of the Supreme Court decision.

Now, the gentlewoman from New York talks about back-alley abortions and the results from them. The abortion mentality and the elimination of restrictions on abortion now have created more deaths through abortion than we ever had through the so-called back-alley abortions, because now there are more of them being performed. And she will find to her surprise that among the 7,000 letters which I indicated I had received, the overwhelming majority of them came from women who abhor the Supreme Court decision as much as I do.

Mr. Speaker, it is paradoxical that a woman who possesses this ability to help create a child should treat it so wantonly and would so callously destroy the life which she is privileged to carry within her.

I think it is a tragedy that the Supreme Court, too, ignored all of our legal history. From the beginning of our legal history, the unborn child had certain legal rights which the legal system protected.

The child in the womb could inherit. If a father left a will which said that "I leave my estate to my children at the time of my death," a child in the womb not yet born inherited equally with the other born children. A child in the womb who was injured had the right to bring suit in tort for injury done to him before birth. He had the right to have a guardian appointed to bring suit against his father for support. He had a whole spectrum of human rights which were callously thrown out the window by the Supreme Court on January 22 when the

most basic human right of all, the right to life itself, was destroyed.

At the same time, the Supreme Court created out of thin air the right to privacy, the right of privacy to allow a woman to say, "I can do anything with my body that I want."

Mr. Speaker, that is a fallacy. None of us have a right to do with our body what we want. We do not have the right to inject drugs into our body; we do not have the right to use our body for prostitution; we do not have the right to take a part of our body, our fist, and slam it into another's face, because it interferes with the rights of another human being. And that is all we are talking about in opposing abortion, the rights of another human being.

A woman cannot exercise her rights in such a way that she interferes with the rights of that other human being, the unborn child.

That is all we are talking about. We want to restore the human scale where this precious life is given some recognition, some value in the eyes of the law so it is not cast aside on some phony "right to privacy" that was just invented last January.

Mr. MINISH. Mr. Speaker, I should like to commend our distinguished colleague, Mr. HOGAN of Maryland, upon his eloquent statement on behalf of House Joint Resolution 261 and to associate myself with his stance on the major issue of abortion.

This most delicate of problems raises many profound questions. No one can gainsay the anguish of an unwanted pregnancy nor reject the rightful insistence of women for equality in what remains our male-dominated culture.

But, when all is said and done, I believe that, as the U.N. Declaration on Human Rights stated, the right of life is the most fundamental right and hence abortion must not be removed from the context of law nor left to the realm of conscience and private decision.

To those who believe as I do that from the moment of conception a new biological entity exists, must also believe that abortion, in the words of the Rabbinical Alliance of America, "is not a private, personal matter in which the law should not interfere." The logical question ensues: if one is free to end life at its beginning, is one not free to eliminate the sick or aged or those deemed unfit in one way or another? The horror of the eugenics of the Third Reich is but a step away once the reverence for the value of life is torn asunder.

Citizens of all religious persuasions—or none—who hold to reverence for the value of life are profoundly disturbed at the Supreme Court's interpretation of life as decreed in its abortion ruling. The Judeo-Christian tradition is affronted by the Court's decision, and I believe that the people of the United States through their chosen representatives have the right to be heard on a matter of vital importance to our future as a nation.

There are many problems of great moment before us, but none can take precedence over the paramount issue of the protection of human life. I hope that the House Judiciary Committee will respond to entreaties made by me and many of our colleagues and will promptly convene hearings on House Joint Resolution 473 and related measures.

The case for the right of life was cogently set forth in the following statement "Choose Life" by New Jersey's Catholic Bishops. I commend it to our colleagues' attention in their study of this moral problem that affects all our people and transcends a particular theological approach:

CHOOSE LIFE

To: The Catholic Community of New Jersey and to all of Our Fellow Citizens of the State.

From: New Jersey's Catholic Bishops.

Once again it becomes necessary for us to address ourselves to the problem of the protection of human life.

Recently, the State Study Commission on Abortion concluded its work. Unfortunately, the results of this study are under a shadow. Four of the nine Commission members felt it necessary to issue dissenting opinions from the report written by the Commission chairman, and at least one other member was never present at any of the three public hearings where testimony was gathered. We, too, must conscientiously dissent from the chairman's report, which attempts to solve many of society's problems at the expense of unborn human life.

This controversy is raging not only in New Jersey but throughout the country. In recent months, the pressure has shifted from limited changes in the law to a determined drive for abortion on demand.

We speak today as religious leaders, not to our Catholic community of faith and worship alone but to all of our fellow citizens. The question of abortion is a moral problem transcending a particular theological approach. We have been heartened by the support of many leaders of other religious persuasions. In particular we commend the efforts of those clergymen and laity, of all religious persuasions and of none, who have formed the State Right to Life Committee. We invite the cooperation of all to recognize and eliminate the danger of the erosion of respect for human life that proposed bills may sanction for our State.

We are saddened by those who accuse us of being insensitive to human problems, even some who have been our allies in the fight against poverty and discrimination, and for the improvement of the quality of life in our society.

Certainly, the Catholic people have demonstrated their concern for human needs; among many manifestations of this, we note the hospitals, guidance clinics, homes for the elderly and homes for unwed mothers which have been built by their financial contributions, often at great personal sacrifice.

Now, Catholics must assume their responsibility to involve themselves in the abortion issue, which will have such a profound and long-range effect upon our society and our family life.

It is, indeed, the very matter of life which is at stake. Medical science has informed us that at the moment of conception, there comes into being a unique human life in the microscopically tiny egg cell. Contained in this cell is the blueprint for the development of the whole human person, factors which will influence the temperament, physique, eye, hair and skin color, and even intellectual capacity. This cell's tissue composition is distinct from its mother's tissue and would be rejected from her body were it not to be enclosed in the amniotic sac.

The unborn child's civil rights have increasingly been recognized by the law. We recall, in particular, that case in which the mother was forced by the courts against her religious convictions to have a blood transfusion to maintain her baby's life. Likewise, the unborn child's rights of inheritance and medical or economic support, his right to recover damages for injury suffered in the womb are affirmed by the courts. In short, the law has cast itself in the role of safeguarding the rights of the unborn.

How much more important it is that the law continue to protect that most basic right of life itself—the right upon which all others are based!

As religious leaders, we are involved daily with people in situations of distress. We recognize the complex difficulties facing so many women and families. But abortion not only fails to solve the underlying causes: it raises even deeper problems. We are haunted by the wide spectrum of possibilities opened by an acceptance of easy abortion. Once we sanction, for the sake of expedience, the taking of an innocent human life at its beginnings, how can we logically protect human life at any other point, once that life becomes a burden?

Law is an educator. If it allows the destruction of unwanted life, it unavoidably teaches that life is cheap.

We are willing and anxious to cooperate on positive programs to help erase the demand for abortion. There is great need for thorough education of all our citizens to assist them in marriage, family life and responsible sexual behavior. We urge, also, cooperative efforts in such problems as racial discrimination, economic hardship, birth defects, treatment and education of the handicapped, and increased mental health and counseling facilities.

Our prayer and our plea is that all men of good will in this state will join us in seeking these solutions, and will reject that most destructive recourse, the killing of innocent human life in the womb.

Mr. HANSEN of Idaho. Mr. Speaker, I commend the gentleman from Maryland (Mr. HOGAN), for taking this special order to provide a forum for the discussion of this issue. I also commend him for his leadership in calling attention to the implication of trends in evidence toward virtually unrestricted abortion and the elimination of legal safeguards to protect the unborn child.

One of Idaho's ablest and most respected physicians, Dr. James J. Coughlin, of Boise, has presented a most thoughtful and intelligent analysis of the abortion issue. In order to bring Dr. Coughlin's observations and views to the attention of my colleagues and the public, I include the text of a paper on abortion prepared earlier this year as part of my remarks:

ABORTION

(By Dr. James J. Coughlin)

Abortion is defined as the act of bringing forth young prematurely or before maturity. It may be spontaneous and is then called a miscarriage. Or it may be induced and is then classified as therapeutic or criminal. At the present time we have a law in this state allowing abortion to save the life of the mother, or therapeutic abortion. Criminal abortion is one not sanctioned by the law and therefore illegal or criminal.

No discussion of abortion would be complete without some information about the fetus. First let us ask in what way the ovum, or female egg, and the sperm, or male egg, differ from the fertilized ovum. The essential difference is that an ovum or a sperm will inevitably die unless they are combined together in the process of fertilization, while the fertilized egg will automatically develop unless untoward events occur. The first definition of life, then, could be the ability to reproduce oneself, and this the fertilized

egg has while the individual sperm and ovum do not.

This fertilized ovum now has a totally new genetic package which is individual alone to this fertilized ovum. It contains the hereditary characteristics of both the father and mother, one half from each, which are carried in the genetic thread of life, DNA.

Following fertilization which occurs in the Fallopian tube, cell division starts, one cell dividing into two, two into four, four into eight, this going on for about a week. Then implantation in the uterine wall occurs. At 14 days the name is changed from zygote to embryo. At 3 to 4 weeks the heart is pumping. At 6 weeks all organs are present. At 8 weeks the length is 3 centimeters or slightly larger than 1 inch, and now its name changes from embryo to fetus which means unborn offspring. At 10 weeks spontaneous movements occur, and at 12 weeks the length is about 3 inches. Between 12 and 16 weeks quickening or life may be felt. At 16 weeks the fetus is 7 inches in length. At 20 weeks the fetal heart may be heard, the length is 10 inches, and the name changes from abortus to premature infant if birth occurs. Between 20 and 28 weeks, if birth occurs, 10% survive. At 28 weeks the fetus will weigh slightly over 2 pounds, the age of legal viability. However in the next decade, with the new approaches already showing up such as DNA synthesis, test tube incubation, intra uterine transfusions, chromosomal manipulations, artificial placentas, and more to come, the survivability age may be greatly shortened. It was recently stated that the 20 week survivability standard is about as sacred as the 4 minute mile. And at 40 weeks birth occurs.

Back to abortion. Fifteen states have amended their statutes relative to abortion in the last three years. Three states, New York, Alaska, and Hawaii, have removed virtually all restrictions, and the performance of an abortion in those states is a matter to be decided by the woman and her physician.

The Legislative Council Committee on Criminal Code Revision of Idaho has studied three proposals for liberalization of Idaho's Abortion Law. Meetings were held in Boise and Pocatello. The committee received 21 letters favoring some degree of liberalization and 1669 letters opposed to any liberalization of the law.

After study, this committee has recommended clarification of the law rather than liberalization. Under the proposed new statute, an abortion would be allowed if "there is a reasonable medical certainty that continuation of the pregnancy would gravely impair the health of the mother." (No mention is made if this health is physical alone or also mental.)

Forcible rape and incest resulting in pregnancy are grounds for therapeutic abortion up to the 12th week of the pregnancy. The rape and incest must be reported to the county prosecuting attorney and a request for action against the alleged rapist made. This law would require the procedure be performed in a hospital following consultation and authorization from a three doctor board of the hospital.

Let us consider the maternal health issue. Dr. Denis Cavanaugh, professor and chairman of the department of Obstetrics and Gynecology at St. Louis University School of Medicine, a Jesuit school and my alma mater, stated that there is a place for therapeutic abortion and that there is no doubt that it may be necessary to kill a fetus to save the life of the mother. (This gets into Theology which we are not discussing, however there are Catholic theologians who would support Dr. Cavanaugh in his premise.)

Now after stating that such a need may arise, he stated that he was director of the obstetrical service at St. Louis City hospital, a 1,000 bed hospital. For a comparison, St. Alphonsus and St. Lukes Hospitals of Boise are each approximately 150 beds. I served there during my orthopedic training. This hospital served the underprivileged and would be expected to have a high maternal mortality rate. Yet between July 1, 1966 and July 1, 1968 there were over 5,000 deliveries without a single maternal death and during this period only 1 therapeutic abortion was considered necessary to save the life of the mother. It would appear that liberalization claimants have overemphasized the maternal health issue.

Mental health which is substituted for severe mental illness leaves many loopholes. In California in the first year with a new liberalized abortion law, 88% of the therapeutic abortions were for mental reasons and 5% were for organic disease. It is obvious that serious mental illness is not 17 times as common among pregnant women as serious physical illness. So we conclude that the mental health clause is abused in accredited hospitals.

Incidentally, in regard to the commonly quoted "suicide threat", the actual suicide rate is 4 times as high in the general female population as it is in the pregnant woman population.

Rape and incest, two emotion laden questions, must be mentioned, but the real infrequency of these and also the difficulty in proving it should not occasion new laws. They were omitted from the English law because of the legal difficulties of obtaining proof. Cases of this type if immediately reported can be handled with a dilatation and curretage removing the lining of the empty womb and preventing implantation if a pregnancy were to occur. This would nullify a need for later abortion and also would help in the apprehension of the criminal.

German measles or Rubella in the first three months of pregnancy may cause birth defects. These may range from minimal to severe. Proponents of liberalization state that 85% of women having german measles in the first trimester will have defective babies. A study of the last Rubella epidemic in Indiana shows a figure of 14%. 280 such pregancies had 43 babies with defects, and these ranged from minimal to severe. Should the 280 pregnancies be aborted with 137 of them being normal to remove the 43 defective, and these 43 ranging from minimal to severe.

Also rubella vaccine will be in full use before the next rubella epidemic, eradicating this disease as polio was removed from the scene. Remember, rubella is by far the most common cause of fetal abnormalities at this time. The proponents are well informed people who know that this indication will disappear with the vaccine, but they selectively forget it because it weakens their case.

The so called humane provision regarding birth defects could well result in a significant change in our moral and legal philosophy. If it is alright to remove life because of birth defects, then life may be removed for other reasons. After all, as concerns the deformed child, there is nothing therapeutic. He is dead. So this could be more aptly called "Fetal Euthanasia". And where do we go from there? In England, those who were pushing for a liberalized abortion law 4 years ago are now legislating for euthanasia. A Euthanasia bill was defeated in the House of Lords by only a vote of 61 to 40 in 1969.

Criminal abortions: Its incidence is thought to be one and a quarter million yearly with 8000 deaths occurring. Now criminal or illegal or back alley abortions are not scheduled in a hospital surgery, and the abortionist doesn't report his case series in a medical journal, so there is no way of determining the numbers. The figure of 8000 deaths yearly however is open to argument. This figure was first quoted by a Dr. Taussig of St. Louis in 1936 and it has been quoted and requoted. Using the state of Missouri figures over a recent 7 year period, there were 4 to 5 deaths yearly from all types of abortion. Assuming all were criminal, which they weren't, we would arrive at 225 criminal abortion deaths per year in the United States. The state of Minnesota has figures on deaths from criminal abortions between 1950 and 1966. They list a total of 21 and this would give us the figure of 60 deaths per year in the United States from criminal abortion. Take your pick, 60 or 225, but either way it's a far cry from the 8000 criminal abortion deaths that liberalization proponents claim.

As for population control, I say control it by not begetting life with the means at one's disposal that his conscience dictates. This is far better than transmitting life and then destroying it. One aspect of the abortion issue that has been given great attention by theologians is whether or not the fetus has a soul. This particular question has a long history of debate behind it with various possible solutions expressed. As a doctor I do not feel either qualified or willing to make any real statement about this. With a great deal of relief, I can leave that question to the theologians.

Instead, I prefer to think of the fertilized ovum as transmitted life from the parents, with the potential capacity to live and develop through the stages of birth, growth and development, adulthood, old age and death.

It seems to me that at the crux of the abortion issue is what the Declaration of Independence calls "the inalienable right of life." Life is the right of every citizen. Governments are instituted to preserve this right. A profession, such as medicine, is dedicated to saving life. Seen in this light, abortion can not be relegated to the "merely religious" sphere of life.

I must confess that I have had problems the past few years with the Church's views on abortion. It seemed to me that the Church was trying to force its beliefs on the rest of the public. I have long been an advocate of toleration of other people's beliefs, as long as they did not hurt the public at large. However, after a great deal of study on the matter, I now see abortion in most cases as a basic invasion of the human right to life, and as such, it far transcends a mere religious preference. What the world needs now is not only love, but toleration for opposing beliefs. But toleration must be governed by moderation, for complete toleration would result in anarchy; as one writer put it "in that condition human life would be nasty, brutish and short."

The maternal health issue is undoubtedly over-stressed. However, if a fetal life is to be taken, it would be far better to do it to save a life than just to spare the mother's inconvenience or embarrassment.

For the sake of the common good, therefore, I feel that abortion, and especially abortion on demand, based on pseudo justifications of physical and mental disturbances, thwarts the basic principle of preservation of life and especially of indefensible life, and as such cannot be tolerated.

Mrs. HOLT. Mr. Speaker, I am extremely pleased that this body has set aside some time today for discussion of the abortion question. Abortion is an emotional issue, a moral issue, and certainly a legislative issue. Debate on this topic has intensified during recent years while our social, moral, and cultural standards have been in a state of rapid transition. The Supreme Court decision earlier this year, which had the practical effect of striking down most State abortion statutes, has brought this debate to the forefront.

Many of the speeches today have dealt

with the morality of this issue and the legislative alternatives available to Congress. Any remarks of mine on these aspects of the question would be superfluous. I would, however, like to concentrate my remarks on one facet of the issue which I feel has not received enough attention.

We, as legislators, have an obligation to look far down the road to determine the long-run effects of our actions. We must consider the total consequences of legislation, administrative policies, and even judicial decisions on the institutions and values of our Nation.

Most of us will agree that the proper functioning of our society is dependent in great part upon the family structure. It is the best framework within which to rear children and infuse them with a sense of morality, responsibility, and discipline. This task will never be successfully transferred to any other institution.

What will be the effect of unrestricted abortions upon the family structure and our value system? I do not pretend to have a power of clairvoyance which would allow me to answer this question; but I do feel that this is a legitimate question which should be considered during our discussion of this issue.

Our legal and moral codes have always maintained that members of our society must assume responsibility for their actions. In my opinion, many of our problems today stem from the failure of individuals to accept this responsibility. There is a growing utilitarian philosophy which stresses the ends above the means; which glorifies the "easy way out" rather than facing up to problems. I think that we must be wary that we do not contribute to the perpetuation of this theory which condones the evasion rather than the assumption of responsibility.

I hope that we will fully consider these factors during our deliberation of this issue.

Mr. KEATING. Mr. Speaker, I would like to join my colleague from Maryland in supporting congressional action on his constitutional amendment to guarantee the right to life to the unborn, the ill, the aged, and the incapacitated.

In my view, the Supreme Court decision poses one of the most serious problems that can confront a Member of Congress, and that is whether or not it is necessary to amend our Constitution. I am loath to constantly amend the Constitution for matters which are transitional in nature; I do not have such a problem in this case. The basic right to life has been challenged by the decision of the Court. The nature of this issue will not change with the passage of time. I can find no other alternative to remedy this situation than the constitutional amendment.

The Supreme Court did not determine the central issue, and that is when does human life begin. As we consider this issue, in determining what legislative course to take, we cannot make the same mistake. It is a difficult task, but one that is essential to any meaningful answer to this question. We as representatives of the people cannot shy away from a question merely because it is controversial or difficult.

Modern science in the last decade has brought us a spectrum of knowledge about fertilization and early development that we only guessed at previously in history. In a book written by Dr. and Mrs. J. C. Wilke they discuss the scientific data on the beginning of human life.

Dr. and Mrs. Wilke point out that we now know that the sperm contributes 50 percent and that the egg contributes 50 percent of the new life. The sperm contains the genetic code of the father, and has no life or continuing function beyond the sole goal of its existence, that is, fertilization. The ovum contains the genetic code of the mother and is unquestionably part of her body. It has no other function than to be fertilized and, if it is not, it will die.

When, however, at fertilization, the 23 chromosomes from the sperm join the 23 chromosomes from the ovum, a new being is created. Never before in the history of the world nor ever again will a being identical to this one exist. This is a unique being, containing within itself a genetic package, completely programed for and actively moving toward adult human existence. It has, by any standard, a life of its own and in no way is part of the mother or the father.

At first the medical profession calls this new, unique being a fertilized ovum and soon thereafter a zygote. Nothing will be added to this being the moment of fertilization and its ultimate death as an old person. It is all there in toto at the moment of conception, merely not fully developed.

Today we stand on the threshold of deciding whether or not we tolerate a new morality where the guarantees of the Declaration of Independence, the 14th amendment to the Constitution, and the previous traditions of our Judeo-Christian heritage do not apply to all human life.

When, for example, the Court states that the unborn are not recognized by the law as "persons in the whole sense," and when, further, it uses as a precondition for legal protection the test whether one has the capability of meaningful life, one begins to question what the logical next step will be to this type of logic.

In a recent article that appeared in Newsweek magazine guest columnist Nick Timmesch wrote of the "Abortion Binge Mentality."

He pointed out that—

> Fetal life has become cheap. There were an estimated 1,340,000 legal and illegal abortions in the U.S. last year. There were a whopping 540,245 abortions in New York City in a 30-month period under the liberalized state abortion law. The abortion culture is upon us. In one operating room, surgeons labor to save a 21-week-old baby; in the next surgeons destroy, by abortion, another child, who can also be reckoned to be 21 weeks old. Where is the healing?

There are people of conscience around the country who are standing up to this senseless taking of life; but groups who have the abortion mentality are seeing to it that we have abortions in each and every hospital across America.

Lawsuits have already begun in nine States to compel hospitals to perform abortions. There have already been decisions handed down in Massachusetts and New Jersey. In Green Bay, Wisc., a doctor has brought suit against a private Methodist institution to allow him to perform abortions there.

In my district, the Cincinnati Enquirer had an article quoting the executive director of the Cincinnati chapter of the American Civil Liberties Union as saying that she was preparing letters to General, Bethesda North, Jewish, Providence, Our Lady of Mercy, and St. George hospitals to find out what their abortion policies are and whether they have changed with the Supreme Court decision.

The ACLU spokesman stated that if the hospitals had restrictive policies on abortion that are not in line with the Supreme Court decision that they would be liable for a suit.

It now seems that the same people who were working for liberalized abortion laws are now the same ones who are taking the hospitals to court to force the institution to perform abortions and are the leaders of efforts for sterilization and euthanasia.

We were all shocked and outraged by the sterilization of the young black girls in Alabama recently; yet with the direction that the "new morality" is leading us I do not see how the proponents of abortion are surprised at this because it is the outgrowth of the same type of logic that was expressed in the Supreme Court decision.

The antilife thinking that was in the Supreme Court was seen earlier in the recommendations of the Commission on Population Growth and the American Future. This report used basically the same language as the Court decision in stating that abortion laws should allow all abortions "on request" for it was a decision to be reached between patient and doctor. This report, which was hailed by the supporters of abortion, had similar language representing the same philosophy, on the question of sterilization. The report stated that:

> All restrictions on access to voluntary contraceptive sterilization be eliminated so that the decision be made solely by physician and patient.

In the Population Commission report and in the court decisions the attitude toward human age is characterized by the question of usefulness. The court refuses to decide if human life is real but it is willing to decide that life before 6 months in the womb is not useful. This utilitarian ethic is also common in the arguments of euthanasia advocates at work in six State legislatures.

In Florida, Dr. Russell Sackett, author of the "death with dignity" bill, has stated that—

> Florida has 1,500 mentally retarded and mentally ill patients, 90% of whom should be allowed to die.

The Supreme Court decision allows for the killing of the developing child in the womb of the mother; the Florida bill allows the killing of the mentally ill.

What we have witnessed with the cases of sterilization in Alabama, with the Supreme Court decision on abortion, and with the increased discussion of

euthanasia is the Federal Government determining who shall have the right to life and the right to give life and who shall not have these rights.

This new view of the role of Government, granting the right to life, is so repugnant to what this Nation has always stood for that it demands urgent congressional action. At this point in time I can think of no action less than a constitutional amendment to achieve the goal. In this debate we are determining the role Government should play in the right to life, and we must act quickly—we must pass a constitutional amendment. It is my hope that the Judiciary Committee will consider the different bills that have been introduced so that the language we adopt will be the most effective and to the point.

If the Judiciary Committee continues to fail to act, then there will be no alternative than immediate consideration on the floor of the House. For this reason I have signed the discharge petition, hoping that it brings about the quick action that is needed.

Mr. ZABLOCKI. Mr. Speaker, I want to commend my colleague, the gentleman from Maryland (Mr. HOGAN) for arranging this special order on the question of abortion. It is with a deep sense of concern that I join him and others in emphasizing man's basic right to life, especially the right to life of the unborn.

The Declaration of Independence of the United States of America, the signing of which we celebrated just a few days ago, continues to be one of man's finest statements 197 years after it was written. This document reaffirms the central truths of the American tradition:

> We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are Life . . .

The right to life. This most basic of all rights is a priceless heritage. It is a fundamental tenet of our system that the state protect each of our lives until natural death occurs.

Yet, on January 22 of this year, the Supreme Court, in striking down the laws of Texas and Georgia regulating abortion, has made a mockery of the right to life provision in the Declaration of Independence. It has failed to offer the protection of the laws to this God-given and most basic human right. As a result of this improvident Court decision on abortion, the fundamental right to life is being neglected and can now be legally denied to many potential members of our society.

The critical point of whether the developing child has human life was treated very casually in the Court holding. It took note that there is evidence that human life begins at conception, but added:

> We need not resolve the difficult question of when life begins. When those trained in the respective discipilnes of medicine, philosophy, and theology are unable to arrive at any consensus, the judiciary is not in a position to speculate as to the answers.

The Court has not only speculated but decreed the answers by establishing definite standards and criteria with regard to what kind of fetuses may have their lives extinguished and what kind may be given the right to live. The decision stated that in the first three months of pregnancy, an abortion decision must be left entirely to the woman's desire and her doctor's medical judgment.

No State law may intervene. The mother and the doctor are thus put in the position of selecting and judging the fate or justice that may come out of a life.

In the second 3-month period States may legislate to insure that medically safe abortion procedures are used but may not stop abortions. In the final 3 months of pregnancy the State may act to protect the rights of the unborn but still may not halt an abortion judged medically necessary to preserve the "life or health" of the mother. The majority of judges held that:

> Maternity or additional offspring may force upon the woman a distressful life and future. Psychological harm may be imminent. Mental and physical health may be taxed by child care.

Justice White disagreed with such a reconstruction of values which would make the worth of a potential human being dependent upon being wanted by its mother. In his dissenting opinion he argued:

> At the heart of this controversy are those recurring pregnancies that pose no danger whatsoever to the life or health of the mother but are nevertheless unwanted for any one or more of a variety of reasons—convenience, family planning, economics, dislike of children, the embarrassment of illegitimacy, etc.

Certainly, as in most cases when there are differences of opinion, various conclusions result. Some believe that if human life exists in the fetus, it has an inalienable right to continue to live—a right which cannot be sacrificed for anyone's convenience. Others apparently believe that this right to personhood and life is dispensable under certain conditions or in certain circumstances. Unfortunately, justifications of abortion as a backup contraception, a woman's inherent right, a population stabilizer, and a postconceptive family planning and sociological therapy are finding increasing acceptance among an apathetic public.

I am greatly distressed with this downward thrust in the interpretation of American laws protecting the sanctity of life. It is already clear that the new legal arrangement could lead to excesses and abuses never intended or foreseen by the proponents of the decision. There is reason to fear that the Court's decision already implies that only "persons in the whole sense" are protected by the Constitution and that in the future the mentally deficient infant, the retarded child, the adolescent imbecile, and the senile could be describe as less than persons "in the whole sense" and "lacking the capability of meaningful life." Just a few short weeks ago a New York physician was indicted for injecting a lethal dose of potassium chloride into the veins of a 59-year-old cancer patient. This incident, in turn, prompted a statement by Dr. Malcolm C. Todd, president-elect of the American Medical Association, which stated that mercy killings may be justified in cases of "uncorrectable illnesses" such as cancer or strokes where the continuation of "intravenous feedings and blood transfusions are just prolonging the agony of the individual" and the expense to the family. In Washington, Dr. Walter H. Judd, retiring chairman of the judicial council of the American Medical Association, said that—

> There is no use keeping an individual alive as a vegetable . . . The profession nevertheless believes it is up to the judgment of the individual physician.

A new issue at stake in the controversy is the rights and freedoms of those individuals who in conscience cannot participate in the destruction of human life. This includes doctors, nurses, hospitals, laboratory technicians, and others connected with the clinical practice. One must wonder whether a society which can so readily accept the destruction of unborn fetuses will permit those with conscientious objections to refrain from abortion procedures without jeopardy to their professional positions. Recently, a bill has been introduced into the Wisconsin Legislature which would make it mandatory for any doctor to perform an abortion on request under pain of losing his medical license.

In an effort to reverse the Court holding and to restore respect for the life of the unborn in our society, several Members of Congress and I have introduced legislation to provide for a constitutional amendment which would insure that due process and equal protection are afforded to an individual from the moment of conception. Since the introduction of legislation for a constitutional amendment, thousands of individuals and groups from all over the country have written to me in support of the proposal. Undoubtedly, there are millions of Americans who have not communicated to Members of Congress who share the deep sense of concern in this matter.

Certainly, the issue of abortion is an urgent and complex matter requiring a thoughtful balance of moral, social, and personal values. The January 22 decision of the Supreme Court regarding abortion and the various legislative proposals in Congress should be thoroughly reviewed. Therefore, I would like to reiterate my request of June 21 to the Judiciary Committee that public hearings on this most important matter be initiated at the earliest possible date.

Fear of this issue is unworthy of a Federal representative of the people. We must summon the courage and face the stubborn facts of our times. The Supreme Court has given to the Nation its interpretation of "meaningful life." The Congress, amidst the increasing number of decisions being made about abortion, euthanasia, genetic experiments, ovum transplants, back and forth, must exert itself to protect the right to life of any human, born or unborn. We cannot go contrary to this most important moral, human, and American ideal.

GENERAL LEAVE

Mr. HOGAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the subject of my

special order today and to include extraneous matter.

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

There was no objection.

THE NORTHEAST RAIL TANGLE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. HASTINGS) is recognized for 10 minutes.

Mr. HASTINGS. Mr. Speaker, the railroad crisis in the Northeast, involving six bankrupt carriers and several other lines on the brink of bankruptcy is epitomized by the fall of the mighty Penn Central. The PC alone earns 14 percent of the nation's rail revenues, but it has never had a net income on a fully accrued basis since its merger in 1968. Total losses in calendar 1972 were $198 million, despite revenues of $1.8 billion.

Mismanagement, scandal, and general incompetence have been major factors. Noted examples are: an illegal attempt by PC executives to organize their own airline; executives speculating in stocks of PC-controlled companies; railroad investment funds drained by ill-conceived diversification; hopelessly inadequate planning for the 1968 merger; and imaginative accounting to disguise the extent of the problems which led to the 1970 bankruptcy. PC even lost $4 million to a fast-talking "investor" from Liechtenstein.

Takeover by court-appointed trustees in 1970, together with the importation of a new president from the money-making and innovative Southern Railway, have markedly improved PC's financial picture. Total loss for fiscal year 1971—the first year of bankruptcy—was an awesome $305 million, compared to the latest figure of $198 million for calendar 1972. Nevertheless, long-developing root causes, which affect railroads throughout the Northeast region, have finally caught up with PC. Its troubles are deeper than past ineptitude.

A number of considerations are basic to an understanding of the problem. I will very briefly outline a few of the most important:

United States rails now handle 40 percent of all intercity freight, a whopping 260-million tons in 1971. Yet, since 1957, originated tonnage has increased by only 1 percent nationally. Of the three federally designated railroad "districts," the Southern district has increased originated tonnage 37 percent, the Western district has increased 10 percent, and the Eastern district has declined 21 percent. The growth of light manufacturing in the East and the growth of the highway system have combined to favor trucking.

Shorter hauls and frequent terminal operations in the East mean that, while the Union Pacific in the West gets 1.6-million net ton-miles per employee per year, the Southern Railway gets 2 million, the PC gets only 900,000 ton-miles per employee. It should be noted that all these railroads operate under the same employee work rules.

Former dependable revenue sources have been lost to PC, such as coal shipment. As an example, the use of the high-sulphur coal which PC used to haul has drastically declined since 1968, meaning a loss of $75 million a year in revenues. That $75 million amounts to nearly 40 percent of last year's deficit.

Meanwhile, the Norfolk & Western and the B. & O./C. & O.—both "money machines" in the Southern district—collect big revenues from hauling low-sulphur coal out of the Pocahontas fields of West Virginia. The loss of the high-sulphur coal market has also greatly affected the other Northeastern roads.

Penn Central does 80 percent of its business on 11,000 miles of its 20,000 miles of track. The dense network of lines built in the Northeast after the Civil War is largely redundant today. In Pennsylvania, for example, the PC has 500-miles tied up in 167 different branch lines—most less than 10-miles long—whose revenues in each case do not come anywhere near covering out-of-pocket expenses. In most cases, trucks could easily pick up this business.

Overregulation has choked off innovation, even when proposed rate and/or service changes are clearly in the public interest and would not work hardship on competing traffic modes. UCLA economist George Hilton has demonstrated that Interstate Commerce Commission overregulation of all transport modes amounts to maintenance of cartels that cost the economy $5 billion a year. The problem is not so much with the motivations of the ICC, but rather with the procedures under which the ICC must operate.

The track and physical plant are rapidly deteriorating throughout the East, as the six bankrupts defer needed maintenance to meet daily expenses. Thus service is impeded and safety seriously compromised, compounding the problem of traffic losses. According to PC's own figures, on-time freight delivery is off sharply, even from the indifferent year of 1972. Forty percent of shipments in 1 week in 1973 were a day longer in transit than expected, compared with 24 percent in the same week a year earlier. The basic reason is that the track is falling apart.

Deterioration of plant and financial estate is also a constitutional matter for creditors. The fifth amendment states that:

> No person shall—be deprived of life, liberty, or property, without due process of law.

Section 77 of the Bankruptcy Act requires the judge in a railroad bankruptcy to determine if creditors' estates are being significantly eroded by further operation of the bankrupt line. If this is the case, then further operation is an unconstitutional appropriation of private property.

On July 3, the Federal judge in the Penn Central case authorized the trustees of PC to file a plan of liquidation with the ICC, as required by law. Because further operations may now be unconstitutionally damaging to creditors, the judge requested the ICC to certify an approved plan of liquidation or partial abandonment by October 1.

Should suspension of operations by PC thus occur, direct damage to affected shippers and constituents would be incalculable, and indirect damages would be considerable. Transfer of all of PC's 83-million annual ton-miles to other rails and to trucks would be impractical, beyond the fact that the area's highways would probably be destroyed as a result, with obvious impact on taxes. In light of the present fuel shortages, it is also worth noting that, while the average 1-ton-mile line-haul by truck expends 3,460 Btu of energy, the average 1-ton mile line-haul by rail takes 624 Btu.

The danger in hurried congressional action on the railroad problem is that first, Congress may pass a bill calling for an unnecessary degree of intervention and authorizing far more money than is required, thus insuring a taxpayer backlash and a Presidential veto, or second, Congress may "paper over" the underlying cause—taking no action on revamped regulation for example—thus insuring another Northeast rail crisis or a new Midwest crisis.

A large number—I should say an avalanche—of railroad reform bills and formal proposals have been put before Congress. I have extensively studied at least 26 that would impact my constituency in the southen tier of New York.

All serious bills recognize that the present Northeast railroad tangle of excess trackage must be pruned down to a viable "core" system to prevent an endless drain on the taxpayer, and that some kind of Federal intervention will be necessary. The bills differ importantly on the following key issues: How much public money should be committed? Who should decide on the regional rail system for the Northeast?

What criteria should the designers use in deciding which tracks should be included? That is, should they use a profit-and-loss basis only, or should they also consider public service and indirect economic costs? Who should own the new system What mechanism of financing should be used? And, finally, what kind of flexibility should be left to the designers of the new system to provide for joint use of facilities and main lines, future alterations, interests of solvent competing railroads, separate tracks or rights-of-way for passengers, and new freight technology.

After studying all the various proposals, I have arrived at the following judgements:

First, any nationalization—whether direct or disguised—must be avoided now and prevented in the future. Nationalization will not solve any of the fundamental problems.

Second, a special commission or body, representing all interest groups and the public, should be assigned the task of developing the regional rail plan for the Northeast, with appropriate input. No single Federal agency should be given this power over the economies of the Northeastern States.

Third, the final plan must be ratified by both Houses of Congress.

Fourth, the extensive capital funds required for rehabilitation must come from the private sector. A financial inter-

mediary similar to the Federal National Mortgage Association—the familiar "Fannie Mae"—can serve this purpose, channeling the actual investment cash to the railroads from private investors, not from the Treasury.

Fifth, any Federal program must avoid putting the solvent rail carriers and other competing modes at a disadvantage and thus unfairly jeopardizing their solvency.

Sixth, the rights of labor must be explicitly protected.

Seventh, any new operating corporation must be a profitmaking, private common carrier, generating its own funds for operations. Outside financial aid should be limited in scope.

For the above reasons, I am cosponsoring the bill introduced by my colleague DICK SHOUP of Montana, the "Northeast Regional Rail Services Act of 1973."

This bill also answers the serious problem of how to handle money-losing branchlines. Extensive subsidization of these branchlines is unacceptable. The tax burden on our citizens would be too great. On the other hand, forcing a railroad to maintain money-losing service means that the railroad will eventually have to be bailed out by the Government, and thus the result is identical: a burden on the taxpayer.

At the same time, many communities have a clear stake in continued rail service. The economy of these communities would be severely damaged by preemptory abandonment of rail service, with closing of manufacturing plants and other businesses which depend on such service. The loss of jobs would be major.

Therefore, some kind of shared financial aid, carefully limited as to amount and duration, seems to be the best solution. The bill provides that if States, local communities, or regional authorities agree to put up 30 percent of the amount necessary to keep a branchline operating "in the black," the Federal Government can put up 70 percent. The total amount of Federal money to this program in any one-year would be strictly limited: $50 million. Any subsidy to any one branchline would last for only 2 years, but could be renewed by reapplication to the Secretary of Transportation. Thus, if the cost of keeping a branchline in operation is excessive or if trucks can easily pick up the business involved, the branchline may be abandoned, pursuant to the local decision of community or State authorities not to put up the 30 percent of operating loss. Even in this case, reasonable notice must occur; the bill provides that no abandonment can take place until 6 months after the regional rail plan has been fully reviewed by all parties and approved by Congress.

There are a sizable number of abandonment proposals in New York State, involving marginal branchlines of the Penn Central and the Erie Lackawanna, where studies indicate that abandonment of the lines would have a severe impact on the local economies. A pending abandonment proposal involving Chautauqua and Cattaraugus Counties provides a good example: Feed mills—which require rail service—would have to close, manufacturers would have to cut back operations, and the net effect would be felt throughout the region. In addition, there is considerable traffic on part of the line, so that only a modest degree of aid would be required for the railroad to break even. I am sure there are numerous examples of lines like these throughout the Nation.

Limited and temporary Federal aid, on a shared basis with the communities involved, would appear to be prudent, in order to avoid far larger indirect economic costs.

The Northeast Region Rail Services Act is a sound, responsible bill, putting the necessary amount of money in exactly the right places and by the right mechanisms. I urge support of this bill.

Thank you.

TOWARD A CURE FOR DIABETES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Connecticut (Mr. STEELE) is recognized for 10 minutes.

Mr. STEELE. Mr. Speaker, for far too long the public and the Congress have failed to pay sufficient attention to one of the most devastating diseases affecting young Americans—diabetes. Thus, I am today introducing legislation to appropriate an additional $20 million to combat this dread disease.

There are currently 5 million known diabetics in this country and an estimated 5 million more are believed to remain undetected. This number is growing each year since diabetes has clearly established hereditary factors. In fact, the annual increase in victims exceeds the general growth in population.

The physical toll of this crippler—which is the fifth leading cause of death in the United States—is taken mainly in terms of blindness, kidney failure, epidermal ulcers, and, in some cases, amputation of extremities made necessary by irreversibly poor circulation.

The current yearly cost of diagnosis and treatment of diabetes is $4½ billion, and the cost goes higher each year. Yet, while the costs rise, the Federal Government is spending less. The estimated Federal allocation for programs in diabetes for fiscal year 1974 is $7,100,000; this figure is down from $8,052,000 in fiscal year 1970.

There is no excuse for this neglect. Seldom in the history of medical research has it been possible to state with reasonable certainty that mankind is on the verge of a significant breakthrough. Experts on diabetes have estimated, however, that a Federal input of $20 million could result in the development of a cure for diabetes within 1 year. Compared to the amount the disease is now draining from the economy—not to mention the pain and suffering of victims of the disease—this sum indeed seems negligible. What better evidence that "an ounce of prevention is worth a pound of cure"?

It is not as if diabetes and its treatment are new to medical science. Last year marked the fiftieth anniversary of the discovery of insulin. Yet, while daily self-administration of this hormone has unquestionably meant substantially increased lifespans to victims of the disease, research is still basically in the fledgling stage. Important projects are currently underway to find out exactly how insulin is produced and how it does its vital work. Even more impressive advances are being made in cell transplants and the development of an artificial pancreas. Four research groups in different geographical areas of the country are on the brink of a breakthrough toward a cure for diabetes, along with a possible breakthrough for supplementing or replacing the functions of other vital organs of the body which may have been destroyed by numerous diseases.

But if we are to realize the fruition of these possibilities, Congress must provide the resources to do it. Twenty million dollars hardly seems exorbitant in order to spare diabetes victims the progressively deleterious effects of this disease. That $20 million will also mean adding years to the lives of diabetics where life expectancy is now only 17 years after the age of onset for adults and 28 to 30 years in children.

With the significant strides that have been made in practically all fields of medicine—from the successful development of pacemakers, kidney transplants, plastic heart valves, heart transplants, and the virtual cure of the once great crippler, polio—surely we can do the same in the case of diabetes with firm commitment and comparatively minimal funding.

As the wealthiest nation in the world, I believe we can well afford the modest funds which would enable us to seize this rare opportunity to conquer one of the Nation's most prevalent and most deadly diseases. It is high time for the Congress to provide these funds.

ALL-STAR FOOTBALL GAME SPONSORED BY CHICAGO TRIBUNE CHARITIES, INC.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. YOUNG) is recognized for 10 minutes.

Mr. YOUNG of Illinois. Mr. Speaker, at the present time in the 10th Illinois Congressional District, more than 50 young men are in training to play football for charity, for the direct benefit of people less fortunate than themselves.

They are 1972 college all-America football players. On July 27 in Chicago's Soldier Field, they will take part in the 40th annual all-star football game sponsored by Chicago Tribune Charities, Inc. They will play the world professional champion Miami Dolphins.

This game, as it has for each year since 1934, will pit the cream of America's college football teams against the professional team that has proven itself to be the best. Through the years, the all-star game has continued to be one of the most colorful sports events in the Nation.

These young men are preparing for their last game as collegiate stars in Evanston, Ill. They are using the facilities of Northwestern University and the

university's Dyche Stadium, in the 10th District.

By way of history, the all-star game was the idea of the late Arch Ward, sports editor of the Chicago Tribune. He conceived it at the request of Chicago's Mayor Edward Kelly to provide a spectacular sports attraction for the Chicago World's Fair in 1934. The previous year, also at Mayor Kelly's request, Mr. Ward had organized an all-star baseball game as a sports highlight for Chicago's century of progress exposition.

That first all-star football game sent college all-Americans under the guidance of Coach Noble Kizer of Purdue University against the professional prowess of the Chicago Bears. It ended in a scoreless tie.

I might note that in the second all-star game in 1935, one of the participants was an all-American center from the University of Michigan. Today he is our distinguished minority leader, Mr. GERALD FORD of Michigan.

Since 1933, more than 3 million spectators have watched the game through the years, and more than 2,000 all-American college players have taken part, many of them going on to fame as professionals.

And during that same time, Chicago Tribune Charities, Inc., has collected more than $13 million, which has been distributed to all major charities, regardless of race, creed, or color.

This year's coach is John McKay, who during the last college season led his Southern California team through a perfect 11–0 schedule. The Miami Dolphins also were undefeated last year.

Coaches through the years have included some of the great names of football—Bob Zuppke of Illinois, Bernie Bierman of Minnesota, Elmer Leyden and Frank Leahy of Notre Dame, Gus Dorais of the Detroit Lions, Bud Wilkinson of Oklahoma, Otto Graham, Norm Van Brocklin, Curly Lambeau, and Blanton Collier.

Chicago Tribune Charities, Inc., is to be congratulated for the continuing success of the all-star game, which, because of television, now is viewed coast to coast.

Chicago Tribune Charities, Inc., deserves the sincere congratulations of every Member of the House for the continuing success of the all-star game, which now is viewed in many parts of the world because of television. My congratulations go also to George Strickler, retired sports editor of the Chicago Tribune who now serves Chicago Tribune Charities, Inc. as executive director.

Congratulations also are due the officers and directors of Chicago Tribune Charities, Inc., who are: President, Cooper Rollow, the Chicago Tribune's present sports editor; vice president, Edward D. Corboy, vice president of the Chicago Tribune Co.; treasurer, William F. Caplice, controller of the newspaper's parent organization, the Tribune Co.; secretary, William N. Clark, secretary of both the Tribune Co. and the Chicago Tribune Co.; and director Clayton Kirkpatrick, editor of the Chicago Tribune.

I invite my colleagues in the House to scan the list of college players who will participate in this year's all-star game. They come from across the Nation.

I also invite my colleagues to join with me in congratulating each and every one of these fine athletes—as well as their coaches—for their efforts on behalf of others by participating in this game for charity.

Defensive linemen—Dave Butz of Purdue, St. Louis Cardinals; Wallace Chambers of Eastern Kentucky, Chicago Bears; Rich Glover of Nebraska, New York Giants; John Grant of Southern California, Denver Broncos; Greg Marx of Notre Dame, Atlanta Falcons; John Matuszak of Tampa, Houston Oilers; Derland Moore of Oklahoma, New Orleans Saints, and Ernest Price of Texas A. & M., Detroit Lions.

Linebackers—Bruce Bannon of Penn State, New York Jets; Gail Clark of Michigan State, Pittsburgh Steelers; Jim Merlo of Stanford, New Orleans Saints; Jamie Rotella of Tennessee, Baltimore Colts; John Skorupan of Penn State, Buffalo Bills; Brad Van Pelt of Michigan State, New York Giants; Gary Weaver of Fresno State, Oakland Raiders; and Jimmy Youngblood of Tennessee Tech, Los Angeles Rams.

Defensive backs—Joseph Blahak of Nebraska, Houston Oilers; Cullen Bryant of Colorado, Los Angeles Rams; Bill Cahill of Washington, New Orleans Saints; Mike Holmes of Texas Southern, San Francisco 49ers; Burgess Owens of Miami of Florida, New York Jets; James Thomas of Florida State, Pittsburgh Steelers, and Jackie Wallace of Arizona, Minnesota Vikings.

Offensive linemen—Pete Adams of Southern California, Cleveland Browns; Tom Brahaney of Oklahoma, St. Louis Cardinals; Dave Brown of Southern California, Los Angeles Rams; Joe De Lamielleure of Michigan State, Buffalo Bills; John Hannah of Alabama, New England Patriots; Paul Howard of Brigham Young, Denver Broncos; Guy Morris of Texas Christian, Philadelphia Eagles; Paul Seymour of Michigan, Buffalo Bills; Jerry Sisemore of Texas, Philadelphia Eagles; and Robert Woods of Tennessee State, New York Jets.

Tight ends—Gary Butler of Rice, Kansas City Chiefs, Mike Creanery of Notre Dame, Chicago Bears, and Charles Young of Southern California, Philadelphia Eagles.

Quarterbacks—Joe Ferguson of Arkansas, Buffalo Bills; and Bert Jones of Louisiana State, Baltimore Colts.

Running backs—George Amundsen of Iowa State, Houston Oilers; Otis Armstrong of Purdue, Denver Broncos; Sam Cunningham of Southern California, New England Patriots; Chuck Foreman of Miami of Florida, Minnesota Vikings; Terry Metcalfe of Long Beach State, St. Louis Cardinals; Bill Olds of Nebraska, Baltimore Colts; and Greg Pruitt of Oklahoma, Cleveland Browns.

Wide receivers—Issac Curtis of San Diego State, Cincinnati Bengals; Steve Holden of Arizona State, Cleveland Browns; Barry Smith of Florida State, Green Bay Packers; Darryl Stingley of Purdue, New England Patriots; and Joe Wylie of Oklahoma, Oakland Raiders.

Kicker—Ray Guy of Southern Mississippi, Oakland Raiders.

ABORTION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. HANRAHAN) is recognized for 5 minutes.

Mr. HANRAHAN. Mr. Speaker, the questions being raised in this country surrounding the legalization of abortion are complex ones, both judicially and morally. They are questions of major significance to every mother and father, to every unborn child, and to every human being.

Many individuals, in struggling to judge this issue humanely, begin to find conflict between the moral obligation not to destroy life, the right of a mother to choose termination of her own pregnancy rather than the right of the Supreme Court to make such a choice, and the desire to protect our world from overpopulation.

The full inpact of the recent Supreme Court decision is just beginning to be felt. In its two decisions, on January 22, 1973, the Court virtually nullified all existing State laws concerning abortion.

After reviewing these decisions, I concluded that, given the gravity of the issues at stake, and the wide variance of public sentiment, the proper solution is to restore to the States the power to deal with the abortion issue.

For this reason, I have cosponsored House Joint Resolution 537, which would amend the Constitution so as to guarantee the States the power to enact laws respecting the life of an unborn child, from the time of conception.

The proposed constitutional amendment reads:

> Nothing in this Constitution shall bar any State, or the Congress, with regard to any area over which it is granted the power to exercise exclusive legislation, from enacting laws respecting the life of an unborn child from the time of conception.

This amendment assures that the people, through their chosen representatives, will have a say in deciding where to draw the line between the rights of the mother and the rights of the unborn child.

Already many States have sought to regain the power stripped from them by the recent Court decision. The attorneys general of States such as Montana, have declared the existing State laws valid until specifically struck down by another court. The Rhode Island Legislature has passed a bill guaranteeing the 14th amendment's equal protection of the laws to the unborn child.

Still other States such as Maryland and Virginia have voted down bills which would have brought the State law into conformity with the Supreme Court guidelines.

In Indiana, the legislature has included amendments—consent of husband, parents or guardians; written consent of women; 48-hours delay prior to the operation; provisions for live birth of aborted infants—which indicated the people's voice through their representatives.

The Illinois State General Assembly

has been active in legislating to regulate the procedural criteria for abortion, since the Supreme Court has left that question undecided.

The evidence is strong to indicate the citizens of this country are not content to give up their State's rights to decide the question for themselves. The constitutional amendment I have cosponsored would provide an avenue of expression for the vast numbers of Americans who believe abortion to be wrong. Many of these people have been frustrated by their inability to influence any decision as to where the line should be drawn between the rights of the mother and the rights of the unborn child.

In a recent poll of my district, the preliminary results show a distinct split among the respondents on the issue of abortion. How can we, at the Federal level, possibly hope to pass legislation reflecting diverse public sentiment? I believe the States have a right to make sociological and medical determination on their own. This is an issue best left to the people to decide.

ANNIVERSARY OF VILLAGE OF DUNDEE IN YATES COUNTY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. WALSH) is recognized for 10 minutes.

Mr. WALSH. Mr. Speaker, on Friday, July 27, the village of Dundee in Yates County will celebrate its 125th anniversary. Actually, the history of the village goes back many years before it was incorporated with the name of Dundee.

The long and interesting tale of the founding of this village and its progress through the years really began early in the 19th century and I would like to share that story with my colleagues.

In 1807, Isaac Starks erected a mill on Big Stream. This was the first building in the settlement and so the community was called Stark's Mill. For many years the inhabitants lived chiefly along the banks of the Big Stream. There was a store, a tavern, a blacksmith shop, the sawmill, and an ashery.

In 1812, Griffin Hazard built the first grist mill on Big Stream and about the same year, John Starkey and Clayton Semans started another store.

An east-west road, now Union and Seneca Streets, was cleared of trees and opened in 1813, the same year the first framehouse was built. The settlement became Harpendings Corners, a barren place with stumps in the streets filled with piles of lumber, shingles, and staves. Cows, pigs, and geese ran at large.

There were no shade trees, no churches, no sidewalks, no lawyers, no stages, and no livery. Long rows of rail fences lined the few dirt roads which passed for streets. Indians were numerous in the vicinity and came to the settlement to make salt.

The year 1820 was a milestone for the settlement. The old red schoolhouse, also used for religious purpose, was constructed. It was torn down in 1845. The first preaching was by old Mr. Parker, one of the Friends. He was known to remark:

If his preaching wasn't very good, it wasn't very dear either, as he charged nothing for his services.

In 1824, the Reading Masonic Lodge was established.

One year later, Samuel Harpending became the first postmaster and weekly mail delivery was started. It lasted until 1838.

The early 1830's were boom years for the settlement. Samuel Huston started the boom when he built a store on the corner of Union and Water streets. There were 26 mills on Big Stream and Rock Stream. At this time also, the Baptist, Methodist, Presbyterian, and Free Churches were organized.

In 1832, the old red schoolhouse, used by John Starkey as a store, was moved from its location—where the Fred Hunt residence now is on Main Street—given a lean-to addition and relocated where the Presbyterian church now stands. It was used on Sundays for church and rented out weekdays as a school.

The village got its present name in 1833. It was renamed Dundee after the old hymn tune of the same name, written by James Gifford, an old-fashioned singing school teacher. When Gifford left Dundee he established the communities of Elgin and Dundee, Ill.

Nehamiah Reples became the postmaster in 1838 and dispensed the semi-weekly mail deliveries from his kitchen.

In 1839, a count was taken and it was reported that nine establishments sold intoxicating beverages.

The office of postmaster changed hands in 1843. Edward Hoogland, a practicing attorney in Dundee, got the job by being "honored with the confidence of his friends and neighbors, as well as with the assistance of an extensive family influence." The Record, a newspaper, was "projected" by G. J. Booth of Elmira. It was printed in a shop over the post-office. Postmaster Hoogland rendered every assistance he could and purchased the Record in 1848 "faithfully disseminating local intelligence without fear or favor."—1848 was an historic year for Dundee, for in that year the settlement was incorporated as a village with 250 voters present.

Something new made its first appearance in Dundee the following year. What was then called a bowling saloon was opened. No boys without parents and no betting or gambling were allowed. Also, the Methodist Church on Union Street was bought by three gentlemen and moved to Spring Street where it became Dundee Academy.

By 1850, it was becoming obvious that Dundee was becoming a boom town. There were seven dry goods stores, four grocery and oyster shops, a bookstore, a drug and paint store, three tailors, two carriage makers, five blacksmiths, a tannery, a fulling mill and cloth factory, a millwright, an insurance agent and surveyor, a sash and blind factory, four milliner shops, a cooper shop, one cough syrup manufactory, three livery stables and stage proprietors, two brick yards, five sawmills, two salt manufactories, six plow factories, two chair and cabinet makers, two iron foundries, two saddle and harness makers, two pattern and machine shops, two boot and shoe stores, three tailoresses and three taverns.

The Dundee Union Agricultural Society, forerunner of the Dundee Fair Association, was organized in 1855. That same year, the Dundee Academy was incorporated by the New York State Board of Regents.

Just 1-year later, the first bank in the village, Raplee's Banking and Exchange Bank, opened its doors in a building on Seneca Street. That was the forerunner of the Dundee State Bank.

The years 1859, 1860 and 1861 were tragic ones for the village. First, the east side of Main Street burned down in a fire that did $25,000 damage. In 1860, Main Street West burned in a spectacular $60,000 fire. At the time, the village had a population of 732. Finally, in 1861, the worst fire in the history of Dundee destroyed 40 buildings, the main portion of the business section. Damage was estimated at $76,000 and there were no places of business left after this conflagration. As a result, the merchants of the village built rough board shanties, 100 feet long, where they conducted business-as-usual until permanent buildings could be constructed.

Dundee saw its second banking house open in 1868 operated by L. J. Wilkin. This later became the Dundee National Bank.

Ten years later the Dundee Observer brought out its first issue and has been in continuous publication from that date to this. And the first train ran on the Fall Brook Railroad line.

The Dundee Preparatory School was built in 1879 on Upper Water Street with Professor Kline at the helm.

In 1880, the first Catholic Church in Dundee was organized with 125 members. Services were held once every 3 weeks.

The Casino, a building where various amusements, plays, programs, and revivals were held, was in full swing in 1885. About the same time, evaporated black raspberries were a big business, with seven large and five small evaporators unable to supply the demand. Evaporated berries were sold at 27½ cents per pound. Under odds and ends for the year 1885, George Ardrey killed and sold to the Harpending House, a turkey weighing 35 pounds. The guests at the hostelry pronounced it very tender and of excellent flavor. Three hotels were in full operation in the village. The new street-lamp lighter was Mr. Gannon. Also about this time, J. J. O'Brien formed a partnership with C. J. Watson in a produce business. For many years they dealt in black raspberries as well as other farm produce.

In 1887, the Dundee Preparatory School burned. As a result, the brick high school on Harpending Avenue was built in 1888 and became the Dundee Free High School in 1891. Also, as a result of the fire, villagers ratified the action of a committee to purchase a hook and ladder truck for village use and to organize a hook and ladder company. At a later meeting in the Coliseum, charter members elected to the G. P. L. Hook and Ladder Co. were; H. V. L. Jones, E. M. Horton, C. S. Hoyt, J. H. Knapp,

Clayton Bigelow, Philo Rogers, E. M. Sawyer, H. I. Young, E. Vreeland and Clayton Howell. The firehouse was on Hollister Street and housed the Comet and Red Rover hand pumpers. The old Comet met an ignominious end, in a few years, when it was converted to the prosaic job of street repair.

Yet another fire in 1890 burned down the fair house necessitating a one day delay in the fair. But as a tribute to the spirit of the residents of the village, tents were set up and a record crowd of 4,000 attended on the first day.

In 1892, the brick schoolhouse on Seneca Street was built and put into use.

Dundee had its last severe fire in 1894 when the Presbyterian Church and several business blocks were destroyed in a blaze that also killed one person.

The Fourth of July celebration in 1896 almost became a tragedy when a cannon being fired burst and hurled large pieces of iron a great distance. Fortunately no one was hurt. The iron was cast in 1876 at the Dundee Foundry. That same year, the first commencement in the new union school district was held from Dundee High School. The business community got a boost when the Dundee Electric and Lighting Plant was constructed by Edward L. "Lectric Light" Bailey east of the railroad tracks. Competition from the Dundee Observer proved too much for the publisher of the Dundee Record who decided to move all his equipment to Corning.

At the turn of the century, three chemical hand pumpers were purchased for the fire company. At the time, they were manually hauled by drag lines. Also, the first rural mail deliveries were begun with mail carried in a wooden box, 12 by 6 inches with dividing partitions, thus separating the mail. On the first delivery, there were eight letters, nine newspapers, and one parcel.

In 1902, Dundee Lodge No. 450, I.O.O.F. was organized.

The Dundee Telephone & Telegraph Co. was established in 1903 with an initial investment of $5,000 and 50 shares of stock. It began operation in the back of Gilbert's Drug Store and remained there a year when the equipment was moved upstairs. There they stayed until 1963 when the operation came back downstairs. Silas Price was an owner and the first telephone operator. Later operators were Harry Weeks and Ernest Sproul. The first female operator was Mabel Turk, the late Mrs. C. J. Sackett.

The telephone service improved another step in 1904 when toll telephone lines from the village were inaugurated.

A village tradition, the Letts home came into existence in 1906 when Mary Letts left money, her home, and her household goods for a home for ladies. An organization to care for the property was formed with representatives from the Masonic Lodge, the Baptist, Presbyterian, Methodist, and Episcopal Churches. A representative from the Catholic Church was added about 1960. In 1962, an apartment was added to the House with money left by Nettie Trask. In that same year, the G. P. L. Hook and Ladder Co. changed its name to the Dundee Volunteer Fire Department—1908 marked the opening of the Dundee Library on Saturday afternoons only. The library had 290 books in a room over the National Bank.

The village rang to the sound of a new fire bell in 1909. It was generally agreed it sounded better than the old one. That same year, the horseless carriage made its debut in Dundee when three gentlemen purchased and drove from Elmira three automobiles: one, a 20-horsepower Ford; one, a 20-horsepower Franklin; and the third a 10-horsepower Oldsmobile. H. B. and H. C. Harpending registered and transferred more Berkshire hogs than any other two breeders in the United States.

In 1914, the worst winter storm since the blizzard of 1888 isolated Dundee for several hours on March 4. Mail and train service were suspended for several days.

The black raspberry business continued to grow and in 1916, 1,000 people were employed in the harvest. Streets were lighted from dusk to 1 a.m., then only on nights when the almanac said no moon would be visible. And for the housewives of Dundee, current was supplied Tuesday mornings for the benefit of those few who used electric irons.

The Dundee Observer was purchased by Harry C. Smith who had come to Dundee in 1914 as principal of the high school.

The village fathers decided that traffic regulations were needed in 1917. Before that there were no traffic rules so drivers could go in either direction on both sides of the streets and leave their cars anywhere. Also in that year, the Dundee Chapter of the American Red Cross was founded.

The library became a "free" Library in 1918 with a yearly appropriation from the village of $400. During that same year, a terrible flu epidemic struck that closed all public places including the school, the library, and the theater. There were no public meetings and all children were required to stay off the streets. This regulation was in force 3 weeks. About this time, a Boy Scout troop was organized with Sam Murdock, scoutmaster.

In 1921, electric current to the village became continuous day and night when a transmission line from Seneca Mills to Dundee was installed. Power was generated by water coming through the outlet at Keuka Lake. And the Beekman Theatre opened.

About 1923, Dr. C. J. Spencer, a well-known veterinarian, spurred on by the death of a friend who had been gored by a bull, invented a device which he called Dr. Spencer's Bull Tamer. In 1925, he organized a company, Spencer Brothers Inc., which manufactured the bull tamer, other cattle devices and stock medicine sold all over the world.

The year 1925 was a big one for Dundee when the Morton Salt Co. first became interested in mining salt in this area when they purchashed Severne Point on Seneca Lake.

On December 23, 1929, Dundee took a step closer to the modern age when the new water and sewer systems were opened for use.

A new industry reared its head in Dundee in 1930 when leases for drilling for gas and oil were filed in the Yates County Clerk's Office by the Belmont Quadrangle Drilling Co. In March, they first struck gas on Hause Hill. The second well was brought in on the Roy Litteer farm.

Church bells were rung for 10 minutes, January 10th in celebration of the 10th anniversary of prohibition; and the manager of the Beekman Theatre announced the discontinuation of silent pictures. Dundee firemen used the new water system for the first time September 12 when Fred David's ice house burned.

In 1931, excitement ran high in the area over the drilling of gas wells, which had reached 93 in number—5,000 people attented a public exhibition of drilling-in and capping a well one weekend.

Still another industry made its mark in the area in 1932 and 1933. Wright-Built Boats on Water Street began building sailboats of all kinds, including the well-known K-boat. Then Charles Wixom started a boat-building business in his barn on Bigelow Avenue and adopted the name Dundee Boats for his small fishing craft. Both of these companies sold their boats all over the country.

In 1935, a torrential rain brought area floods and destruction. But despite flooded homes and some washed out streets, Dundee was spared devastating damage.

The estate of Ursula Sworts left the village $5,000 in 1936 "for the purpose of acquiring, creating, continuing and maintaining a public park in Dundee or within 1 mile thereof."

A berry was named for Dundee in 1937 by New York State because the village had been so heavily engaged in the raspberry business.

In 1940, a business that would soon become one of the largest in the Dundee area was founded. The Dundee Grape Juice Co. originated when Lewis Kleckler began pressing and processing grape juice in the old creamery building on Hollister Street.

The war years were quiet ones for Dundee. The post office moved to Main Street, school boys were excused from classes to work in the fields, a Girl Scout troop was organized and in 1942, the national bank closed its doors because of the death of its president, Pierre Harpending, and the loss of several employees to the war effort.

But in 1949, things began to move again when the Wolcott family of Elmira purchased Dundee Grape Juice which has since been renamed Seneca Foods Corp. It has expanded greatly, now employs more than 1,500 people and has annual sales of more than $120 million.

In 1951, an emergency car, a red 1936 Pontiac was purchased by the firemen and a squad of men was selected to receive Red Cross training and instruction. That same year, the Dundee Bible Church was organized with Sunday evening services in the Odd Fellows hall.

Radio station WFLR was licensed and began operation in 1956, the same year that the Dundee Area United Fund was organized and held its first fundraising campaign with Douglas Miles as chairman.

In 1958, the Southern Tier Library System was inaugurated with the Dundee Free Library as one of the original libraries in the system.

In the early 1960's, the new modern post office opened on Main Street under the direction of Postmaster Lawrence.

Strayline and the Dundee Telephone System converted to dial and direct distance dialing.

The economy of Dundee got another boost in 1966 with the expansion of the Morton Salt Co. The company began exploratory drilling in this area. In 1969, they began preparations for mining by sinking two shafts on their property adjacent to Himrod. By 1973, the company was in full operation and employing 135 people of whom 125 were local.

In 1968, the Grace Episcopal Church on Seneca Street was given to the town of Starkey for a town hall by the Harpending heirs. The family had originally given the land to the church in 1884. The new sewage treatment plant on the Dundee-Glenora Road was put into operation.

The fire department continued to grow in 1969, with the completion of a new firehouse on Union Street on the site of the old town hall. The building also housed the village and police offices.

Under odds and ends for 1971: Telephone operators became a thing of the past, an elementary wing and a new high school gymnasium were voted as additions to the Dundee Central School and the Dundee Area Historical Society was formed.

In 1972, Tommy's Holiday Camp opened on Main Street under the auspices of the Yates County Narcotics Guidance Council for the purpose of giving preventative education on drugs and for providing area youth with recreational activities.

The Dundee Fire Co. continued its expansion in 1972 with the purchases of a new pumper-tanker and a 1968 Cadillac ambulance. This gave the emergency squad two ambulances in service. Twelve of the 16 squad members are certified medical emergency technicians of the State of New York.

The village now has a six-man police force headed by Chief Mortensen. As in 1935, when the village escaped serious damage from a devastating storm, the ravages resulting from Hurricane Agnes affected Dundee residents only slightly. But many villagers and civic organizations were actively involved in relief efforts for the less fortunate in the southern tier. Another example of the spirit of those who live in Dundee.

Finally in 1973, the community is busily involved in preparations for the sesquicentennial celebration, July 22 through 28. The honorary chairman is Mrs. Lewis Rochester Hanmer, whose ancestors—the Raplees—came to Yates County in 1805. General cochairmen: Dr. Henry M. Lane and Mr. Donald Backer; treasurer, Mr. Edward Raps; recording secretary, Mrs. Alma Beard.

COMMITTEE ON ENERGY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. GIBBONS) is recognized for 5 minutes.

Mr. GIBBONS. Mr. Speaker, several of my colleagues have joined me in reintroducing legislation that would create a standing Committee on Energy in the House of Representatives. Altogether I have introduced three identical bills on this subject, House Resolution, 439 introduced on June 13, and House Resolution 489 and House Resolution 490 introduced yesterday with 29 cosponsors.

Although the need for a comprehensive energy policy is painfully apparent, we here in Congress have done very little to develop such a policy. So far we have met our many energy problems with a fragmented, scatter-gun approach, sending energy-related legislation to committees all over the House, giving ourselves no opportunity to relate these various pieces of legislation to an overall energy picture. I have included two charts at the end of my remarks to illustrate this present chaotic state of affairs. The first one breaks down the number of bills and resolutions referred to each House committee as of June 20 this session. As you can see from the totals at the bottom of this chart, the 382 energy related bills and resolutions introduced this session were distributed among 17 of the 21 standing committees in the House. The second chart lists the committees which have dealt with each of several energy topics during the 92d and 93d Congresses. With this kind of duplication of efforts, and with 17 different committees each considering a separate subsection of energy legislation, it is obvious to me that the input for a coordinated national energy program is certainly not going to emerge from this House of Congress.

In the President's energy message of June 28, he proposed a reorganization of the Federal Government which called for the creation of a new Federal department and an Energy Policy Office within the Executive Office. In giving his reasons for the proposed change, the President remarked that—

> The acquisition, distribution, and conservation of energy resources have become increasingly complex and increasingly critical to the functioning of our economy and our society.

It is laudable that the President recognizes that the times demand direction in the formation of the U.S. energy policy, but what are we in Congress to do in the meantime? We cannot become content to simply answer "Yes" or "No" to energy policy suggestions from the executive branch, supplying none of the initiative or leadership ourselves. On the contrary, in an area so "critical to the functioning of our economy and our society," the direction should come from Congress, the arm of the Federal Government most available to the American people.

A House Committee on Energy would give us a forum through which we could effectively deal with our short- and long-term energy needs. My bill calls for a legislative committee which would review all energy related bills for the explicit purpose of developing and maintaining on a permanent basis a coordinated energy policy for the United States. In cases where existing committees already have jurisdiction in certain types of energy legislation, the Committee on Energy will have concurrent jurisdiction. While another committee's scrutiny may be necessary because of the particular nature of a bill, the bill still must be related to our other efforts in the energy field if we are going to have an effectively coordinated program. I believe it is absolutely foolish not to have a permanent standing committee that has expertise in this legislative area of such enormous and continuing importance.

The charts described above follow:

CHART NO. 1

ENERGY RELATED LEGISLATION, INTRODUCED IN THE 93D CONGRESS, 1ST SESSION—THROUGH JUNE 20, 1973

Committees to which referred	House bills	House joint resolutions	House concurrent resolutions	House resolutions
1. Agriculture	5			
2. Armed Services			1	
3. Atomic Energy	4	1		
4. Banking and Currency	13			
5. Education and Labor	5			
6. Foreign Affairs	1			2
7. Government Operations	5			
8. Interior and Insular Affairs	77	1		
9. Interstate and Foreign Commerce	95	6	5	
10. Judiciary	4			
11. Merchant Marine and Fisheries	29			
12. Post Office and Civil Service	1			
13. Public Works	11			
14. Rules	3	6		6
15. Science and Astronautics	15			
16. Ways and Means	70	15		
17. House Administration			1	
Total	338	29	7	8

Note: Total number of bills and resolutions, 382.

HOUSE COMMITTEES INVOLVED IN ENERGY ISSUES

(A list of energy-related topics dealt with in legislation, hearings, and reports by committees of the House of Representatives during the 92d and 93d Congresses)

Subject and committees listed

Coal: Education and Labor; Interior and Insular Affairs; Interstate and Foreign Commerce; Public Works; Ways and Means.

Geothermal: Interior and Insular Affairs.

Natural Gas: Interior and Insular Affairs; Interstate and Foreign Commerce; Merchant Marine and Fisheries; Ways and Means.

Nuclear: Joint Committee on Atomic Energy; Merchant Marine and Fisheries.

Petroleum: Banking and Currency; Foreign Affairs; Government Operations; Interior and

Insular Affairs; Interstate and Foreign Commerce; Joint Economic Committee; Judiciary; Merchant Marine and Fisheries; Ways and Means.

Solar: Science and Astronautics.

Water Power: Interior and Insular Affairs; Public Works.

Electric Power and Utilities: Agriculture; Appropriations; Interior and Insular Affairs; Interstate and Foreign Commerce; Public Works; Science and Astronautics.

Conservation, Comprehensive, and/or Overview: Banking and Currency; Foreign Affairs; Government Operations; Interior and Insular Affairs; Public Works; Science and Astronautics.

Energy Organization: Foreign Affairs; Government Operations; Interior and Insular Affairs; Interstate and Foreign Commerce; Joint Committee on Atomic Energy; Rules; Science and Astronautics; Ways and Means.

Environmental Protection Aspects: Interior and Insular Affairs; Merchant Marine and Fisheries; Public Works; Science and Astronautics.

Research and Development: Government Operations; Interior and Insular Affairs; Interstate and Foreign Commerce; Merchant Marine and Fisheries; Science and Astronautics; Ways and Means.

SOME COMMENTS ON THE TRADE REFORM ACT OF 1973—H.R. 6767

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. ANNUNZIO) is recognized for 5 minutes.

Mr. ANNUNZIO. Mr. Speaker, very soon we will be discussing the Trade Reform Act of 1973 (H.R. 6767). In fact, it is imperative that we provide our U.S. negotiators at the forthcoming GATT talks, to be held in Tokyo and beginning in September this year, with a very specific set of guidelines within which they can operate and horse trade with our major trading partners.

The context within which these international trade negotiations will take place is of the utmost importance in the light of our vicious balance-of-payments problem, our increasing trade deficits, our inability to compete successfully on world markets without repeated devaluations, our seeming cost spiral for all industrial foods, our obvious tendency to allow our multinational corporations to dictate our future economic relations overseas, the apparent unwillingness of our trading partners to extend to us a helping, or rather accommodating, hand in trade despite the billions we have pumped into their economies to rehabilitate their war-ravaged economies, and, finally, our makeshift policies since the expiration in 1972 of the Trade Expansion Act of 1962.

We are living in rather ambiguous times, especially insofar as our foreign economic interrelationships are concerned. These economic relationships are going to be affected by our proposed trade legislation for some time to come. We are either going to get cooperation in our negotiations in Tokyo or there is going to be strong economic nationalism by which each nation or bloc will be maneuvering for advantage.

What I am looking forward to is the willingness of the GATT partners to establish rules for fair trade as well as the setting of new international standards for safeguards and balance-of-payments adjustments.

My purpose in mentioning this so-called Reform Act in trade matters before it is called up for debate is to give notice that no matter how optimistic we may be in hopes of passing this rather comprehensive piece of legislation I will propose many an amendment in line with the Burke-Hartke trade proposal (H.R. 62) of which I am a cosponsor. Since we really do not know yet in what form the House Ways and Means Committee will submit the administration bill for our consideration, it would be premature for me to discuss each title of the bill in detail. Suffice it to say that in the forthcoming debate I will speak on each of the various titles in turn; namely:

First. The power to be granted the President to lower or raise tariffs;

Second. Trade with Communist countries on the most-favored-nation—MFN—principle;

Third. Preferential tariff treatment to imports from developing countries;

Fourth. Nontariff trade barriers;

Fifth. Adjustment assistance to our workers;

Sixth. Balance-of-payments problems and new trade actions; and

Seventh. The escape clause.

These seven aspects of forthcoming trade legislative debate are all important to me, for in this instance, I speak out predominantly on behalf of American labor. This is a cause I express freely and willingly, for in any discussion on the new trade bill here on this House floor, I feel it incumbent on myself to speak up for the laboring man in my district and my State. For at stake is the American living standard, the Nation's industrial base, its productivity advance, and job opportunities. On behalf of labor, I say that a thorough revision of the U.S. Government's posture and policy is required to meet present realities and be prepared for an abundant future for all of us.

In 1934 Cordell Hull enunciated a reciprocal trade agreement program, a trade program noted particularly for the benefit to accrue to the American laboring man because of increasing productivity here at home of goods for exports. Tariffs were to be reduced so as to increase the international interchange of goods. Such tariff reductions have been legislated in 11 renewals of authority granted to the President since 1934 to negotiate reciprocal trade concessions with other nations.

Yet, today, even as we note the fact we have cut our tariffs more than any other nation, we are actually experiencing a trade deficit, larger and larger each successive quarter, with more and more plant closings and more and more workers affected injuriously by excessive imports of competing products from our trading partners. Hence the desperate need for Congress to vote on a trade bill that is fair to all. The last time both Houses voted on such a comprehensive trade bill was when we passed the Trade Expansion Act of 1962. This has been our trading blueprint for the last decade. Under it we negotiated the Kennedy round of tariff reductions with our major trading partners in the supposedly secure hope that a new period of prosperity and reciprocal concessions in international trade had arrived.

But this was not to be.

As you all know, the Common Market and Japan began to increase their nontariff trade barriers to our exports, and, because of our new lowest tariff duties, applied a concerted effort to overwhelm our domestic market with textiles, shoes, electronics, bicycles, cars, and what have you, without any regard to the disruption caused to our domestic labor market or to our competitive consumer offset areas. You are all too familiar with the closing of hundreds of plants and the retrenchment of thousands of jobs in all areas due to these cheaper competitive imports.

Just note the following:

In 1970 we had a trade surplus of $2.2 billion. By the end of 1971 we had a complete somersault in trade and for the first time in 83 years we had a trade deficit of $2.7 billion. Once the rot began it accelerated to a deficit of $6.3 billion in 1972. In the figures released for the first quarter of 1973 imports amounted to $16.26 billion and exports $15.34 billion leaving a deficit of $920 million. We are told that the deficit for March was only $53 million, denoting a welcome reduction of the impact onslaught and that the prognostication for 1973 was a trade deficit in the nature of only $1.68 billion. In addition we have been told that these depressing figures should not be interpreted as indicating that a rising and sustained improvement in our trading position is underway. We have been exhorted to be thankful that a 15.5 percent export expansion took place in the first quarter of 1973. My question is why should we be thankful for a trade deficit and why should we allow it to continue because the concessions are all onesided and we have become the dumping ground of other countries who are dictating our trading terms.

One of the major factors of our trade deficit during the last 2 years has been the excessive surplus heaped up by Japan in its trading exchange with the U.S.A. This exchange has been against our interests because Japan has no raw materials to export, only highly profitable manufacturers such as textiles, electronics, steel goods, cars, and other labor-intensive products, while our exports have been confined to feed grains, flour, soya beans, lumber, cotton, and other raw materials of much lesser value because of volume.

You and I know that Japanese trade barriers are rather onerous and that there has been a very reluctant willingness even to discuss with us such things as their very stringent import quotas; tariffs on many of our manufactured items, far higher than ours; the effective exclusion of foreign suppliers from Japanese Government procurement—while clamoring against our "Buy American Act"—governmental limitations on financing arrangements of Japanese importers while helping exporters; and controls and hindering regulations on foreign-owned processing and selling facilities in Japan.

Last year, as the trend of our trade deficit became more and more clear a concerted effort began in Congress, one largely engineered and supported wholeheartedly by AFL–CIO unions for a complete legislative program combining in one package tax, trade, and investment controls. This Burke-Hartke bill (H.R. 10914 and S. 2592) or the Foreign Trade and Investment Act of 1972 of which I was a cosponsor, became the rallying cry for a new dynamic trade policy. The same is now true as once again we have introduced the same bill (H.R. 62). This bill has occasioned both violent support and equally vociferous opposition. From its very contents it was adduced that large importers and certainly the giant business enterprises and manufacturers with subsidiaries abroad would oppose its enactment. Many liberal groups and internationalists saw it as disastrous in content, as inimical to our foreign commitments, as leading to massive retaliation on the part of our trading partners, as restrictive of our own productive capacity, as leading to higher prices for domestic consumer goods, in short, as being a bad bill worthy of defeat. They opposed it last year and we expect them to oppose it even more this year—as evidenced by the discussion in the House Ways and Means Committee hearings.

On the other hand proponents of the bill, particularly labor unions, submitted many cogent arguments in its favor in 1972 and favor it even more now, because—

First. It will curtail injurious imports to an appreciable extent;

Second. It will put our trade balance in perspective with our overseas commitments;

Third. It will safeguard American jobs now being taken over by foreign production;

Fourth. It will increase our tax revenues from international investment, patent, and leasing arrangements;

Fifth. It will put a premium on voluntary restriction of excessive competitive imports;

Sixth. It will, only as a last resort, impose quotas as a percentage of a 5-year period—notably 1965–69;

Seventh. It will create an exemplary three-man commission, representing government, industry, labor plus consumers, which will take over all controls on trade, instead of the present fragmented structure of responsibilities among agencies; and

Eighth. It will take care of many small inequities in international trade that hurt our economy and labor—notably antidumping duties, countervailing duties, border industry imports, the Buy American Act, the "American Selling Price"—ASP—principle, and many other smaller tariff procedures, presently enshrined in law.

I am for a frank discussion of all aspects of our current trade and investment dilemma and in favor of early passage of a new trade bill. Certainly, many amendments will have to be made—in my opinion, in line with the Burke-Hartke proposal—for exceptions, a larger spelling-out of our and foreign responsibilities, acceptance of various international commitments, as of GATT, and the inclusion of the other smaller provisions mentioned before. Many of my colleagues here, known as friends of the American laboring man, are sponsors of the Burke-Hartke bill. There is a deep concern for the livelihood and living standards of our working men and consumers, for job security, hard-won fringe benefits, for a reduction of unemployment, for increasing productivity here at home, and an awareness of "fair" trade on a reciprocal basis, denied us hitherto.

Now I come to the crux of the whole trade controversy, namely the support or not of the new Trade Reform Act of 1973, or H.R. 6767, the trade proposal sent to Congress by President Nixon on April 10 and soon to be discussed.

As you know, it has been stated before that the Burke-Hartke bill has no chance of passing because of its serious protectionist or quota nature. Yet, because labor, consumer groups, American industry and many here in Congress itself—among whom I include myself—have expressed deep concern over our current trading posture, the present administration held extensive conversations with all the various groups concerned before finally coming up with this new, but carefully orchestrated bill. Hopefully they have put something in the bill for everyone, hoping thereby to get the authority to negotiate on behalf of all. This is the bill that Congress is supposed to pass by the end of August so as to get the GATT ball rolling.

The GATT nations are going to begin a new round of tariff negotiations—probably the Nixon round—in Tokyo in September 1973. All indications point to the fact that our major trading partners, particularly the new Common Market of nine members and Japan, will not bargain realistically about tariff and nontariff reductions unless they are convinced that the U.S. bargainers can deliver, namely that Congress will not rescind or fail to act on what our trade negotiators promise in the shape of tariff cuts, concessions, or elimination of our nontariff barriers. They know we will be tough. Europeans point to the fact that we undertook to eliminate the "American Selling Price"—ASP—principle on chemical and dye imports and in response would cut their tariffs on our chemicals by 30 percent. Since Congress did not eliminate ASP, the Europeans have not instituted their tariff cuts either and are still smoldering over it.

There are certain very powerful imperatives that will guide me in deciding what to do on the administration's new trade bill. These are:

First. We must export more—not only agricultural raw products but manufactured items to the industrialized as well as the lesser developed nations;

Second. We will have to restrict excessive and injurious imports, particularly if certain nations direct an unfairly large percentage of their exports to our markets without offsetting concessions. Here I insist that the Burke-Hartke import quota principle be discussed;

Third. Nontariff hindrances to our exports must be eliminated or at the very least, be drastically reduced in line with our concessions;

Fourth. Production by our multinational corporations overseas must be redirected to third markets. Their production should be prohibited as exports to our market. Why create jobs overseas at the expense of our laboring men here? There are strong claims that our multinational corporations create jobs here and abroad for Americans. All I know is that excessive imports are reducing our laboring force activity engaged in production and that the more production takes place overseas, to that extent adjustment assistance increases here;

Fifth. Much more adequate adjustment relief must be available than heretofore to our domestic industry and labor injured by excessive imports. Under the administration bill assistance to workers will be more easily given, but none to industry. Yet if the industry closes, the workers will suffer. I would prefer the Burke-Hartke procedures to help both industry and labor, but under more equitable conditions; and

Sixth. If Congress gives the President the flexible authority to raise or lower tariffs, even institute quotas, tax our multinationals, tax repatriated profits, and extend most-favored-nation treatment to the Communist-bloc countries, I would certainly want very specific safeguards.

What intrigues me about the new trade posture is the fact that so many features of the Burke-Hartke bill have been taken over and reworded in the new administration trade bill. But I will have more to say on the various topics.

Much more comprehensive than in any previous trade bill is the President's request for delegated authority to control, restrict, or enhance trade in the national interest. Congress is being asked to abdicate much of its authority of veto, of supervision, of advice, of control, of exacting responsibility, and so forth, to an administration that has not spelled out very accurately what it intends doing with the authority it requests. Here we must be very careful as to how the President is to use the new power.

Certainly many amendments will have to be offered; many of the provisions must be conditional so that concessions to other nations may be restricted or withdrawn unless they are reciprocal.

Amongst others I would like to see a proviso that the AFL–CIO set up a watchdog committee to check periodically whether any of our industries or labor unions are being hurt by excessive or low-cost imports. A specific "trigger" mechanism must be allowed for, so that when this trigger is tripped, labor can automatically demand quotas, tariffs, or other remedies within a specified period of time and not wait till the damage is irreparable.

On the congressional side I would certainly like to see a Joint Oversight Committee to check all trade concessions and whether they are beneficial to us when applied. This restraining hand by the elected representatives will assure discretion on the part of the administration and safeguard our national interest. This will also eliminate undue pressure

by special interests on the President's trade office.

Some may think this latter proviso is unduly harsh, but let it be known that in the final analysis we in Congress must be responsive to the wishes of our electorate, and, also that there is as much brains and discretion in Congress as in a group of bureaucrats concerned with the national interest.

DECENNIAL CENSUS FIGURES AND THE APPORTIONMENT OF STATE LEGISLATURES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Mexico (Mr. RUNNELS) is recognized for 5 minutes.

Mr. RUNNELS. Mr. Speaker, today I have introduced legislation which would require the Bureau of Census, in tabulating the total population of each State during each decennial census, to make each State's tabulation according to a plan and form approved by the Governor of that State.

The Bureau currently breaks down its census figures for a State into what are called enumeration districts. These districts often do not coincide with political subdivisions in a State which are used as a means of apportioning the State legislature. The end result is that many States are not provided, by the decennial census, with precinct population figures with which to apportion the legislature.

The bill I have introduced today would solve this problem. It would allow the Governor of a State to approve a plan to be followed by the Census Bureau whereby the precincts of each county in the State would be tabulated for population in the decennial census. This plan would be submitted at least 2 years prior to the census date.

The following is the text of this bill:

H.R. 9290

A bill to amend title 13, United States Code, to provide for the transmittal to each of the several States, in accordance with a plan and form approved by the Governor thereof, of the tabulation of total population of that State obtained in each decennial census and required for the apportionment of the legislative bodies of that State

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 141 of title 13. United States Code, is amended by adding at the end thereof the following new subsections

"(c) The tabulation of total population by State as required for the apportionment of the legislative bodies of each State shall be completed within eight months after the census date and reported to the President of the United States for transmittal to the Governor of the State concerned.

"(d) The tabulation of total population by State for the apportionment of the legislative bodies of each State shall be made and reported by the Secretary in accordance with a plan and form approved by the Governor of the State being tabulated and reported. Such plan and form shall be submitted to the Secretary not later than two years before the census date. The respective form for reporting such tabulation need not be uniform.".

ENERGY CRISIS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arkansas (Mr. THORNTON) is recognized for 5 minutes.

Mr. THORNTON. Mr. Speaker, on April 19, I made a speech in this Chamber in which I outlined the gravity of the energy crisis which our Nation faces. This was, as you may recall, the same day on which the President said there was no "energy crisis" and that voluntary reductions in energy consumption would be adequate to solve our Nation's problems.

Since that date an ever-increasing stream of letters has been received in my office from individuals who are personally affected by shortages of petroleum products including shortages in fuels which are needed for agricultural productivity.

We may call it a "crisis," a "crunch" or, merely a "shortage of fuels," but the juggling of labels no longer can hide the serious threat which shortages of supplies pose for us today.

At present, the United States is increasing its consumption of oil and gas at a rate of 4.6 percent per year. At the same time, our Nation's production of these fuels is actually diminishing at a rate of nearly 3 percent per year.

Statistics such as these show all too well that we cannot afford to minimize the danger of gasoline and oil deficits in a society as fuel dependent as ours. Nor can we afford the luxury of postponing action to meet this challenge on long, as well as short range terms.

The long term challenge is to develop alternate sources of energy before we run out of the oil, gas, and coal which now provide 95 percent of all our energy requirements. It is essential that we accelerate our efforts because it will require a tremendous expenditure of fossil fuel energy to develop and bring on the line nuclear, solar, geothermal, and other alternate sources, and a world that has exhausted its present energy sources will simply not be able to support the technology and massive effort required to construct such alternate sources.

But of more immediate concern are the shortages which we are experiencing today, and which will grow more severe during the next 3 years.

This short-term problem, while foreshadowing the day when resource shortages may hobble our efforts, is not so much a shortage of resources as it is the reflection of failure of our institutions to correctly apprehend and take needed action before a crisis develops.

There are today sufficient worldwide energy sources to meet our needs, but our ability to make these energy sources available for use—pipelines, tankers, new wells—are inadequate. As Michigan Public Service Commissioner William R. Ralls stated in testimony before a joint subcommittee meeting on July 10—

Today there is in reality a shortage of deliverable resources, resources that have been developed to the point where we can use them as fuels.

Several factors have combined in causing the present crises, but the root of the causes has been an institutional failure. Our institutions of government, of production, and of commerce have marched to this brink, still confident of inexhaustible resources, and continuing to promote the attitude that the more energy we produce and consume, the better the quality of our lives.

If we are to correct our mistaken actions we must first realize that our energy sources are limited and that we must develop programs of energy conservation as a substitute for the wasteful and environmentally degrading policies of ever increasing energy use and waste.

Presently, according to Elmer F. Bennett, Deputy Director, Office of Emergency Preparedness, only 31 percent of the oil in the ground is being recovered, only 30 to 35 percent of the Btu content of that fuel is convertible into electric power, and after transmission losses, only 9 to 10 percent of the original Btu value of our oil reservoirs is delivered as usable electric power.

Similar examples of inefficiency and waste abound. A significant reduction in such energy waste could completely alleviate our current crisis. Reducing waste, however, is not simply a matter of turning off a few lights, or otherwise reducing use of energy consuming devices, though that may help reduce peak demands and may solve some problems on a day-by-day basis. Reducing waste to a significant degree requires additional expenditures, for such things as new technology to capture waste heat going up stacks, by substitution of more efficient engines with better emission characteristics for those now in general use, and by developing substitutes for faltering institutional policies which have led to reductions in exploration for oil and gas, indecision and inaction toward construction of refineries, and to unwise efforts to substitute less efficient energy consumption for more efficient and less wasteful utilization of our resources.

Our efforts, predicated upon a better understanding of the exhaustible nature of our energy sources, must be directed toward the development of a policy of wise use and conservation of these resources to improve our environment while continuing to provide energy which is essential for employment, transportation, food, and shelter for the people of our Nation.

In this perspective, we should next examine what steps are needed to provide solutions to our immediate crisis.

The Energy Subcommittee of the Committee on Science and Astronautics has been conducting extensive hearings on many aspects of this problem. As a result of these hearings, several facts have emerged.

First, the short-term crisis cannot be doubted. Our usage of refined petroleum products—gasoline, fuel oil, and diesel fuel—is greater than the entire refinery capacity of plants now in existence in the United States, and new plants cannot be completed during the next 2 years because it takes 2 to 3 years to build a refinery.

The question follows: How do we make

up the deficit, or short fall, of petroleum products? Three methods are available:

First. Import more refined products—but world refinery capacity is also inadequate;

Second. Reconvert plants which have been switched to burning oil back to coal burning plants—but this has environmental complications; or

Third. Reduce consumption of oil products—but this calls into question what priorities shall be established in order to minimize the effect of such shortages upon productivity and employment levels.

Frankly, all these methods will have to be used and balanced to minimize dislocations and hardships while other measures are developed. These steps include:

First. Immediate commencement of refinery construction programs

Second. Acceleration of nuclear plant construction; and

Third. Early development of means to bring the North Slope Alaskan oil to the lower 48 States.

In the longer term we must accelerate programs of research and development for such things as: oil shale development; coal liquefaction and gasification; solar energy; geothermal and other dilute energy sources; continued development of fusion and fast breeder reactor technology; development of more efficient energy systems for generation of electricity; and continued research and development of long-term power generation systems, such as magnetohydrodynamic and thermionic conversion.

In the meantime attention must be given to the question of establishing priorities for use of fuels whenever shortages develop which threaten productivity and employment levels.

In this regard it seems to me that what is needed is authority to establish end-use priorities for fuels which are short in supply. If such priorities can be established by voluntary programs under guidelines which are developed nationally, such programs would be most desirable. This alternative of voluntary action should be kept open in any legislation which the Congress may enact.

My own concern is that essential industry, commerce, employment and agricultural productivity must not suffer as a result of the shortages which now exist. I am less concerned with establishing a governmental organization to control the market process by means of which petroleum products reach the ultimate user than I am with providing Government leadership to ensure that those whose use of fuels affects the well being of our economy be assured of an adequate supply.

Hindsight is a gift with which we all are blessed. We have made a serious mistake in neglecting our need to encourage research which would lead to the discovery of new forms of fuel, and a more serious mistake in continuing to assume that present energy sources will remain inexhaustible. This is a costly mistake but it is one which can be corrected.

By using present fuel supplies more sparingly, consuming them more efficiently and giving high priority to the development of alternative energy supplies, we can hopefully come to grips with this "crisis"—"crunch" or "shortage of fuels"—and work to insure that our Nation has adequate fuel supplies for the decades which lie ahead.

BILL TO LIMIT POLITICAL INFLUENCE ON OFFICE OF ATTORNEY GENERAL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. RODINO) is recognized for 5 minutes.

Mr. RODINO. Mr. Speaker, I am introducing today legislation designed to limit political influence on the office of Attorney General.

Under this legislation, any person who, in the 2 preceding years, had taken an active part in managing a Presidential campaign, would be barred from serving as Attorney General.

After stepping down as Attorney General, a person would be barred for 2 years from soliciting or receiving contributions for a Presidential campaign and from taking an active part in managing that campaign.

The legislation is intended as a safeguard, to lessen the chances that political considerations will shape any of the policy decisions of the Nation's chief law enforcement officer.

Without dwelling on the lurid details of the disclosures of recent months, I must say that I found particularly saddening—and revealing—this week's testimony of former Attorney General John Mitchell. His statements demonstrated that the political influences in the Department of Justice have become too powerful and must be controlled.

If the Congress does not act to implement such controls, it will only strengthen the convictions of too many Americans that the use of law-enforcement facilities for partisan political purposes is the rule rather than the exception.

In this regard I recall that over a decade ago when the late President John F. Kennedy appointed his brother Robert F. Kennedy as Attorney General, some members of the bar expressed doubts about the wisdom of that appointment because Robert Kennedy's appointment came in the wake of his vigorous performance as campaign manager for his brother. Under the present administration, a similar policy was pursued with respect to former Attorney General John Mitchell, who served as a campaign manager and political fundraiser both immediately before and immediately after his tenure as Attorney General.

In recent years there has been a growing tendency for our Nation's top law-enforcement officers to view themselves as the Attorney General of the President and of the President's political party. This tendency is a dangerous one.

We in Congress have a responsibility to take swift and effective steps to remove the Department of Justice from politics—and to remove politics from the Department of Justice. For clearly the head of the Justice Department should be above politics and, as his title suggests, should view himself as the Attorney General of the entire United States.

NATO: NEITHER OUTMODED NOR SACROSANCT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Minnesota (Mr. FRASER) is recognized for 5 minutes.

Mr. FRASER. Mr. Speaker, I am concerned that the United States view its role in NATO in the proper perspective. We must be careful not to downplay its political significance as we reevaluate our overseas commitments in the post-Vietnam era. But we also must not view it as an organization free of faults. In short, NATO should be regarded as neither outmoded nor sacrosanct.

Last week, I had the privilege of appearing before the Subcommittee on Europe of the Committee on Foreign Affairs, to discuss NATO. I was appearing in two capacities—as a member of the Committee on Foreign Affairs and as National Chairman of Americans for Democratic Action.

At the national convention of Americans for Democratic Action, held in May, a resolution was adopted concerning our policy in Europe. By a close vote the convention specifically rejected unilateral withdrawal of U.S. forces in Europe at this time. I ask that a copy of this resolution be printed in the RECORD at the conclusion of my remarks.

It would be a mistaken conclusion that ADA is satisfied with the present status of NATO. ADA shares the concern of many Americans about the continued presence within NATO of Greece under an illegal, authoritarian rule. I believe it is fair to say that our ADA members would like to eliminate unneeded manpower in Europe either as a result of streamlining our forces or through cuts agreed upon within NATO. But ADA belives that the concept of collective security through an alliance with democratic nations is important to protect and promote the values of individual liberty and the rule of law. A NATO which is modernized both in military and political terms would carry out this objective.

What follows is an elaboration of my own views on NATO, as presented to the Subcommittee on Europe last week.

Although I was an early critic of U.S. policy in Vietnam and do not object to being described as a "dove" on military matters, I have concluded that the United States should not unilaterally withdraw its troops from Europe.

The military and financial issues frequently raised in the debate over troop withdrawal are not to me the vital issues. The chief justification for leaving our troops in Europe is, I believe, political. Retention of the troops is a necessary element to the success of West German ostpolitik and political-security negotiations in Europe. A unilateral decision to pull our troops out now would mean pulling the rug out from under Chancellor Willy Brandt's ostpolitik efforts for normalizing West Germany's relations with Eastern Europe. And, since

Brandt's ostpolitik is the forerunner of our own present détente with the Soviet Union, I fear that a unilateral withdrawal of U.S. troops now would endanger detente by upsetting the present balance in Europe.

I also fear that a unilateral U.S. withdrawal at this time would unnecessarily weaken our position in three current negotiations of the highest importance: the mutual and balanced force reductions—the so-called MBFR; the Conference on European Security and Cooperation—CESC; and the Strategic Arms Limitation Talks—SALT II. Withdrawal now could also panic the European economic community, the nine nations which finally are forming a workable nucleus for a united Europe.

In view of this country's history of frequent over-reaction to international phenomena, I fear we are about to overreact once again. This time, the deep scars from our involvement in Vietnam may cause an indiscriminate pulling back just as disillusionment with World War I led to the tragic isolationism of the 1920's and 1930's. Such a recoil to our own borders would compromise the security of both Western Europe and the United States at a time when the prospects for security and political stability between East and West are perhaps brighter than ever before. After two World Wars which started in Europe, surely we have learned that Europe is our first line of essential defense. Peace and prosperity there immediately affect us.

The Europeans realize this. In numerous talks with European parliamentarians, I have yet to find one of any party or political persuasion who urges the United States to take its troops home.

Chancellor Brandt, in discussing the forthcoming MBFR negotiations in a signed article in the New York Times this past April 29, declared:

> Withdrawal by the United States would threaten the substance of the negotiations. . . . Indeed, America's presence in Europe is also a prerequisite to the political presence of the United States at the conference table in Vienna (MBFR) and Helsinki (ESC). Without the United States, there can be no realistic negotiations on European security and cooperation—a fact which is now also accepted by the Soviet Union.

A German poll in 1970 found 70 percent of the Bundeswehr soldiers thought their country, in the absence of U.S. troops, would be overrun in the event of aggression from the East. Of the general German public, 66 percent were so persuaded.

Even French President de Gaulle, who removed his troops from their NATO commitment and evicted NATO headquarters from Paris, nonetheless insisted that the United States keep its troops in Europe for his country's security. His successor, President Pompidou, concluded his recent meeting with President Nixon in Iceland by having his spokesman cite the "great importance of maintaining U.S. forces in Europe at their present level." France, like all of Western Europe, is apprehensive that the United States might deal over its head and make its own bilateral accommodation with the Soviet Union. The MBFR discussions, for example, are viewed with alarm lest they result in a Soviet-American deal.

There currently are about 310,000 U.S. Army, Navy, and Air Force contingents in Western Europe committed to the NATO defense; about 195,000 of these are ground forces in West Germany, and a total of 220,000 ground and air. Matched against this, West Germany itself has a total force of 467,000 of which 315,000 are army. Other allied forces now in Germany include: 55,000 British, 50,000 French—not committed to NATO defense, 25,000 Belgian, and 3,000 each from Canada and the Netherlands.

Aside from our own then, the only real forces in West Germany—whose soil is the front line and the main cause for defense concern vis-a-vis the East—are those of West Germany itself. Should there then be more West Germans to defend their own land so that the Americans can go home? When West Germany joined the old Western European Union in 1954, it agreed to limit its military to 12 divisions, just a little over the 467,000 it now has. Its neighbors' World War II memories persist. Perhaps Western Europe could persuade itself to look the other way at an augmented German army—because no other country could fill the breach. But the Soviet Union and the Warsaw Pact allies, despite ostpolitik, also have grim memories of their own experiences with Hitler and centuries of warfare with the Germans.

It is more likely that, should the United States withdraw its troops, there would be no one to step in and fill the breach. There might be an attempt at organizing a European nuclear force, but with Western European unity as tenuous as it is, chances for success would be minimal. With U.S. forces withdrawn, Western Europeans fear Germany may then revert to its historical role of Middle European independent perhaps becoming the leader of a neutral bloc. Then, the reasoning goes, ostpolitik no longer will be good enough for German security, and any German Chancellor would feel compelled to make an accommodation with the most powerful force in Europe, the Soviet Union. This could set into motion the "Finlandization" of Western Europe, in which all Europe would beat a path to Moscow for some form of self-survival accommodation, as Finland did in order to avoid becoming a Latvia, Estonia, or Lithuania.

Even if there is little likelihood of Western Europe itself replacing American troops after a withdrawal, the question remains whether or not any replacement would be necessary, given the U.S. nuclear guarantee.

The Europeans insist that for a nuclear backup to be "credible" it must have conventional forces to employ as the lesser deterrent if the aggressor moves in slowly. Former Secretary of State Dean Rusk used to refer to this as "wriggle room"—the use of conventional forces for the first few days after an attack to provide parlaying time to allow a settlement before resorting to nuclear weapons. In the absence of conventional forces, an enemy might calculate that the United states, loath to respond with nuclears, might be muscle-bound and unable to respond at all.

An attack on Western Europe seems to me unlikely with or without the presence of American troops. But our European friends, faced with a still uneasy East-West coexistence on the continent, and Warsaw Pact forces at their doorstep, do not feel as confident. A leading European Ambassador in Washington has put it this way:

> We want your troops because we want your security guarantee.

The implication was that once the troops were withdrawn, the 7,000 U.S. nuclear warheads positioned around Europe might go too. I am attaching a brief statement by Andre Beaufre, former general of the French army, which succinctly sets forth this European view, which I request be made part of the RECORD. This statement appeared last Monday in the New York Times.

Does this mean U.S. troops are to stay in Europe indefinitely? Some European leaders contend that Europe's fate will always be in the hands of the two superpowers, and that since one of them, the Soviet Union, is tied to Europe by geography, the other, the United States, must be present to provide a counterbalance. They also say that Europe, for the foreseeable future, has no leader of continental stature so that American leadership, with all its shortcomings, must coordinate the joint defense.

When Chancellor Brandt was asked by the press, during his recent Washington visit, when the U.S. troops could come home, he replied:

> I wouldn't be serious if I mentioned a specific year . . . How long and how much a country like the United States is engaged abroad depends upon . . . the East-West relations . . . It also will depend upon whether or not the U.S. will take care of its own interests in the very important part of the world which is called Europe.

I am not so pessimistic. The substantive part of the MBFR talk is set to begin in Vienna this fall. Observation of recent Soviet diplomacy and a visit to the Soviet Union last December gave me hope that the Kremlin has indeed made a decision for serious negotiations on troop cutbacks.

Yet, there is no guarantee that the MBFR talks will succeed. Chancellor Brandt thinks it will take 2 years to know and warns against "any blue-eyed idealism." But even if MBFR does fail, it is not unreasonable to hope for the day, perhaps 5 or 6 years off, when Brandt, or some other Chancellor, could feel sufficiently assured of West Germany's own security in a more integrated and relaxed Europe to say that U.S. troops no longer are necessary. At this stage, however, timing is to the essence and the present moment is politically a most inopportune time for unilateral troop withdrawals.

In stressing that U.S. troops be retained in Europe at this time, I am certainly not suggesting that we should regard the present organization of NATO as sanctified. A NATO with troop strength maintained at the right level to provide the political stability necessary for continued easing of East–West tensions in Europe is essential, but what

kind of NATO do we want beyond one which satisfies this condition? I believe NATO must be thoroughly democratic, militarily rational and internally cooperative.

I

A democratic NATO would be one whose member nations actually practice the democratic way of life that the alliance was founded to defend. They should be required simply to live up to the obligations freely accepted when they subscribed to the NATO Charter; namely, "safeguard the freedom, common heritage, and civilization of their people founded on the principles of democracy, individual liberty, and the rule of law" and "contribute toward the further development of peaceful and friendly international regulations by strengthening their free institution."

By no stretch of the imagination is Greece under its present government thereby qualified for NATO membership. The military autocrats who rule that country openly flaunt democracy and show contempt for those who question its authoritarianism. When their allies express concern about this obvious corruption of the NATO democratic structure, the Greek leaders say that their policies are justified in order to somehow protect democracy while the alleged "emergency" exists in the country, but their actions belie such assurances. Apologists for the regime, including—to an extent—the U.S. Government, seem satisfied that the internal situation in Greece is not really all that bad and that Greece's strategic importance makes its continued participation in NATO essential. Even if one ignores Greece's rejection of democracy and accepts the apologists' contention, there is now evidence that the Papadopolous regime has politicized the Greek military organization to the point that its credibility is in serious doubt for purposes other than repression of the citizenry.

There is no justification for full NATO membership for a country which is both antidemocratic and incapable of making a significant and dependable military contribution to the alliance. Western Europe has had the good sense to force Greece out of the Council of Europe; yet it remains in NATO. Persistent American patronage of Greece has stifled considerable Europe support for ousting Greece—a demonstration of the extent to which our Government is out of step with European thinking on this subject. The United States should take the initiative in getting NATO to explore procedures for the suspension of Greece until parliamentary democracy is restored. Hopefully, movement toward suspension might have some constructive effect on the Greek leaders. But in any event, today's Greece has no place in NATO.

The membership of Portugal, too, raises serious questions. It is authoritarian and has been since it first joined NATO, and its effort to defend its African territories consumes the major share of its defense budget. Here again the United States, with its intimate bilateral military ties with Portugal, should take the intiative. And the United States should abandon its advocacy of Spanish membership in NATO, which fortunately has so far been overruled by a majority of NATO partners.

The arguments for confining NATO to democratic governments are buttressed by an important political fact of life. Concerned young people in Western Europe and the United States will never enthusiastically support NATO unless they are convinced that it is fundamentally an instrument for the defense of individual liberty. These are conscientious people to whom the Iron Curtain is only a term out of a history book, and who play no favorites in denouncing the suppression of human rights whether from the left or the right. Traditional anticommunism is at best irrelevant to them. They expect all governments to protect the rights of citizens and are especially suspicious of politicians who say one thing and do another. With no recollection of the dark days of the cold war, they look forward into the future, not backward. A military alliance with Greece, Portugal, or Spain is to them as devoid of long-range constructive content as one with South Vietnam, and as coldly expedient as the cynical Hitler-Stalin Pact of 1939.

Continued U.S. participation in a NATO which is actively identified with the democratic beliefs and traditions of Americans, Canadians, and Europeans would stand in sharp and welcome contrast to the past policy of the United States of unilaterally intervening in Southeast Asia on behalf of a corrupt and feudal regime.

II

A militarily rational NATO would be one in which, from a strategic standpoint, the right forces were deployed in the right places. For example, I have heard arguments from European strategists and politicians in favor of greater concentration of NATO forces near the areas of currently significant Soviet military activity, and greatest likely threat. This would involve moving some ground forces from Southern Germany to the North German plain—a more likely invasion route from the east. Soviet naval movements in NATO's flank areas around Norway and in the Mediterranean are cited in favor of more NATO air and sea units in the extreme north and south, perhaps justifying a corresponding reduction in ground forces stationed in Germany.

Good arguments can also be made to cut out some of the "fat" in American command and logistical support personnel in Europe for the sake of improved efficiency. I am intrigued to learn that we have some 134 generals and admirals there now, a proportionately larger number than at the height of World War II. This top-heaviness, I am told, is chronic among NATO members, creating a moribund military bureaucracy in Brussels and other command centers.

NATO should collectively work toward a leaner military presence—one which is constantly evaluated in the light of changing military and political conditions. Any reduction in U.S. force levels resulting from a more hard-headed appraisal would indeed be welcome—and the United States should not hesitate to push vigorously for such a result.

III

An internally cooperative NATO would be one in which all members would not only feel equally benefited by the alliance, but also equally responsible for maintaining it—burden sharing, in other words. I refer specifically to financial burden sharing. In order to sustain maximum benefit for all, each ally has a responsibility to help if the payments drain is unacceptably high for any other member. The U.S. contribution results in a serious balance-of-payments drain on our economy resulting from the expenditure of dollars for and by our forces located in Europe.

It is my conviction that a NATO-wide cooperative effort is the only fair way to alleviate the $2 billion deficit in the net U.S. balance of payments. It is not enough for NATO members to say that the problem is a bilateral one between the United States and West Germany; although that is where the drain is most severe, it is every member's problem as long as it creates major economic problems for another member.

The problem must be multilateralized by establishing some kind of fund to which all would contribute in order to compensate those members whose balance-of-payments deficit increases beyond a certain percentage as a direct result of NATO participation. While there are plenty of proposals of this type, none will exist on the part of the Europeans to implement them.

I have argued here today for avoiding unilateral cuts in U.S. troop levels in Europe as an American who believes his country's national interest in European stability and progress is of the highest order. But gratuitous American concern is self-defeating if Western Europeans do not have a corresponding view of their own interests. The real test of NATO's future viability may come when the Europeans finally face up to whether or not the security they themselves regard as necessary for continued détente is worth digging a little deeper into their pockets. I believe our Government should put the question in just those terms. The American taxpayer, after digging deeply for a long time, has found two holes in the bottom of his pocket called dollar devaluation and balance-of-payments deficit.

The NATO required for the post-cold war period must be finely tuned to the waves of East-West political change, thoroughly democratic, militarily rational and internally cooperative. It must be all these things or history may ultimately view it as a cold war relic which outlived its usefulness.

I include the following:

RESOLUTION ADOPTED AT CONVENTION OF AMERICANS FOR DEMOCRATIC ACTION, MAY 1973

EUROPE

The situation in Europe is too complex to permit simple and complete remedies for current economic, political and social problems. However, ADA urges that the United States demonstrate a determination to find imaginative and innovative ways to decrease military tensions and to expand the human

freedoms necessary to achieve a democratic world.

More specifically, the main goals of U.S. policy in Europe should be (1) promoting measures to increase political confidence and stability, (2) improving East-West understanding through exchange of information and increased communication between peoples, (3) lowering military tensions and force levels, and (4) encouraging additional freedoms for all the peoples of Europe.

Americans for Democratic Action proposes:

1. While the West European nations now should be asked to assume a larger share in the manpower and financial costs of their mutual defense, which should lead to reduction in U.S. troops in Europe, the common goals of Europe and America would be jeopardized by any weakening of its defense posture prior to the successful conclusions of Mutual and Balanced Force Reductions negotiations.

2. The United States should support Chancellor Willy Brandt's efforts to eliminate those tensions which result from mutual Soviet-German fears. Similarly, we should negotiate to bring about a further reduction of military tension through Mutual and Balanced Force Reductions.

3. In the Helsinki conference on "security and cooperation," the United States should seek to achieve the ending of restrictions on freedom of movement by all countries.

4. The United States also should join with its allies to urge inclusion in the conference's final declaration language prohibiting by any signatory country any interference, by armed forces or other means, in the internal affairs of any other country.

5. The conference also should adopt a resolution urging the free flow of information.

Finally, ADA believes that the restructuring of the Atlantic Alliance on a more equitable basis should lead to increased social and economic cooperation between the United States and Europe, but warns that differences among the developed nations of the alliance should not be resolved at the expense of the developing countries of the world.

[From the New York Times, July 9, 1973]

THE DANGER OF SAYING GOODBY

(By Andre Beaufre)

PARIS.—Europe is far from being safe today. Not because of an imminent or possible military aggression from the East, of which nobody believes at present, but because of the fading away of the American nuclear protection, due to nuclear parity with the Soviets and to SALT agreements. Also, the complete imbalance of military conventional forces in Europe, where a tightly integrated Warsaw Pact has twice as many divisions and planes, three times more tanks, than a more loosely united NATO, contributes to this unease. Moreover, NATO's main pillar, the U.S., seems to doubt her role for the defense of Europe and to hesitate to commit to it her considerable tactical nuclear weaponry which represented in the nineteen-fifties a formidable regional deterrence.

This situation is utterly dangerous. It gives to the East an overwhelming political weight which may well cause a progressive sliding of Western Europe under Soviet influence, where the Communist parties are still strong and active. It could also allow the U.S.S.R. to take advantage of internal difficulties of its Western neighbors such as Yugoslavia. A proper military and political balance must be restored in Europe between East and West and if possible a stable, mutual deterrence.

This is especially dangerous at a time when Western Europe is trying, with great difficulty, to build its unity. The U.S.S.R. wants to prevent this unity to go further than an economic construction. External pressures and internal turmoil may well be combined to achieve a gradual Finlandization of Western Europe. This is a danger for the 250 million Europeans. Their industrial might, superior to the Soviet's, and their technical skill, would give the U.S.S.R. a crushing superiority over the United States. This is to be avoided at all costs by building up a strong Europe linked both with the U.S. and the U.S.S.R. in a proper balance.

American public opinion is not aware of what is at stake. Frustrated by Vietnam, shocked by the dollar crisis, she would tend to reduce drastically the military commitments in Europe, and on minor premises, she is now willing to open an economic confrontation with Europe. Both measures would help the Soviet policy, at a time when Europe is still too young and uncoordinated and very easily divided.

I think that the American interest is primarily to help and protect the building up of Western Europe, and then—and only then—to withdraw substantially its military establishment in Europe. I think that the American interest is not to wage an economic war with the E.E.C., which would certainly divide the European partners and push some of them into the Soviet's arms and others under a U.S. protectorate. It is true that the recent and considerable economic agreements between the U.S. and U.S.S.R. constitute a strong solidarity which might be a new form of deterrence. But it is a reciprocal deterrence too, and it is an encouragement for the Europeans to slide to the East. This encouragement would be confirmed by a substantial U.S. military withdrawal from Europe which would certainly ruin the European confidence.

It is not true, as it is widely believed in the U.S., that the American Government shoulders a major portion of the defense burden in Europe. Far from it. The U.S. provides five divisions of more than 60 and the U.S. military expenditure for Europe is much less than that of the NATO countries (including France). This is the real situation. That is why there is not much benefit to expect from a hasty withdrawal.

Of course, that does not mean that adjustments are impossible in the American force posture in Europe. But one must be aware that this is a political problem of a primary importance. More important than numbers is the way things are done and their psychological influence on the Europeans and the Soviets. From this point of view, the stock of tactical nuclear weapons is paramount, such as is the American attitude toward Europe at this critical age, its political union still in question, and very far from any significant might.

Europe is a considerable political and strategic asset. Do not let some immediate and secondary problems lead us to forget this basic assessment.

THE "PAUL P. RAO U.S. CUSTOMS COURT AND FEDERAL OFFICE BUILDING"

(Mr. ROONEY of New York asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. ROONEY of New York. Mr. Speaker, it is indeed a pleasure for me to take the floor this day, for in all my years in the Congress seldom have I had a more pleasant task to perform. Today I have introduced legislation that would change the name of the Federal office building at 1 Federal Plaza in Manhattan, New York City, to "The Paul P. Rao United States Customs Court and Federal Office Building."

It is indeed right and just, proper and fitting that we should undertake the task of naming this modern building for Judge Rao for if it had not been for his untiring efforts this magnificent new building might never have been built. It is indeed the hallmark of the man and his life that he saw the need for such a new structure and then went about the long and arduous work needed to see that the building indeed became a reality.

It was, Mr. Speaker, a pleasure to have worked closely with Chief Judge Rao in the many phases that were needed before the new customs court could be built. For over two decades we worked closely together to see that the new building came into being. Once we had succeeded it was my great pleasure to have joined with Chief Judge Rao, the Honorable Tom C. Clark, the Honorable Warren E. Burger, His Eminence Terence Cardinal Cooke and many other distinguished guests in dedicating this most magnificent of buildings.

Though however magnificent a building it is, it is still only stone and mortar. Its life comes from those who occupy it and who serve the needs of the people and the law. Judge Rao, throughout his life both public and private, has served his people, his law and his conscience in a manner that has reflected great respect, credit and pride on himself and the law he loves so much.

The judge's love of the law and his ability to understand it has been well known to all those who have known him. His understanding reminds me of the story of Saint Thomas Moore. When this great man became Chancellor of England, he was counseled by unscrupulous advisers to arrest several powerful men who opposed him. When Saint Thomas questioned on what grounds the arrests were to be made he was advised that he did not need any since he was Chancellor. The great man cautioned them that the law was not unlike the grass and the trees that held the soil in place even in times of great storms. The law, he continued, was there to hold society together even in time of great turmoil and adversity. If it were not, society could not long endure. Judge Rao has understood that role of law in society and has triumphantly guarded the statutes so that when turmoil does come the laws are rooted firm in the hearts of the people and society survives and prospers.

For over three decades now the judge has stood guard over the law, first as an Assistant U.S. Attorney General and later as both judge and chief judge of the U.S. Customs Court. In recognition of his dedication to both the law of man and the law of God, he was invested as a Knight of Malta at Saint Patrick's Cathedral in 1962. Further recognition came to him in 1971 when he was awarded an honorary degree of doctor of laws by Manhattan College.

Mr. Speaker, the finest testament we can give to Judge Rao is to place his name on this building as a lasting symbol of appreciation for a man who has given so much of himself to the task of preserving the rule of law in this great country of ours.

THE MILITARY MAW—PART IV

(Mrs. SCHROEDER asked and was given permission to extend her remarks

at this point in the RECORD and to include extraneous matter.)

Mrs. SCHROEDER. Mr. Speaker, as I have noted for the past 3 days, the military procurement authorization bill, H.R. 6722, on which we will be voting soon, is bloated with fat. There are many programs contained within this legislation that are unwise, unwarranted and even unwanted.

Of particular interest to me today is the request for $79 million for long lead construction of two DLG(N) nuclear-powered guided missile frigates. I do not believe that the construction of these vessels is necessary. Indeed, they are a colossal waste of money. Within the next 2 years we will have to appropriate almost one-half billion dollars to complete these frigates.

The two nuclear-powered guided missile frigates will make a total of 10. What the Navy does not tell us, however, is that it will eventually ask for 12 nuclear powered frigates, four each to protect our three nuclear carriers. If the CVAN-70 is built, then the Navy will ask for a total of 16.

At an average cost of $250 million each, we are talking here of eventually committing ourselves to a possible expenditure of $2.2 billion. I am one who is convinced that the Navy can prosper and flourish with the 35 frigates it has or will have. Obviously, these two additional ships are not vital to our national defense at this time or in the foreseeable future.

The request for these two ships came from Admiral Rickover and was made at the last moment. In fact, the House Armed Services Committee, of which I am a member, witnessed the rare spectacle of factions within the Navy arguing in public over the merits, and lack of them, of these two ships.

If we allow this authorization to go through on such short notice, with such little debate, with no strong military justification, and with a total one-half billion dollar compulsory finished cost, it will illustrate once more Congress willingness to prostrate itself before the Pentagon, no matter how frivolous the latter's request.

RENT-A-COW PROGRAM BENEFITS FARMER

(Mr. ALBERT (at the request of Mr. SARBANES) was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. ALBERT. Mr. Speaker, the Ada Sunday News, Ada, Okla., recently carried a refreshing story by Art Cox concerning the operation of the unique "rent-a-cow" program in southeastern Oklahoma. The result of extensive dedicated effort by the Indian Nations Community Action Center under the direction of Mr. Jess Hamilton, this special program offers the twin advantages of providing a needed and valuable service to the underprivileged and at the same time maintaining an operating profit. To express my delight with this report of a truly beneficial and effective Government service, I request the attention of my colleagues to the following article:

[From the Ada (Okla.) Sunday News, July 1, 1973]

GOVERNMENT RENT-A-COW PROGRAM GIVES FARMERS ADDED INCOME

(By Art Cox)

TISHOMINGO.—A government agency showing a profit is about as unlikely as a government agency renting cows.

But the Indian Nations Community Action Center here is doing both.

The agency, financed by the Office of Economic Opportunity, began its unique rent-a-cow program three years ago in Johnson County.

The center rents cows to families in the $1,000 to $3,000 range, the official poverty level set by the federal government.

"It's designed as an income supplement program only," Jess Hamilton, director of the center, said. "Most farm families work at another job in rural areas. And it's always at common labor.

"With this plan, it will produce an additional income of from $500 to $1,000 a year for each family. It gives poor families something they can call their own."

Farmers can rent the animals for three years. He is charged $25 for every calf the cow produces. The bill becomes due either at weaning time or when a calf weighs 500 pounds.

The fee is collected so the agency can buy more animals, but Hamilton said payment can be stretched out over several months, if the family can't pay the $25 in a lump sum.

Fourteen families in Murray, Garvin, Atoka, Johnston and Marshall counties are enrolled in the rent-a-cow program.

Hamilton said his agency places from one to 10 cows on each farm. The farmer must provide shelter and feed for the animal, but that's all it costs him.

The center pays all medical expenses for the cows. Each animal is checked once a week for disease. If the cow dies and the farmer is not at fault, the center takes the loss.

After a calf is born, the farmer can either sell, slaughter or keep it to build his own herd.

Hamilton said the self-help program is on healthy financial ground now. His agency owns 84 animals and showns a paper profit of $10,000.

"We bought them on an average of $204 a cow and now, you will pay $300 for any type cow. That leaves us with a profit of about $10,000," Hamilton said.

"This is not counting 90 calves born since the program began."

Through the years, Hamilton has replaced 10 cows with rent money.

When Hamilton first had the idea early in 1971 he thought it was so good he applied for a $500,000 OEO grant. But the OEO didn't see it in the same bright light.

At first the OEO refused the grant entirely, but Hamilton persisted. Finally, the center obtained $10,000 through the discretionary fund of the OEO.

With the $10,000, Hamilton bought 39 animals and started his project in Johnston County.

He was so successful that the state OEO came through with another $10,000 in October. Hamilton added another 49 cows.

The center expanded its rent-a-cow idea to Marshall County in 1972. The addition of another $4,000 enabled the center to add Atoka, Garvin and Murray counties in 1973.

The idea is catching fire across the nation, Hamilton said.

In Wisconsin, a pilot program was started by the OEO office to rent sheep to poverty-level farmers. Cows are also rented on the Bureau of Indian Affairs Native American Training and Educational Farm, near McCloud.

"The idea is catching on," Hamilton said. "This way we can help the farmers without giving them welfare. Look at it this way—this farmer has 40 acres he's not doing anything with. He can't afford to buy cattle to breed them.

"And from 5 to 8 p.m. he's not doing anything anyway. But if he takes part in this program, he eventually may have a herd of 50 cows or more," Hamilton said.

One of the first farmers to rent cows from the agency was Ottis Kinsey, who lives on a 240-acre farm about five miles outside Tishomingo.

Kinsey, 55, once worked in the oilfield as a mechanic. He returned to his farm about three years ago because of failing health.

In 1971, the agency rented 10 cows to him.

"It's been a lifesaver for me," he said. "I've got eight heifers and I've sold four or five bulls. But without the rented cows . . . it's just like being caught in the rain. You got no shelter unless you got some kind of extra money coming in.

"And I had plenty of years on me, but no money for cows."

Kinsey's rented cows will be returned to the center in six months, to be used by another family.

"Kinsey was fortunate," said the center's field representative, Bill Buck. "We're swamped with applications now. We have 40 or 50 families who would like to get in on this program, but can't because we don't have the cows to give them."

Buck who buys cows for the center, also advises the farmers on feed and protein for the cattle.

Hamilton said he doesn't expect any additional money to come from OEO in the future, but he is exploring other revenue sources.

"I would like to see the program expanded. We need it. We're serving five counties now, but not well enough."

What about the future of the program?

"It will always be here in one way or another," Hamilton said. "It's done too many good things to be scrapped."

STATE DEPARTMENT PROVIDES MORE INFORMATION ON PIPELINE ISSUE

(Mr. MELCHER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MELCHER. Mr. Speaker, on June 30, I placed in the CONGRESSIONAL RECORD two letters from the State Department responding to questions I had posed about the Canadian position on a pipeline route across Canada. They appear on 22649 and 22650.

In the initial letter, the Department reported that:

> Our most recent inquiries and remarks by Canadian officials give no cause to change our view that the Canadian government has no strong current interest in the construction of a Mackenzie Valley oil pipeline.

The second letter was a more detailed discussion of Native claims as they relate to a pipeline project.

Now I have received a third letter from the Department which gives more detailed written responses to questions which the U.S. Embassy in Ottawa posed to Canadian officials.

In view of the importance of the proposed trans-Alaska pipeline, I am including here the text of the third Department letter as well as the questions and answers they supplied.

The letter and additional material follow:

DEPARTMENT OF STATE,
Washington, D.C., July 7, 1973.

Hon. JOHN MELCHER,
Chairman, Subcommittee on Public Lands, Committee on Interior and Insular Affairs, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: You will recall that my letters of June 22 and 27 responded to your request of June 1 that we undertake renewed discussions with Canadian authorities concerning the possible construction of an oil pipeline from northern Alaska through Canada. On instructions from the Department, our Embassy in Ottawa did undertake such discussions and reported on them to the Department by cable. The Embassy's cabled report provided the basis for the views set forth in my letters of June 22 and 27.

In carrying out the Department's instructions, the Embassy posed a number of specific questions to Canadian officials. We have now received from the Embassy detailed written responses to these questions prepared by the appropriate Canadian officials. They set forth in more detail matters which were summarized in my letters to you. I enclose the text of these Canadian responses as of possible interest to you. I believe they bear out our judgment that an oil pipeline through Canada does not offer an alternative to the Alaskan route in terms of the time frame which circumstances require.

We have also just received the text of a speech made on June 20 by the Canadian Minister of Energy, Mines and Resources in which he outlines in some detail the complexity and magnitude of the questions the Canadian Government would have to face in considering a possible Mackenzie Valley oil pipeline. I believe this latest statement further confirms the position we have taken. I enclose a copy of the text.

Sincerely,

MARSHALL WRIGHT,
Assistant Secretary for Congressional Relations.

Q. What is the current status of relevant Canadian environmental studies? What is the expected date of their completion?

A. The Government's environmental social program calls for the publication, as they become available, of 121 reports on all phases of environmental and social concern as related to northern pipelines; of these 39 reports have already been published by Government and an additional 16 by others. It is expected that the complete material thus assembled will place the government in position to adequately assess an application for a pipeline by the end of this year.

Industry has indicated that they expect to file an application for a gas pipeline at the end of 1973 or shortly thereafter.

Q. What is the status of consideration of native claims? What is the expectation as to time required for their settlement?

A. The Indians of the Mackenzie Valley are signatories to Treaties 8 and 11. The Government's obligation under these Treaties has as yet not been fully met; the Government has affirmed that it will meet these obligations and toward this end has offered to set aside the necessary lands. However, recent indications are that the NWT Indian Brotherhood is preparing to advance claims over and above that specified by Treaty. In this respect, the Brotherhood has attempted to file a caveat to protect lands they deem to be covered under the Treaties. The matter is now before the Territorial Courts. The Government has accordingly presented its case, alleging that the caveat by its nature is not registerable. It is expected that the resolution of this specific issue will take a number of months. Although the caveat, if registered, would not apply to mining and oil rights, it could affect the granting of a pipeline right-of-way. At the moment it is not clear how and within what time frame this matter could be resolved, should the problem arise.

In the Yukon Territory no treaties are in effect. The Government is, however, in the process of negotiating native claims (Indian and Metis) and indications are that a settlement could possibly be reached there within the next two years.

Depending on the route chosen, the pipeline could pass through areas of the Mackenzie Delta where the Inuit (Eskimos) may have certain land claims. These have not as yet been fully defined and the Government has made available funds to the Inuit Tapirisat for further research.

In summary, indications are that settlement in the Yukon could be achieved within approximately two years, during which time the application could be heard and construction commenced. The situation regarding the Native Brotherhood in the NWT is not yet sufficiently clear to allow a precise statement; and considerable research must still be carried out before Inuit claims become fully defined and therefore negotiable. It is the Government's intention to proceed with northern development in the best interests of Canada, as a whole, but at the same time the Government is determined to ensure the just settlement of native claims.

Q. What is the Canadian Government's position likely to be with regard to ownership and control?

A. Speaking on this point in the House of Commons on May 22nd, 1973, Minister Macdonald said

"Mr. Speaker, I have indicated that the objective of the government would be to give an opportunity to Canadians to acquire 51 per cent ownership in any such pipeline and the expectation that it would remain under Canadian control."

In addition, all interprovincial and international pipelines are under National Energy Board control.

Q. When will the Canadian Government be ready to give active consideration to proposals from the private sector?

A. In respect of a gas pipeline, Minister Macdonald said on May 23rd, 1973, in the House of Commons

"Of course, the law has always been there with regard to the making of an application, but we have indicated within the past 12 months that we are completing our studies for the purpose of evaluating such an application and that we expect about the end of this year to be in a position to evaluate any application that comes forward. For that reason we have not issued any invitation to any specific group, but we have indicated that we are in a position to to deal with such an application under the law."

In respect of an oil pipeline the above statement still applies. However, it should be noted that the Canadian Government has not received an application for construction of such an oil pipeline in the north nor is it apparent that any company or any group of companies is preparing to make such an application in the near future.

Substantial work has been completed by Mackenzie Valley Pipe Line Research Limited and much of this work relates to environmental and social matters. However, there undoubtedly would be additional work required by a prospective applicant in respect of environmental considerations. Additional work on details of engineering design would also be required, although these could proceed concurrently with environmental work.

Q. What would the process of consideration entail (e.g.—public hearings and a finding by the National Energy Board prior to consideration by the Government and Parliament) and how long a time would it likely require?

A. An application to build an oil pipeline would be heard by the National Energy Board which would then make its findings known to the Government. If the National Energy Board rejects the application, no further action is required by the Government. However, if the National Energy Board recommends approval of the application, the final decision must then be made by the Government. There is no legal requirement to refer to Parliament either the National Energy Board finding or the decision of the Government.

Further, the Minister of Indian and Northern affairs, the Honourable Jean Chrétien, has announced that upon receipt of an application for a pipeline right-of-way, an Inquiry will be held under the Territorial Lands Act with the purpose of assessing the regional socio-economic and environmental implications arising out of the construction and operation of a major pipeline in the Territories. These hearings will be held in addition to those under the National Energy Board Act described above.

The time required for a National Energy Board hearing for an oil pipeline is unknown at this time, but might take perhaps up to one and a half years, including time required to arrange financing. The hearings by the Department of Indian Affairs and Northern Development would also be concluded within that time period.

Q. Are there significant Provincial/Federal differences which are likely to delay an eventual Canadian decision? To what extent would differences of view between eastern and western Canadians obstruct or delay decisions?

A. A northern oil pipeline would be a "federal work". As such, the Provincial Governments are not legally involved. The National Energy Board Act grants to a successful pipeline applicant the right to expropriate lands, including Provincial Crown Lands, if such are necessary to complete the project.

Q. What is the status of Canadian governmental consideration of a possible Mackenzie Valley gas pipeline?

A. The answers given above gave the status of the Canadian Government's environmental work in connection with a possible gas pipeline. It should be noted that under the Task Force on Northern Oil Development, six committees have been established and work has been in progress in most of these committees for a number of years. The Advisory Committee on Northern Pipeline Financing was established in early 1973 and results from its considerations should be available by the time an application to build a gas pipeline could be filed.

Q. Would active Canadian consideration of a Mackenzie Valley oil pipeline delay consideration of the prospective application for a gas pipeline? Are there proponents in Canada of the gas pipeline who oppose encouragement of Mackenzie Valley oil pipeline on these grounds?

A. Canada would likely wish to avoid the necessity of building both an oil pipeline and a gas pipeline simultaneously because of the impacts upon the Canadian economy. If it is decided to proceed with active consideration of the Canadian oil pipeline, it is likely that the question of building a gas pipeline would be deferred, for reasons of gas supply to such a pipeline. This is based on the assumption that some 50 per cent of the gas supply would be solution gas from the Alaska North Slope. If an approval to build a Canadian oil pipeline was granted and if the Canadian Government did not wish to have the gas pipeline built simultaneously, it is possible that the construction of the gas pipeline could be delayed by some three years compared with the decision to build the Alyeska oil pipeline.

Q. Any other observations deemed relevant?

A. There are a number of other elements to the Canadian position in respect to the northern oil pipeline.

1. Canada does not now have commercial oil discoveries in the north, although the prospects are rated very high. There could be

some 100 to 150 Mbd of natural gas liquids, if the gas pipeline is constructed.

2. The Government guidelines on northern pipelines are clear in stating that Canada requires that Canadian production have "access" to such pipelines. Undoubtedly such access would be achieved by adding pipeline capacity rather than "backing out" non-Canadian supplies. Thus Canada does not require any fixed percentage of the throughputs of either a gas pipeline or of an oil pipeline.

3. There would seem to be no reason why the United States would need a "treaty" or agreement with Canada to cover such pipelines which would cross Canadian territory and carry U.S. supplies to U.S. markets. In this connection, the Canadian Government notes that both loops of the Interprovincial-Lakehead pipeline system cross the United States and that throughputs of these loops are vital to Ontario oil markets. The Montreal oil market is entirely dependent on the Portland-Maine to Montreal pipeline. In addition, approximately half of the Canadian gas markets, east of Manitoba, depend on the Great Lakes pipeline which crosses the United States. None of these important pipelines, across United States territory is covered by "treaty" or international agreement.

4. Canada continues to view with alarm the prospect of large tanker movements into the Puget Sound area of the Pacific northwestern United States. For that reason, Canada is prepared to consider guaranteeing the total supply to the Puget Sound area during the period that a pipeline might be constructed through northern Canada. Such a Canadian guarantee for the Puget Sound supply would, of course, be limited to the present refining capacity in that area. The amount of added Canadian oil required for this purpose would be relatively small compared to the total Canadian exports to the United States and would also be relatively small compared with present Canadian deliveries to the Puget Sound area.

5. If Alyeska is built, Canada would find little attraction in having a second oil pipeline built through Canada to serve U.S. Midwest markets unless and until sizeable commercial Canadian oil discoveries have been made in the north. Moreover, Canada is aware that the economic attraction of looping an existing TAPS line would undoubtedly militate against construction of a line through Canada. Admittedly, other circumstances such as markets and security of supply might make it attractive to build such a second line through Canada. However, such circumstances are undoubtedly present even in respect of the first oil pipeline.

NOTES FOR AN ADDRESS BY THE HONORABLE DONALD S. MACDONALD, MINISTER OF ENERGY, MINES, AND RESOURCES, TO THE ANNUAL MEETING OF THE INDUSTRIAL CONTRACTORS ASSOCIATION OF CANADA

Mr. CHAIRMAN, HEAD TABLE GUESTS AND ASSOCIATION MEMBERS: I particularly welcome this opportunity to address the annual meeting of the Industrial Contractors' Association because of the need for better communication between your industry and government on questions related to our national energy requirements.

I believe that this is the first occasion we have had to get together and hope that we can lay the basis for continued discussion of Canada's refinery and chemical plant capacity in the weeks and months ahead.

In the general effort to improve contacts with industry, perhaps I should mention in passing the National Advisory Committee on Petroleum which brings the leaders of that industry into close, regular contact with me on a wide range of questions affecting my department's role as a coordinator of national resources policy.

It is particularly gratifying, too, to know that several representatives of U.S. industry are present at this annual meeting because the debate over energy policies has reached new levels of concern among the citizens of both countries.

In the United States, President Nixon has delivered his message on energy to Congress and moved to curtail recent increases in gas prices through Phase 4 of the administration's measures against inflation.

Here in Canada, I am looking forward to an informed exchange of views with other levels of government, industry and the public at large based on the analysis of Canada's current energy resources and industries which will be published in the next week or two. The analysis will provide an in-depth review of energy in all its forms—hydroelectric, coal, oil and gas as well as nuclear—in an attempt to delineate the important concerns which inevitably occur at a time when the country faces a task of investing some $50 to $70 billion over a decade to keep pace with industrial and other demands for power.

As a prelude to further discussion of some of these large energy projects, it might be useful to spend a few minutes going over the recent history of government involvement on the northern pipeline question.

On December 20, 1968, the Minister of Energy, Mines and Resources announced in the House of Commons the establishment of the Task Force on Northern Oil Development "to bring together all information on the existing oil situation in the North, on transportation routes that might be used, and to coordinate all available information, from all Federal agencies and departments and then report and make proposals to the government."

The Task Force has reported to Cabinet on a number of occasions and, in addition, has issued two important sets of guidelines. In August, 1970, guidelines were issued setting out certain principles that are to be followed in planning, constructing and operating nothern pipelines. These principles are concerned with the "corridor" concept; common or contract carrier stipulations; Parliament's jurisdiction; the Canadian content in financing, engineering, construction, ownership, and management; conditions to be met prior to the issuance of a construction permit including those relating to the preservation of the ecology and environment and the protection of the rights of northern residents; and finally, requirements as to employment of northern residents. These guidelines have remained the basic principles for the conduct of all activities concerned with northern pipelines.

In June of 1972, expanded guidelines were established, based on the "corridor", environmental, and social clauses of the 1970 guidelines.

We have ahead of us the working out of some of the financial concepts of a northern pipeline and, in this connection, I announced earlier this year the membership of a National Advisory Committee on Northern Pipeline Financing representative of those in Canada with skills in the operation of the Canadian and international capital markets. The Task Force will be the government's vehicle for assessing the findings of this Committee and developing policy recommendations therefrom. Closely related to this activity is another Task Force program assessing the potential of the Canadian content of labour, materials and services for a northern pipeline. We expect, in due course, to prepare a set of guidelines concerned with financing, ownership and control, and Canadian content of the total project.

NORTHERN PIPELINE ISSUES AND CONCERNS

There is no need to explain why we have embarked on such an indepth program of Task Force research and appraisal. We are concerned with the planning of the largest capital investment project ever to be proposed in Canada and it is only natural that the proposal is raising some major national issues. I could illustrate this by merely listing some of the questions being asked by Canadian citizens who are now actively interested in the concept of a northern pipeline.

For instance: can a northern pipeline be built in such a way as to present no serious hazards to the delicate Arctic environment? What about possible harm to wildlife and fishing resources of the north? What route would the pipeline follow in the north and through the provinces? What are the objectives and specifications of a Mackenzie "corridor"? Will a pipeline really be of benefit to the native people? How would the pipeline be financed and controlled—would Canadian control be assured? Would pipe and equipment manufacturers have ample lead time and opportunity to supply the materials required? Would Canadian labour have full opportunity to participate in construction and operation? Could the total project have a negative effect on the Canadian dollar in international money markets and thereby on our international trade and, if so, how could this be prevented? What would be the regional benefits?

Would our oil and gas resources be drained out too rapidly by export markets and what about future Canadian requirements for oil and gas? Do we really need to develop northern gas and a pipeline outlet at this time—why not wait until we actually need the gas for the Canadian markets and until we have enough Canadian capital within Canada to finance it? Is the project going to be managed by Canadian personnel and are engineering and consulting firms going to have opportunities to establish a world reputation through active association in the project?

These are some of the questions being asked by a public becoming increasingly involved in concepts concerned with the proposed development. I could list other concerns but I believe these will illustrate we are presented with a major national decision to be made.

THE LARGER ENERGY PICTURE IN CANADA

We are concerned with a pipeline project which would have major implications for the Canadian economy and for our total energy situation in this country. I have mentioned some of the economic and national interests and concerns as they relate to the construction of the pipeline. One can also enlarge the perspective of this project by viewing some of the implications of opening up a new and large source of energy and having it available to the Canadian market.

It is no longer a question of whether we will find gas in the north, but rather how much is needed in order to justify the large investments in pipeline and other facilities to bring this frontier gas to market.

The advent of large-scale northern gas supply is, of course, not without its particular and challenging problems in addition to those associated with getting the gas to market under acceptable engineering and environmental standards. There is, for instance, the question of pricing, and the related question of the terms and conditions under which the gas would be exported. There is also the net effect of rising export prices from the points of view of balance of payment benefits and the costs to consumers of upward pressures on the domestic price for gas. There are strong regional views within Canada on these and related matters and the makings of some serious interprovincial and federal-provincial jurisdictional and constitutional conflicts, unless industry and government at all levels are willing to work constructively towards a solution of these complex issues.

EXPORT CONTROLS ON OIL AND GASOLINE

As you know, effective March 1, this year, Cabinet approved amendments to regulations made under Part VI of the National Energy Board Act which brought under license the

export of crude oil and equivalent hydrocarbons but not refined oil products.

The action followed discussions with provincial ministers and industry and was in line with the long-established national policy to export only those quantities of energy which are clearly surplus to our domestic requirements.

The past fourteen years have seen rapid growth in our oil exports, almost all of which go to the United States, mostly in the form of refinery raw material. This export growth made an important contribution to the health of the Canadian oil producing industry and to our national prosperity.

Because of the pressures in the U.S. market by reason of their shortages, levels of export demand for our oil strained the capacity of our oil production and transportation systems and threatened the continuity of supply of Canadian oil to domestic refiners dependent on such supply.

The continuation of pressure in the U.S. market also has shown up in the greatly increased demand, from the north-east U.S. in particular, for refined Canadian products.

Last Thursday I informed the House of Commons that effective midnight Friday, June 15, temporary controls would be imposed on the export of motor gasoline and home-heating types of oils.

This move will ensure that unusual export demand for these products does not impair supplies to Canadian consumers.

Because of the very substantial differences which exist between American and Canadian prices, there was no assurance that exports of these products could be voluntarily limited at this time.

I also announced a repeal of import restrictions on motor gasoline.

Duration of the temporary period for these export restrictions will be related to improvement in international supplies of refined oil products and also to the expansion of refinery capacity in Eastern Canada.

Traditionally, Eastern Canada has been a net product importer, though a high rate of petroleum refinery expansion has enabled Eastern Canada to move into a position where it is showing the first signs of becoming a net product exporter. A table appended to this paper shows that the region of Quebec, the Maritimes and Newfoundland actually had a net export position in January of some 26 Mb/D for all of 1972, 100 Mb/D a year earlier and 163 Mb/D in 1968.

CURRENT REFINING CAPACITY AND CAPITAL EXPENDITURE BY THE INDUSTRY

I would like to make the following points about current refining capacity and growth of the industry in Canada:

1. The refining industry in Canada included 40 refineries in 1972 with a total capacity of approximately 1.7 million barrels per day. Over the previous ten years it had grown at the average rate of 43,000 barrels per day per year, or the equivalent of one big refinery two to three years.

2. Recent growth has been more rapid, however, and capacity is estimated to grow by approximately 700,000 barrels per day over the period 1970 to 1973; or an average of about 230,000 barrels per day per year.

3. Capital expenditures for the construction of Canadian refineries is running at over $200 million per year over this period.

Capital expenditures in the Canadian refining industry

[In millions]

1970	$214
1971	211
1972 (preliminary)	212
1973 (estimated)	301

4. These expenditures represent a significantly higher rate of construction growth than the U.S. and the world as a whole, relative to the size of their respective refining industries.

5. Recent capital expenditures for the construction of natural gas processing plants in western Canada and other physical facilities associated with oil and gas production have been as follows:

[In millions]

1971	$399
1972	323

6. Another factor in refinery construction is the increasing average size of refineries. Thus, two large new refineries will be operating in Edmonton, permitting the shutdown of smaller uneconomic refineries on the Prairies.

7. Ontario capacity will grow with a major new refinery—Texaco's at Nanticoke—as well as expansion by Shell, Sun Oil and BP. Additional units for quality improvement will be added by Gulf and Imperial Oil.

8. In the Athabasca oil sands area of Alberta, many new extraction and processing plants are under study which may offer the greatest growth prospects for the hydrocarbon processing construction industry. Capacity is expected to grow from the present 50,000 barrels per day level to a million barrels per day sometime in the 1980's. Great Canadian Oil Sands Ltd's expansion, the pending Syncrude plant which should be constructed within the next few years to be followed by a Shell Oil project to commence construction in the late '70's are the leading projects in the Athabasca area. Other projects are in the planning stage.

9. Construction in the petrochemical industry has been slow due to past difficulties in the petrochemical industry and overbuilding in the early '60's. It now appears that this phase is coming to an end, and several major petrochemical plants are under consideration such as the world-wide ethylene plants under study for the Sarina and Edmonton areas. Fertilizer capacity is also being overstretched, and new ammonia capacity will be needed.

10. Apart from these developments in established petrochemical centres, the establishment of new pertochemical centres, for example in the Maritimes, is now being discussed and could lead to future developments.

11. Yet another growing area, of greater importance to the U.S., is the construction of plants for the manufacture of synthetic fuels from coal or shale. Although no such plants are presently projected in Canada, they may be in the future, particularly in view of Canada's untapped coal resources, the assurance of a growing energy market, and the improvements expected from current active research in coal processing.

As I told the House last Friday, construction plans in Eastern Canada for new refineries may be affected where companies were considering the processing of off-shore raw material for export only. It is not expected that the export controls announced last week would pose any difficulty for new or existing facilities which were operating to meet Canadian needs as a first priority. And I can only remind this audience that increased refinery capacity in Eastern Canada is an obvious need at this time in order to meet our own requirements.

In concluding, I would remind you that Eastern Canada is necessarily dependent on the international petroleum economy. Imports of refined products continue to be required. Particularly in the case of heating oils, they will not be easy to obtain this year, but the Government expects that Canadian oil companies will make every effort to ensure that we enter the heating season with adequate inventories.

The expansion of the refining industry in Eastern Canada ought to proceed much as expected on the very real need to meet Canadian requirements for petroleum products and any export opportunities which might arise after full allowance has been made for the prime needs of Canadian consumers.

The high rate of petroleum refinery expansion has enabled eastern Canada to move from the position of a net product importer to the first signs of becoming a net product exporter, as shown by the following table:

MARITIMES, QUEBEC AND NEWFOUNDLAND

[Mbl/day]

MBbl/D, maritimes Quebec and Newfoundland	Crude refined	Product demand	Net product imports (exports)
1968	485	569	163
1969	520	640	156
1970	564	635	159
1971	664	668	100
1972	785	708	62
1973 (January)	848	747	(26)

FOREST SERVICE OPERATION IN UTAH

(Mr. OWENS asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. OWENS. Mr. Speaker, I was elected to Congress last fall, in part, I think, because I enunciated the frustration I sensed on the part of Utahans as they deal with the Federal bureaucracy. In many instances Congress has been responsible for overly insulating the agencies, and even with a clear expression of congressional intent, we are often unable to change an administrative action.

A heartening thing has just happened in my native State. Some time ago the Forest Service announced an intention to move its regional headquarters from Ogden, Utah, to further centralize operations in Denver, Colo. Virtually all the officials in Utah, and most officials in the State of Colorado, opposed this move. The Forest Service itself, apparently, was in opposition, but they are forced to support the requirement imposed by the Office of Management and Budget. The Utah congressional delegation and Utah Gov. Calvin Rampton took positive steps, together with other Congressmen and Senators involved from other States similarly affected, to ascertain whether this shuffling would actually increase the efficiency of the Forest Service operation and to determmine whether funds would, in fact, be saved by the moves.

We were all dismayed at the lack of any significant proof that either efficiency or funding would be benefited by this move. Because of various steps the Utah delegation has taken in making the ill-founded nature of the proposal known, the move to consolidate the Forest Service office has failed. Of particular effectiveness was my senior colleague in the House, Congressman GUNN MCKAY of Utah's First District. A member of the Appropriations Committee, Congressman MCKAY was successful in pursuading his colleagues to attach language to the recent Interior appropriations bill providing that no funds might be used to affectuate that change. Senator FRANK MOSS has long been involved in the discussions and was a forceful advocate of Utah's interests. The majority leader of the Senate, Senator MIKE MANSFIELD, was also extremely helpful.

Today, the Secretary of Agriculture announced that the proposed moves have been rescinded. It is heartening to see that when we are stirred up in Congress, we can effectuate some change in the agency structure. It has been great to help strike a blow for the forces of representative government.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

(The following Members (at the request of Mr. O'NEILL) :)

Mr. PEPPER, for today, on account of illness.

Mr. DANIELSON, for today, on account of death in family.

Mr. BLATNIK, for today and July 17, on account of official business.

Mr. BOLAND, for today, on account of death in family.

(The following Members (at the request of Mr. GERALD R. FORD) :)

Mr. GROSS, for today, on account of illness.

Mr. BURKE of Florida, for today, on account of illness in the family.

Mr. TALCOTT, for week of July 16, on account of official business.

Mr. YATES, for July 17, 1973, on account of illness in family.

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. MARTIN of North Carolina) to revise and extend their remarks and include extraneous matter:)

Mr. HASTINGS, for 10 minutes, today.

Mr. TREEN, for 10 minutes, today.

Mr. STEELE, for 10 minutes, today.

Mr. YOUNG of Illinois, for 10 minutes, today.

Mr. DUNCAN, for 40 minutes, on July 17.

Mr. WALSH, for 10 minutes, today.

Mr. HANRAHAN, for 5 minutes, today.

(The following Members (at the request of Mr. SARBANES) to revise and extend their remarks and include extraneous matter:)

Mr. BURKE of Massachusetts, for 5 minutes, today.

Mr. GIBBONS, for 5 minutes, today.

Mr. GONZALEZ, for 5 minutes, today.

Mr. ANNUNZIO, for 5 minutes, today.

Mr. RUNNELS, for 5 minutes, today.

Mr. THORNTON, for 5 minutes, today.

Mr. RODINO, for 5 minutes, today.

Mr. FRASER, for 5 minutes, today.

Mr. ALEXANDER, for 15 minutes, on July 17.

Mr. BIAGGI, for 5 minutes, on July 18.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. SAYLOR and to include extraneous matter.

Mr. TAYLOR of North Carolina to extend his remarks prior to the vote on the Findley dairy amendment, H.R. 8860, in the Committee of the Whole, today.

Mr. TEAGUE of Texas to revise and extend his remarks on H.R. 3733 today immediately prior to passage of the bill.

(The following Members (at the request of Mr. MARTIN of North Carolina) and to include extraneous matter:)

Mr. QUIE in two instances.

Mr. DERWINSKI.

Mr. STEELE in five instances.

Mr. SEBELIUS.

Mr. KEATING.

Mr. KEMP.

Mr. VEYSEY in two instances.

Mr. NELSEN.

Mr. THOMSON of Wisconsin.

Mr. WYMAN in two instances.

Mr. STEIGER of Wisconsin.

Mr. RONCALLO of New York.

Mr. SARASIN.

Mr. MCKINNEY.

Mr. HUBER.

Mr. DICKINSON.

Mr. ROBISON of New York.

Mr. FROEHLICH.

Mr. COLLINS of Texas in three instances.

Mr. HUDNUT in two instances.

Mr. SAYLOR.

Mr. HANRAHAN.

(The following Members (at the request of Mr. SARBANES) and to include extraneous matter:)

Mr. DRINAN in three instances.

Mr. BRINKLEY.

Mr. RARICK in three instances.

Mr. ANNUNZIO in six instances.

Mr. GONZALEZ in three instances.

Mr. CONYERS in 10 instances.

Mr. BREAUX.

Mr. ADAMS.

Mr. BIAGGI in five instances.

Mr. YATRON.

Mr. CARNEY of Ohio in three instances.

Mr. EVINS of Tennessee in two instances.

Mr. CORMAN.

Mr. JONES of Tennessee.

Mr. BOLLING.

Mr. BENNETT.

Mr. THOMPSON of New Jersey.

Mr. WILLIAM D. FORD in two instances.

Mr. RODINO.

Mr. LONG of Louisiana.

MRS. MINK.

Mr. CHAPPELL.

Mr. DINGELL in three instances.

Mr. WOLFF in five instances.

Mr. HARRINGTON.

Mr. EDWARDS of California.

Mr. MELCHER, and to include extraneous matter notwithstanding the fact that it exceeds three pages of the CONGRESSIONAL RECORD and is estimated by the Public Printer to cost $627.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1083. "An act to amend certain provisions of Federal law relating to explosives; to the Committee on the Judiciary.

S. 1191. An act to provide financial assistance for a demonstration program for the prevention, identification, and treatment of child abuse and neglect, to establish a National Center on Child Abuse and Neglect, and for other purposes; to the Committee on Education and Labor.

S. 1925. An act 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.

S. 2067. An act relating to congressional and Supreme Court pages; to the Committee on Rules.

ADJOURNMENT

Mr. OWENS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 15 minutes p.m.), the House adjourned until Tuesday, July 17, 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:

1141. A letter from the Secretary of Health, Education, and Welfare, transmitting a report covering the quarter ended June 30, 1973, of actual procurement receipts for medical stockpile of civil defense emergency supplies and equipment purposes, pursuant to section 201(h) of the Federal Civil Defense Act of 1950, as amended; to the Committee on Armed Services.

1142. A letter from the Chief of Legislative Affairs, Department of the Navy, transmitting notice of the proposed donation of a surplus LH 34 helicopter, serial No. 145717, to the Bradley Air Museum, Connecticut Aeronautical Historical Association, Hartford, Conn., pursuant to 10 U.S.C. 7545; to the Committee on Armed Services.

1143. A letter from the Acting Assistant Secretary of the Interior, transmitting a draft of proposed legislation to authorize the establishment of the Big Thicket National Biological Reserve in the State of Texas, and for other purposes; to the Committee on Interior and Insular Affairs.

1144. A letter from the Acting Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting a request for the withdrawal of a case involving the suspension of deportation, previously submitted pursuant to section 244(a)(1) of the Immigration and Nationality Act, as amended [8 U.S.C. 1254(c)(1)]; to the Committee on the Judiciary.

1145. A letter from the Secretary of Transportation, transmitting a report concerning the need for engineers on uninspected towing vessels, pursuant to section 2 of the Towing Vessel Operator Licensing Act; to the Committee on Merchant Marine and Fisheries.

1146. A letter from the Chairman, U.S. Civil Service Commission, transmitting a draft of proposed legislation to amend certain provisions of title 5, United States Code, relating to pay and hours of work of Federal employees; to the Committee on Post Office and Civil Service.

1147. A letter from the Acting Administrator, U.S. Environmental Protection Agency, transmitting a report on thermal discharge, pursuant to section 104(t) of the Federal Water Pollution Control Act Amendments of 1972; to the Committee on Public Works.

1148. A letter from the Board of Trustees, Federal Old-Age and Survivors Insurance and Disability Insurance Trust Funds, transmitting the 1973 Annual Report of the Board of Trustees of the trust fund, pursuant to section 201(c) of the Social Security Act (H. Doc. No. 93–130); to the Committee on Ways and Means and ordered to be printed.

1149. A letter from the Board of Trustees, Federal Hospital Insurance Trust Fund, transmitting the 1973 Annual Report of the Board of Trustees of the trust fund, pursuant to section 1817(b) of the Social Security Act, as amended (H. Doc. No. 93–128); to the Committee on Ways and Means and ordered to be printed.

1150. A letter from the Board of Trustees, Federal Supplementary Medical Insurance Trust Fund, transmitting the 1973 Annual Report of the Board of Trustees of the trust fund, pursuant to section 1841(b) of the Social Security Act, as amended (H. Doc. No. 93–129); to the Committee on Ways and Means and ordered to be printed.

1151. A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation to amend the Tariff Act of 1930 to grant additional arrest authority to officers of the customs service; to the Committee on Ways and Means.

1152. A letter from the Director, Office of Management and Budget, Executive Office of the President, transmitting a report of budgetary reserves as of June 30, 1973, pursuant to the Federal Impoundment and Information Act, as amended; 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. HALEY: Committee on Interior and Insular Affairs. H.R. 620. A bill to establish within the Department of the Interior an additional Assistant Secretary of the Interior for Indian Affairs, and for other purposes; with amendment (Rept. No. 93–374). Referred to the Committee of the Whole House on the State of the Union.

Mr. HALEY: Committee on Interior and Insular Affair. H.R. 5089. A bill to determine the rights and interests of the Choctaw Nation, the Chickasaw Nation, and the Cherokee Nation in and to the bed of the Arkansas River below the Canadian Fork and to the eastern boundary of Oklahoma; with amendment (Rept. No. 93–375). Referred to the Committee of the Whole House on the State of the Union.

Mr. HALEY: Committee on Interior and Insular Affairs. H.R. 6925. A bill to authorize the exchange of certain lands between the Pueblo of Acoma and the Forest Service (Rept. No. 93–376). Referred to the Committee of the Whole House on the State of the Union.

Mr. HALEY: Committee on Interior and Insular Affairs. H.R. 8029. A bill to provide for the distribution of funds appropriated in satisfaction of certain judgments of the Indian Claims Commission and the Court of Claims, and for other purposes; with amendment (Rept. No. 93-377). 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. ANDERSON of Illinois (for himself and Mr. SARASIN):

H.R. 9278. A bill to improve the conduct and regulation of Federal election campaign activities and to provide public financing for such campaigns; to the Committee on House Administration.

By Mr. ASHLEY:

H.R. 9279. A bill to improve the conduct and regulation of Federal election campaign activities and to provide public financing for such campaigns; to the Committee on House Administration.

By Mr. BRASCO:

H.R. 9280. A bill to improve the conduct and regulation of Federal election campaign activities and to provide public financing for such campaigns; to the Committee on House Administration.

By Mr. BRASCO (for himself, Mr. WALDIE, Mr. DOMINICK V. DANIELS, Mr. CHARLES H. WILSON of California, Mr. MOAKLEY, Mr. HOGAN, Mr. HILLIS, and Mr. BAFALIS):

H.R. 9281. A bill to amend title 5, United States Code, with respect to the retirement of certain law enforcement and firefighter personnel, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. DOMNICK V. DANIELS:

H.R. 9282. A bill to provide for improved labor-management relations in the Federal service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. FORSYTHE:

H.R. 9283. A bill to establish an arbitration board to settle disputes between supervisory organizations and the U.S. Postal Service; to the Committee on Post Office and Civil Service.

By Mr. FRASER (for himself, Mr. DIGGS, Ms. HOLTZMAN, and Mr. MCKINNEY):

H.R. 9284. A bill to amend the United Nations Participation Act of 1945 to halt the importation of Rhodesian chrome and to restore the United States to its position as a law-abiding member of the international community; to the Committee on Foreign Affairs.

By Mr. GIBBONS:

H.R. 9285. A bill to amend the Accounting and Auditing Act of 1950 to provide for the audit of certain Federal agencies by the Comptroller General; to the Committee on Government Operations.

By Mr. HÉBERT (for himself and Mr. BRAY):

H.R. 9286. A bill to authorize appropriations during the fiscal year 1974 for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, torpedoes, and other weapons, and research, development, test, and evaluation for the Armed Forces, and to prescribe the authorized personnel strength for each active duty component and of the Selected Reserve of each Reserve component of the Armed Forces, and the military training student loads, and for other purposes; to the Committee on Armed Services.

By Mr. HOGAN:

H.R. 9287. A bill to amend the Internal Revenue Code of 1954 to allow a deduction for expenses incurred by a taxpayer in making repairs and improvements to his residence, and to allow the owner of rental housing to amortize at an accelerated rate the cost of rehabilitating or restoring such housing; to the Committee on Ways and Means.

By Mr. KOCH:

H.R. 9288. A bill to amend title XIX of the Social Security Act to waive the existing requirement that all medicaid patients be given free choice in the selection of treatment facilities in cases where the services involved are being effectively provided through locally operated public health centers, or where such services may be most effectively obtained in designated specialized medical centers; to the Committee on Ways and Means.

By Mr. MILLER:

H.R. 9289. A bill to terminate the authorization of the Salt Creek Dam and Reservoir project, Ohio; to the Committee on Public Works.

By Mr. RUNNELS:

H.R. 9290. A bill to amend title 13, United States Code, to provide for the transmittal to each of the several States, in accordance with a plan and form approved by the Governor thereof, of the tabulation of total population of that State obtained in each decennial census and required for the apportionment of the legislative bodies of that State; to the Committee on Post Office and Civil Service.

By Mr. STEELMAN:

H.R. 9291. A bill to make rules governing the use of the Armed Forces of the United States in the absence of a declaration of war by the Congress of the United States or of a military attack upon the United States; to the Committee on Foreign Affairs.

By Mr. STEELMAN (for himself, Mr. WYLIE, Mr. CONYERS, Mr. REUSS, Mr. HINSHAW, Mr. RANDALL, and Mr. MACDONALD):

H.R. 9292. A bill to provide that appointments to the offices of Director and Deputy Director of the Office of Management and Budget shall be subject to confirmation by the Senate; to the Committee on Government Operations.

By Mrs. SULLIVAN (for herself, Mr. MURPHY of New York, Mr. GROVER, Mr. CLARK, Mr. RUPPE, Mr. BOWEN, Mr. SNYDER, Mr. BREAUX, Mr. STEELE, Mr. KYROS, Mr. LOTT, Mr. SARBANES, Mr. TREEN, Mr. DINGELL, Mr. YOUNG of Alaska, Mr. LEGGETT, Mr. METCALFE, and Mr. GINN).

H.R. 9293. A bill to amend certain laws affecting the Coast Guard; to the Committee on Merchant Marine and Fisheries.

By Mr. UDALL (for himself, Mr. BURKE of Massachusetts, Mr. COTTER, Ms. GRASSO, Mr. GRAY, Mr. LEHMAN, Mr. MCCORMACK, Mr. PERKINS, Mr. RANGEL, Mr. ROY, and Mr. STUDDS):

H.R. 9294. A bill to improve the conduct and regulation of Federal election campaign activities and to provide public financing for such campaigns; to the Committee on House Administration.

By Mr. WAGGONNER (for himself, Mr. HÉBERT, Mr. PASSMAN, Mr. RARICK, Mr. BREAUX, Mr. LONG of Louisiana, Mrs. BOGGS, and Mr. TREEN):

H.R. 9295. A bill to provide for the conveyance of certain lands of the United States to the State of Louisiana for the use of Louisiana State University; to the Committee on Agriculture.

By Mr. WHALEN:

H.R. 9296. A bill to improve the conduct and regulation of Federal election campaign activities and to provide financing for such campaigns; to the Committee on House Administration.

By Mr. ESCH:

H.R. 9297. A bill to amend the Internal Revenue Code of 1954 to provide that preparers of income tax returns shall report certain information to the Internal Revenue Service, and to prohibit preparation of returns by a person convicted of preparing a fraudulent return; to the Committee on Ways and Means.

By Mr. HAWKINS:

H.R. 9298. A bill to strengthen interstate reporting and interstate services for parents of runaway children; to conduct research on the size of the runaway youth population; for the establishment, maintenance, and operation of temporary housing and counseling services for transient youth, and for other purposes; to the Committee on Education and Labor.

By Mr. JONES of Tennessee:

H.R. 9299. A bill to provide a penalty for the robbery or attempted robbery of any narcotic drug from any pharmacy; to the Committee on the Judiciary.

By Mr. O'BRIEN:

H.R. 9300. A bill to provide for the conservation, protection, and propagation of species or subspecies of fish and wildlife that are threatened with extinction or likely within the foreseeable future to become threatened with extinction, and for other purposes; to

the Committee on Merchant Marine and Fisheries.

By Mr. PRICE of Texas:

H.R. 9301. A bill to amend the Internal Revenue Code of 1954 to provide tax relief for homeowners; to the Committee on Ways and Means.

By Mr. RODINO:

H.R. 9302. A bill to amend titles 18 and 28 of the United States Code to establish certain qualifications for the Office of Attorney General, and for other purposes; to the Committee on the Judiciary.

By Mr. ROONEY of New York:

H.R. 9303. A bill to name the U.S. Customs Court and Federal Office Building at 1 Federal Plaza, New York, N.Y., the "Paul P. Rao U.S. Customs Court and Federal Office Building"; to the Committee on Public Works.

By Mr. STEELE:

H.R. 9304. A bill making an additional appropriation for the fiscal year ending June 30, 1974, for the Department of Health, Education, and Welfare for research on the cause and treatment of diabetes; to the Committee on Appropriations.

By Mr. UDALL (for himself, Ms. BURKE of California, Mr. DELLENBACK, Mr. HOSMER, Mr. OWENS, Mr. RUNNELS, and Mr. WON PAT):

H.R. 9305. A bill to provide for a national fuels and energy conservation policy, to establish an Office of Energy Conservation in the Department of the Interior, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. CORMAN:

H.J. Res. 663. Joint resolution, a national education policy; to the Committee on Education and Labor.

By Mr. HARRINGTON:

H.J. Res. 664. Joint resolution, a national education policy; to the Committee on Education and Labor.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

276. By the SPEAKER: A memorial of the Legislature of the State of California, relative to the public employees program; to the Committee on Education and Labor.

277. Also, memorial of the Legislature of the State of California, relative to prosecution of interstate motor vehicle thefts; to the Committee on the Judiciary.

278. Also, memorial of the Legislature of the State of California, relative to escheat of intangible abandoned property; to the Committee on the Judiciary.

279. Also, memorial of the Legislature of the State of California, relative to Federal earthquake detection and prevention programs; to the Committee on Merchant Marine and Fisheries.

280. Also, memorial of the Legislature of the State of California, relative to earthquake hazard; to the Committee on Science and Astronautics.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BRASCO:

H.R. 9306. A bill for the relief of Claudette Angelia Dwyer; to the Committee on the Judiciary.

By Mr. FAUNTROY:

H.R. 9307. A bill for the relief of Wilmoth N. Myers; to the Committee on the Judiciary.

By Mr. GIBBONS:

H.R. 9308. A bill for the relief of M. Sgt. George C. Lee, U.S. Air Force; to the Committee on the Judiciary.

By Mr. MARTIN of North Carolina:

H.R. 9309. A bill for the relief of Faiz Ur Rahman Faizi; to the Committee on the Judiciary.

By Mr. NELSEN:

H.R. 9310. A bill to authorize the Carnegie Endowment for International Peace to use certain real estate in the District of Columbia as the endowment's Washington offices; to the Committee on the District of Columbia.

By Mr. VEYSEY:

H.R. 9311. A bill for the relief of Maj. William J. Pelham, U.S. Air Force; to the Committee on the Judiciary.

H.R. 9312. A bill for the relief of A. C. Brown; to the Committee on the Judiciary.

SENATE—*Monday, July 16, 1973*

The Senate met at 9:45 a.m. and was called to order by Hon. ROBERT C. BYRD, a Senator from the State of West Virginia.

PRAYER

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Almighty God, who has given us this good land for our heritage, endowed it with rich resources of nature, and peopled it with diverse cultures, races, and religions to form "one nation under God"; so help us now to conserve and to use wisely both the natural human resources so lavishly bestowed by the Creator. Be with the leaders of this Senate as they plan for the days to come that their leadership may expedite the tasks ahead so that all Members may concert their best efforts for the well-being of the whole Nation.

We pause to ask Thy special blessing upon the President. Surround him with healing ministries and grant him peace of mind and the assurance of the people's prayers.

We pray in His name who is Lord and healer and guide. Amen.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. EASTLAND).

The second assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., July 16, 1973.

To the Senate:

Being temporarily absent from the Senate on official duties, I appoint Hon. ROBERT C. BYRD, a Senator from the State of West Virginia, to perform the duties of the Chair during my absence.

JAMES O. EASTLAND,
President pro tempore.

Mr. ROBERT C. BYRD thereupon took the chair as Acting President pro tempore.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Saturday, July 14, 1973, be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS AUTHORIZED DURING THE SESSION OF THE SENATE TODAY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees may be permitted to meet during the session of the Senate today.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the provisions of rule VIII be waived with respect to the consideration of unobjected to measures on the calendar.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate turn to the consideration of Calendar Order Nos. 295, 296, and 297.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

SUSPENSION OF DUTIES ON CERTAIN FORMS OF COPPER

The bill (H.R. 2323) to continue until the close of June 30, 1974, the suspension of duties on certain forms of copper was considered, ordered to a third reading, read the third time, and passed.

SUSPENSION OF DUTIES FOR METAL SCRAP

The bill (H.R. 2324) to continue until the close of June 30, 1975, the existing suspension of duties for metal scrap was considered, ordered to a third reading, read the third time, and passed.

SUSPENSION OF DUTY ON CAPROLACTAM MONOMER

The bill (H.R. 6394) to suspend the duty on caprolactam monomer in water solution until the close of December 31, 1973, was considered, ordered to a third reading, read the third time, and passed.

ORDER OF BUSINESS

The ACTING PRESIDENT pro tempore. Does the minority leader wish to be recognized?