

high office. I believe that history will judge him, after the 50 years' interim period he requested, as one of the greatest and strongest leaders of our time. At this point, 20 years past his departure from office, as a very amateur American politician, I place him among the all-time great American Presidents.

President Truman refused to be bullied about by political opponents at home or abroad and effected more than any other person, the reconstruction of Europe and saved them from external domination.

The name of Harry Truman will not be forgotten in the Owens' household,

just as it will live on in millions of homes where stories of unusual men are retold. My repertory of Harry Truman stories is extensive and illustrative of all that is good about the American political system. I am proud, indeed, of having been alive to watch the formation of the Truman heritage.

HOUSE OF REPRESENTATIVES—Monday, January 22, 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, a stronghold in the day of trouble; and He knoweth them that trust in Him.—Nahum 1: 7.

Dear Lord and Father of Mankind,
Forgive our foolish ways;
Recline us in our rightful minds
In purer lives Thy service find,
In deeper reverence, praise.
Drop Thy still dews of quietness,
Till all our strivings cease;
Take from our souls the strain and stress,
And let our ordered lives confess
The beauty of Thy peace.

In all the discussions of these days and the decisions we will be called upon to make keep our minds clear, our motives clean, our hearts confident, our deeds constructive, and our consciences unashamed and unafraid.

God bless America. Stand beside her and guide her through the trying tribulations of these troubled times. And bless our astronauts as they open new doors of knowledge to us this day.

In the spirit of the Pioneer of Life we pray. Amen.

THE JOURNAL

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

Without objection, the Journal stands approved.

There was no objection.

ANNOUNCEMENT

The SPEAKER. The Chair would like to make a statement. The Chair is only going to recognize under the 1-minute rule a colleague to announce the death of a former distinguished Member. The Chair will, after the astronauts have appeared, take 1-minute speeches.

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

TRIBUTE TO LEO ALLEN

(Mr. ANDERSON of Illinois asked and was given permission to revise and extend his remarks.)

Mr. ANDERSON of Illinois. Mr. Speaker, it is with a deep sense of personal loss that I take these minutes to inform my colleagues of the passing of former Congressman Leo Allen on Friday, January 19. His funeral will be held in the First Presbyterian Church, Galena, Ill., on tomorrow, January 23, 1973, at 11 a.m.

Leo Allen served 14 distinguished terms in the House of Representatives embellished particularly on two occasions by his service as chairman of the House Committee on Rules in the 80th and 83d Congresses. In the 28 years he served the residents of northwestern Illinois as their Representative to the Congress, he achieved a record of consistency and devotion to the principle of government in which he served.

I often had occasion to talk with him during those years after he left the Congress. He continued to remain deeply interested in the affairs of government and of the Republican Party. Leo's wife preceded him in death but he leaves five children, each of whom, I am sure, is imbued with the stamp of his strong personality, high character, and unblemished principles, a legacy matched only by Leo Allen's superlative record and significant place in the history of this body.

Leo Allen will long be remembered as a faithful legislator and outstanding American. Mrs. Anderson and I join Leo's thousands of friends in extending our condolences and deepest sympathy to the members of the Allen family.

I am pleased to yield to my distinguished colleague from Illinois, the minority whip (Mr. ARENDS).

Mr. ARENDS. Mr. Speaker, I, too, was saddened with the notice of the death of our former colleague, Leo Allen. He was a Member of Congress when I first came here, and I had the privilege of serving with him for 24 years. We became fast and warm friends during our tenure together in Congress. As a freshman Member here I often went to him for counsel and advice. I had the greatest respect and admiration for Leo. Truly he was a great American, a dedicated public servant, and one who contributed so much to this House during the time he was privileged to serve here.

I extend to his wonderful family my deepest and sincerest sympathy in this their time of bereavement.

Mr. ANDERSON of Illinois. Mr. Speaker, I am pleased to yield to the distinguished majority leader (Mr. O'NEILL).

Mr. O'NEILL. Mr. Speaker, I join my distinguished colleagues in the House in rising to pay tribute to an eminent Member of this Chamber, Leo Allen.

Though Leo came to Congress before I did, I had the distinct pleasure of serving with him on the Rules Committee following my assignment to that committee in 1955.

As chairman of the Rules Committee when the Republicans had control of the House during the 83d Congress, and later as ranking minority member of that committee, Leo Allen's great talents as a

legislator and parliamentarian came to the forefront.

As Representative of the 16th District of Illinois, Leo Allen consistently and vigorously fought for the philosophy and ideals in which he believed. In all ways, Leo served his constituency and his Nation with dedication and purpose.

Leo and I were friends socially as well as colleagues on Rules Committee. Both of us stayed at the University Club for a period. Leo was a very entertaining host and a thoroughly enjoyable person to be around.

I join my colleagues in their expression of bereavement. Mrs. O'Neill joins me in expressing our condolences to Leo Allen's family and friends.

Mr. DERWINSKI. Mr. Speaker, I join my colleagues this afternoon in paying tribute to Leo Allen, one of the truly great Representatives which the people of the State of Illinois have sent to this body.

As a freshman Member, I benefited from the wise counsel and leadership that Leo Allen provided. I will long remember his sage advice and the principles of government and politics for which he so courageously stood. Those of us who remember him from his service here recognize that he was a champion of the taxpayer, a firm believer in the limitation of the powers of the Government, and a man who very effectively understood and served the people of his district.

Leo Allen was a great American and the kind of man that has made the House of Representatives the great institution that it is.

Mr. DELANEY. Mr. Speaker, I was deeply saddened to learn of the passing of our distinguished former colleague, the Honorable Leo E. Allen of Illinois.

It was my privilege to have known Leo as a friend for many years. Having worked closely with him during our joint service on the Committee on Rules, I knew him as a completely honest and forthright legislator, and a man deeply devoted to the best interest of the Nation. While we disagreed on a number of issues, I always yielded to his sincerity of purpose.

Leo served with distinction in the Army's field artillery in World War I. Shortly thereafter, he graduated from the University of Michigan. After teaching school for several years, he developed an interest in law and politics. Following completion of his legal studies, he was admitted to the bar in 1930, and began the practice of law in his hometown of Galena, Ill.

Prior to coming to Congress in 1933, Leo had twice been elected to the posi-

tion of clerk of the county circuit court in his area.

During his tenure in the House, Congressman Allen became senior Republican member of the Committee on Rules, and served for a time as chairman of that panel when his party was in the majority. He was also a member of the Committee on Committees, and the joint Republican steering committee.

I will always cherish my friendship and association with Leo. We both lived at the University Club here in Washington, and I vividly recall many warm and enjoyable evenings we spent together relaxing at the end of the day.

He served his countrymen to the best of his great ability, and gave unstintingly of himself to preserve and foster the values that have made America great.

I extend my deepest sympathy to his children, and to the other members of his family.

GENERAL LEAVE

Mr. ANDERSON of Illinois. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the subject of the life, character, and public service of the late Leo Allen.

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

There was no objection.

APPOINTMENT AS MEMBERS OF COMMITTEE TO ESCORT DISTINGUISHED VISITORS INTO THE CHAMBER

The SPEAKER. The Chair appoints as members of the committee to escort our distinguished visitors into the Chamber: The gentleman from Massachusetts, Mr. O'NEILL; the gentleman from California, Mr. McFALL; the gentleman from Texas, Mr. TEAGUE; the gentleman from West Virginia, Mr. HECHLER; the gentleman from Illinois, Mr. ARENDS; the gentleman from Illinois, Mr. ANDERSON; and the gentleman from Ohio, Mr. MOSHER.

RECESS

The SPEAKER. The Chair declares a recess subject to the call of the Chair. Accordingly (at 12 o'clock and 5 minutes p.m.), the House stood in recess.

RECEPTION BY THE HOUSE OF REPRESENTATIVES OF THE APOLLO XVII ASTRONAUTS

The Speaker of the House presided.

At 12 o'clock and 32 minutes p.m., the Doorkeeper (Hon. William M. Miller) announced the Apollo 17 astronauts.

Captain Eugene A. Cernan, U.S. Navy; Captain Ronald E. Evans, U.S. Navy; and Dr. Harrison H. Schmitt; accompanied by the Committee of Escort, entered the Chamber and stood at the Clerk's desk.

[Applause, the Members rising.]

The SPEAKER. My colleagues in the House of Representatives, I have the very high honor of welcoming, on behalf of the House, the heroic astronauts of

Apollo 17—Captain Eugene A. Cernan, U.S. Navy; Captain Ronald E. Evans, U.S. Navy; and Dr. Harrison H. Schmitt—who last month achieved the sixth manned lunar landing and carried out their scientific assignments on the lunar surface and in space with such precision, courage, and skill.

I now have the honor of presenting to the House the distinguished commander of that historic flight, Captain Eugene A. Cernan, U.S. Navy.

[Applause, the Members rising.]

Captain CERNAN. Thank you, Mr. Speaker.

Members of Congress and distinguished guests, ladies and gentlemen: I guess the first thing I have to say is this is certainly quite a tribute and one that I never thought I would personally ever be afforded. I consider this quite an honor to be here and have the opportunity and privilege of addressing probably one of the most esteemed bodies in the world, the Congress of the United States. On behalf of myself and my colleagues I want to thank you very, very sincerely for this invitation and this opportunity.

We are quite limited in time, I know, and you gentlemen are very obviously busy, as I have been told today, so in spite of the fact that we would like to tell you many stories, both technical accomplishments and emotions, and other feelings about our flight, I really do not plan to do that today.

However, I should like to tell you one very quick and short story that probably has not been publicized too much. There was a slight problem we had during our mission, although we did not have many problems. This problem concerned our command module pilot, Ron Evans. We had trouble, as some of you who had the opportunity to follow the flight might remember, getting Ron Evans up in the morning.

In space you really need a three-man crew all the time.

We had known about Ron's problem—and it takes us back to some of his history in the Navy—and we asked Jane, "How do you get him up in the morning? We need a little clue and some help."

She said, "That's easy. All I do is kiss him."

Jack and I seriously considered that after about the seventh or eighth day, but we were not quite sure because we had not checked with Jane about what Ron's reaction was between the time she kissed him and the time he got out of bed.

On a more serious note, we have in the short period of time since we returned, just a little over a month, been paid many tributes and accolades and have accepted them quite reluctantly, I might add, because we firmly believe these tributes belong to gentlemen like yourselves, people like yourselves throughout this country who made the Apollo 17 and who made the Apollo program possible. It is history that has happened in our time, history in which we and our children have lived. It is not something that we have read about that happened 200 years ago or 1,000 years ago, but it is something that you and I are a part of.

I think one of the greatest things personally and one of the greatest personal achievements I could ever have would be to share that history and share those accomplishments and share my feelings with the people throughout this country, with the people who really deserve to know what happened throughout the entire program.

We have heard of the accomplishments of Apollo termed as the legacy of the men of Apollo. I take slight issue with that because I believe this last decade is a legacy of the Nation. It is a legacy I think we can all be very proud of. There are many accomplishments, and I am not really going into any of them, but I just want to say one thing. I feel very strong about this. When Neil Armstrong not too many years ago planted the American flag on the surface of the moon, he did not do it as a conquest of territory. He did not claim the moon for the United States of America. But I look at it rather as a symbol of the courage and the dedication and the effort and self-sacrifice of 200 million people in this country who made that effort possible. I think very symbolically it is typical of the courage and self-sacrifice and that same dedication, that same ambition, that has made America for the last 200 years become the greatest nation that man has ever seen on earth.

I believe it is this same type of effort; it is this same type of forward-lookingness that we have on the part of the people throughout our country today that is going to keep our Nation the greatest nation in the world.

When he made that first step, when Neil Armstrong, an American, made that first step on the surface of the moon he probably gained more pride and more respect throughout the entire world than any one thing that has happened possibly even in the entire 200-year history of our country. This is the same pride and this is the same respect and these are the same friends that throughout my 38 years of life here on earth I have found that we seem to be trying to buy and to barter for, and yet with that one step by an American, that one accomplishment, we are able to gain something that we had never really been able to grab hold of in my lifetime.

Gentlemen, I submit to you I think that, difficult as it is to put a dollar value on that step, the significance of what it has meant to the United States of America throughout the world and in the decade when the United States of America has needed pride and needed respect, both at home and abroad, the value of that first step is really something that is very difficult to put on paper.

The symbol of our path of Apollo 17 is one that goes far beyond our flight, and it is one that goes far beyond what we really think of the entire mission of Apollo now, but we feel it very symbolic of our country in that we have a bust of Apollo, a gold bust of Apollo, representing not just Apollo but representing mankind, representing his intelligence, representing his wisdom. Uniquely, this bust of Apollo is not looking behind, but he is looking ahead. He is looking into the fu-

ture. He is not turning in upon himself and feeling sorry for his own ills, but he is looking out to the future and accepting the challenge of that future.

To go along with this symbol of mankind is the American eagle that is superimposed upon the moon.

It is not basking in the accomplishments of this last decade in space, but utilizing the information and the experience from those accomplishments and projecting and thrusting out further into the future, leading mankind into that freedom of space as he has led mankind for the last 200 years.

We are very, very proud of that symbology. To go along with that, we pay tribute to the people who really made it possible.

We call our spacecraft America. I cannot tell you how very strongly and how very sincerely we truly feel about that.

I would just like to say in closing that I have had an opportunity to meet some of you and hopefully in the future will have an opportunity to meet more of you here in Congress, and those of you who are in the gallery. I feel very confident that with the ambitions of some of your young contemporaries, tempered with the wisdom and experience of some of the older gentlemen here in Congress, the heritage and the traditions of America will long endure.

I also feel very strongly that the responsibility that we have toward the freedom of mankind throughout the universe will never, never be compromised.

I want to once again thank you for the privilege—and, believe me, it is probably one of the highest honors of my entire life to be here and address you gentlemen. I want to thank you for your support certainly of the space program, and your support and your convictions for what you believe is right for this Nation and, more parochially, if you will, I should like to thank you for your support in allowing the three of us to be part of and do something that we feel very dedicated to, something that we feel means a great deal for our country. I think after looking back at my experiences in the space program over the last 9 years, it has allowed me to be a better American, of which I am very proud. I thank you.

[Applause, the Members rising.]

Gentlemen, thank you. If a man can go home to his children and say that he received a standing ovation from the outstanding leaders of the world, that is something to take home. I thank you.

I would like to introduce the second member, a colleague of mine, who in turn will introduce our third colleague. Ron Evans was our command module pilot and probably the finest that ever flew, as far as I am concerned. He did many things and had many experiences. I think most of all—and the thing he is most proud of—because of the job he did in spacecraft America, we have nicknamed him Captain America.

Ron Evans.

[Applause, the Members rising.]

Captain EVANS. Mr. Speaker, Members of the House, ladies and gentlemen:

It is indeed a great honor and privilege to be able to say hello and relate a

little of my experiences on Apollo 17. Those of us who are active in the space program are very much aware of the positive and productive role you gentlemen had in providing the resources so essential to continue our space program. We appreciate that, as well as the positive thinking that goes along with it.

While Gene and Jack were down on the surface of the moon, as I jokingly say, getting their space suits all dirty and picking up rocks, I was fortunate enough to be flying around the moon, and hopefully I developed a capability, that man can perform in space. No matter how well his cameras and his sensors and his instruments operate, man has the capability to observe, describe and then interpret. This is notwithstanding the fact that a lot of instruments also are able to see and look at more than man can. But man as a computer can correlate the two processes together.

From the personal side, I came away from this flight with a very personal experience which, I think, will stay with me for as long as I live. This was a view of the spacecraft earth. It is a small, blue sphere about four times as large as the moon as we see it from down here, but it is right out all by itself in the blackness of space.

This was my home, and I realized it is the only earth we have. Just like the spacecraft I was flying, it only has so much breathable air; so much air space; so much drinkable water, and so much in the way of consumable resources.

It made me realize that somehow the human survival requirement means that we have got to conserve these resources and man must learn to adapt to this environment.

Perhaps in so saying this, I repeat a lot of what men before me in space have said, but if our experience in Apollo contributes anything to the eventuality that we can conserve our own earth, I believe this will dwarf the considerable science and technology that has resulted from the Apollo program.

I think one other experience which I should like to relate is that just as you gentlemen are ambassadors from your various districts and States, we in the astronaut program are also ambassadors. We are ambassadors not only to the people, but we are also ambassadors to history. We have a responsibility. This responsibility is to share with the people not only the excitement and the romance of space flight, but I think we must share the significance of this history to the future of mankind.

Thank you.

Gentlemen, the additional colleague of our crew has been termed the doctor of the crew, the civilian of the crew, the geologist of the crew. However, at this time I would like to introduce Astronaut Jack Schmitt.

[Applause, the Members rising.]

Dr. SCHMITT. Mr. Speaker, Members of the Congress, ladies and gentlemen.

May I also express my appreciation for the privilege of participating in the Apollo program and the honor of being able to report to you briefly on our recent explorations on the Earth's frontier.

I like to think that we follow in the

footsteps of some great explorers who have left this city, one in particular close to my heart, being from New Mexico, is Lieutenant Emory, who in the last century helped us to explore the western frontier of this country.

I would like first to tell you about a place I have seen in the solar system. This place is a valley on the Moon, now known as the Valley of Taurus-Littrow. Taurus-Littrow is a name not chosen with poetry in mind, but, as with many names, the mind's poetry is created by events. Events surrounding not only 3 days in the lives of three men but also the close of an unparalleled era in human history.

The Valley, as I think of it now, however, has been unchanged by being a name on a distant planet while change has governed the men who named it. The Valley has been less altered by being explored than have been the explorers. The Valley has been less affected by all we have done than have been the millions who, for a moment, were aware of its towering walls, its visitors, and then its silence.

The Valley of Taurus-Littrow is confined by one of the most majestic panoramas within the view and experience of mankind. The roll of dark hills across the valley floor blends with bright slopes that sweep evenly upwards, tracked like snow, to the rocky tops of the massifs. The Valley does not have the jagged youthful majesty of the Himalayas, or of the valleys of our Rockies, or of the glacially symmetrical fjords of the north countries, or even of the now intriguing rifts of Mars. Rather, it has the subdued and ancient majesty of a valley whose origins appear as one with the Sun.

The massif walls of the Valley rise to heights that compete well among other valleys of the planets; but they rise and stand with a calmness and unconcern that belies dimensions and speaks silently of continuity in the scheme of evolution. Still, the Valley is not truly silent; its cliffs yet roll massive pages of history down dusty slopes; its bosom yet warms the Valley floor and spreads new chapters of creation in glass and crystal; its craters yet act as the archives of their Sun.

The Valley has watched the unfolding of thousands of millions of years of time. Now it has dimly and impermanently noted man's homage and footprints. Man's return is not the concern of the Valley—only the concern of man.

The Apollo program, I believe, will be viewed by political history as having established this Nation as the leading spacefaring nation on Earth, a position from which infinite opportunities now lead for us and all men. One such opportunity was the scientific exploration of another planet.

During the few years of Apollo, we have done a truly remarkable thing; we have obtained a first order understanding of the evolution of a second planet, our Moon. For men to be able to stand with confidence and claim such an understanding and back it up with an increasingly detailed battery of fact is a historical event in itself without parallel.

The ultimate origins of the Moon and the Earth are still illusive although our choices are more limited than before. However, we are now confident that the Moon and the Earth formed as coherent bodies in the same orbital region of the Sun. This formation took place about 4.6 billion years ago and apparently occurred over a very short timespan, possibly as little as a few tens of thousands of years.

The rate at which the final accumulation of material took place was high enough that energy released as heat appeared to have melted the outer 200 or so kilometers of lunar crust. For the next few hundred million years this melted crust cooled and crystallized with the light minerals rich in calcium and aluminum floating and the heavy minerals rich in iron and magnesium sinking. All the while the outer portions of the cooling crust were being splashed and pulverized by the continuing rain of debris.

About 4.4 billion years ago the crust was apparently largely cooled and firm. The next 200 to 300 million years were marked by continuing saturation by large violent impacts of debris, though at ever decreasing rates. Many of the large basins formed during this time were filled with smooth light-colored materials, presently of undetermined nature.

Between 4.1 and 3.9 billion years ago—and I use these dates in general terms; and I personally cannot imagine a billion years, but I hope you can—but in that time period, 4.1 to 3.9 billion years ago, the intense cratering of the Moon's crust decreased rather abruptly, although its culmination was in the formation of the large circular basins that dominate the front face of the Moon. Relatively strong magnetic fields existed at this time which indicate the probable previous formation of an electrically conducting core and internal dynamo within the Moon.

About 3.8 billion years ago and continuing to about 3 billion years ago, the vast basins of the near side of the Moon were flooded with flow upon flow of basaltic lava. These lavas were formed by the partial melting of the lower crust or mantle of the Moon through the accumulation of heat from radio activity. At the completion of this period of the evolution of the Moon, most of the surface features visible today were present. They have been modified slightly since only by relatively small cratering events and by the effects of melting and thermal convection deep within the Moon.

Thus, most of the active history of the Moon's evolution took place before that portion of Earth history familiar to us; namely, prior to 3 billion years ago. There remain many studies, many disagreements and many surprises in our study of lunar samples and data, but this is the context in which we now view the Moon. It is a window, albeit a pitted and dusty window, into our own past which was beyond our expectations only a few years ago. Now we have insight into events in the early history of the Earth, events that may have established the major distribution patterns of elements within our planet's crust.

I have spoken of just one facet of the revolution in knowledge that your Apollo program brought to the world. Possibly

more important than factual knowledge, however, was the overall act of obtaining that knowledge. In doing so, man has evolved into the universe. Although the nature of that evolution was technological, I believe, it will be marked a thousand years from now as a single unique event in human history. This event will appear more distinctly even than history's record of our use of atomic energy. In its at times unseemly, at times short-sighted but always human pathway through time, mankind found that its reach could include the stars.

Thank you again.

The SPEAKER. Our distinguished visitors have agreed to present themselves in the Rayburn reception room in order that they may greet all the Members of this body.

Will the committee of escort now accompany our distinguished visitors to the Rayburn reception room.

AFTER RECESS

The recess having expired at 1 o'clock and 2 minutes p.m., the House was called to order by the Speaker.

PRINTING OF PROCEEDINGS HAD DURING RECESS

Mr. McFALL. Mr. Speaker, I ask unanimous consent that the proceedings had during the recess of the House be printed in the Record.

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

There was no objection.

DISCIPLINARY PROBLEMS IN U.S. NAVY

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

Mr. HICKS. Mr. Speaker, as chairman of a Special House Armed Services Subcommittee on Disciplinary Problems in the U.S. Navy, I address my colleagues today concerning our report which will be made public. I was joined in this inquiry by my esteemed colleagues, the Honorable W. C. (Dan) DANIEL of Virginia and the Honorable ALEXANDER PIRNIE of New York.

During the course of the 92d Congress, there was increasing concern in the House Armed Services Committee over the development of more relaxed discipline in the military services. Substantial evidence of this trend reached us directly through subcommittee investigative reports and messages from concerned service members, as well as indirectly through events reported in the news media.

While generally our men have performed in an outstanding fashion during battle and other extreme circumstances, on occasion there has been an erosion of good order and discipline under more normal operating conditions. Most disturbing have been reports of sabotage of naval property, assaults, and other serious lapses in discipline afloat.

Recently, lawful orders have been subject to "committee" or "town meeting" proceedings prior to compliance by subordinates.

Capping the various reports were serious incidents abroad U.S.S. *Kitty Hawk* and U.S.S. *Constellation*—aircraft carriers of vital importance to our Navy.

Immediately following air operations abroad the *Kitty Hawk* on the evening of October 12, 1972, a series of incidents broke out wherein blacks, armed with chains, wrenches, bars, broomsticks, and perhaps other instruments, went marauding through sections of the ship seeking out white personnel for senseless beating with their fists and with those instruments they had seized upon as weapons. The result was extremely serious injury to three men and lesser injury requiring medical treatment of many more, including some blacks.

Aboard the U.S.S. *Constellation*, during the period of November 3-4, 1972, what has been charitably described as "unrest" and a "sit-in" took place while the ship was underway for training exercises. The vast majority of the dissident sailors were black and were allegedly protesting a number of grievances they claimed were in need of correction.

These men were subsequently off-loaded as a part of a "beach detachment." An effort was made to determine what their problem might be and how it might be resolved. When the sailors were ordered to return to the ship, they refused. They were then transferred from the ship to the Naval Air Station, North Island, near San Diego and processed only for the minor disciplinary infraction of 6 hours unauthorized absence.

With that backdrop, the chairman of the Armed Services Committee appointed a special subcommittee to attempt to determine the circumstances that gave rise to the *Kitty Hawk* and *Constellation* incidents. During the course of the hearings in Washington, D.C., and in San Diego, we talked to witnesses of every level, from the Assistant Secretary of Defense for Manpower and the Secretary of the Navy—to young seamen in the Navy but a few months. We spent some 74 hours in taking testimony, ending with 2,565 pages of reporter transcript. We had only one major disappointment in our quest for evidence in these matters. We invited the accused from the *Kitty Hawk* to give us the benefit of their testimony. They refused, despite the fact that the hearing was closed and the testimony would have remained secret pending their trials.

We have now completed our report and before it is made public, I want to list for the House some of our findings, opinions, and recommendations interspersed with a comment or two of my own.

The vast majority of Navy men and women are performing their assigned duties loyally and efficiently. The cause for concern rests with that segment of the naval force which is either unable or unwilling to function within the prescribed limitations and up to established standards of performance or conduct.

However, we did find that permissive-

ness, as defined in our report, exists in the Navy today. Although we were able to investigate only the specific incidents involving the *Kitty Hawk* and the *Constellation*, the total information made available to us would indicate that the condition could be servicewide.

The generally smart appearance of naval personnel, both afloat and ashore, seems to have deteriorated markedly from past years.

Failure in the middle management area to utilize the command authority inherent in those positions probably as much as anything was responsible for the state of discipline existing aboard the *Constellation* and *Kitty Hawk*.

We believe that insufficient emphasis has been given formal leadership training, particularly in the ranks of petty officers and junior officers.

The recruiting advertising utilized by the Navy often appears to promise more than the Navy is able to deliver, especially to personnel who are unable to qualify for school training. This would seem to make greater the normal frustration of shipboard life and add to the difficulty of maintaining good discipline and morale among that segment of the personnel.

The subcommittee did not find any instances of institutional discrimination on the part of the Navy toward any group of persons, majority or minority.

We were unable to determine any precipitous cause for the rampage aboard U.S.S. *Kitty Hawk*. We found no case where actual racial discrimination could be pinpointed, and only one or two where the testimony indicated that racial discrimination was perceived, but certainly nothing of a nature to justify a belief that violent reaction was required.

The riot on *Kitty Hawk* consisted of unprovoked assaults by a very few men, most of whom were of below-average mental capacity, most of whom had been aboard for less than 1 year and all of whom were black.

We believe the incident aboard U.S.S. *Constellation* to be the result of a carefully orchestrated demonstration of passive resistance where a small number of blacks, probably less than 20 to 25, fostered and encouraged among other blacks the idea that white racism was of wide extent in the Navy and particularly aboard the *Constellation*.

One common complaint of the young blacks was that punishment meted out at captain's mast was harsher on blacks than whites. We were advised that an in-depth review, conducted by Naval Personnel Research Activity, San Diego, found no racial discrimination in the punishments awarded by the Commanding Officer, U.S.S. *Constellation*. Nothing was furnished to us that indicated to the contrary.

It is our view that discipline, requiring immediate response to command, is absolutely essential in any military force. Particularly in the forces afloat there is no room for the "town meeting" concept or the employment of negotiation or appeasement to obtain obedience to orders. The Navy must be controlled by command, not demand.

We believe the procedures utilized by

higher authority to negotiate with *Constellation's* dissidents and, eventually, to appease them by acquiescing in their demands to be detrimental to the best interest of the Navy.

Black unity, the drive toward togetherness on the part of blacks, has created a tendency on the part of the younger black sailors to polarize. The result—the grievance, real or fancied, of one of these young men becomes the grievance of all.

Statements that riots, mutinies, and acts of sabotage in the Navy are a product of "the time" does not seem valid to the subcommittee. Those in positions of authority who profess such beliefs, it would seem, have been negligent in not taking proper precautionary action to prevent the occurrence of such acts or to be prepared to deal with such actions once they did occur.

We fully support the idea of equality of opportunity in the military and naval forces of the United States for all persons serving in them. Since there may still be individual attitudes of discrimination among some persons serving in those forces—discrimination directed toward blacks or whites, or any other ethnic or racial groups—human relations programs are essential. There is no place in our military for a bigot, particularly in a position of authority.

We commend the Chief of Naval Operations for those of his programs which are designed to improve Navy life and yet maintain good order and discipline through the traditional chain of authority.

That having been said, I wish to make a few comments on the investigation. I reemphasize that we did not look at the entire Navy. We did see enough, however, to suggest that the conditions as we observed them and the opinions and recommendations drawn therefrom could have application servicewide.

We have attempted to restrict our comments to the testimony and related materials made available to the subcommittee. We have resisted, I hope successfully, the temptation to generalize beyond the overall record.

The report has been carefully constructed by all three members of the subcommittee in all-day sessions, over a period of several days, with staff assistance. In essence, that means that no one is completely happy with it, but it is our best effort at consensus. We recognize the importance of what we have to say, particularly in view of the nature of the incidents which triggered the inquiry. Dissension aboard ship, accompanied by mass disobedience of orders and terrorism has been rare in the entire history of our Navy. It has troubled many people across and up and down the United States and many of those people—in and out of the military—have been in contact with us. So, too, have Members of Congress who are troubled by the incidents as reported in the news media.

We are and have been critically aware of our responsibilities and we sought to present the most straightforward findings and concomitant recommendations consistent with the necessity for dispatch if our efforts were to be meaningful.

Many will be disappointed that we did not lay the problems at the doorstep of racial discrimination. But that just was not the evidence and I invite those Members who have strong feelings to the contrary to review the transcript of the testimony before condemning our report.

The report contains some 43 findings, opinions, and recommendations and I commend it to your attention.

FORMER REPRESENTATIVE LEO ALLEN

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

Mr. MADDEN. Mr. Speaker, I was grieved yesterday to learn of the passing of our former colleague, Representative Leo A. Allen, of Illinois. I served on the Rules Committee with Congressman Allen for 12 years. He was chairman of the Rules Committee in the 80th and 83d Congresses.

Leo Allen was one of the first Members I met when I came to the 78th Congress as a freshman Member. During our years of association on the House Rules Committee, I learned of his outstanding ability, personality, and capabilities as a top legislator. He had a host of friends in the Congress during his long legislative service.

He also held a top position as chairman of the Special Republican House Patronage Committee during the 80th and 83d Congresses. His great capacity as a public official and legislator can best be evidenced by his long service in Congress from 1932 until his retirement in 1961. I join with his many friends and colleagues in the House in extending to his family my deepest sympathy in their bereavement.

NURSING HOME REPORTS ARE PUBLIC BUSINESS

(Mr. SAYLOR asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. SAYLOR. Mr. Speaker, our colleagues will recall my interest during the 92d Congress in obtaining reports on nursing homes which are filed with various governmental agencies and in particular, with the Department of Health, Education, and Welfare. In the CONGRESSIONAL RECORD, volume 118, part 8, page 10297-8, and part 10, pages 10361-2, information on this general subject was inserted together with the text of a bill designed to provide for the release of information concerning certain aspects of the medical programs authorized by the Congress under the Social Security Act and its amendments.

On January 11 of this year, I reintroduced the measure which now carries the number, H.R. 1917, in the 93d Congress.

It will be recalled that a suit was brought against the Secretary of HEW for the release of reports on 14 nursing homes. The U.S. District Court for the District of Columbia ruled in favor of

the plaintiff, Malvin Schechter, and ordered the release of the information sought. The time for appealing this decision has expired but the Department is not giving full implementation to Judge Joseph C. Waddy's order. In attachment No. 1 to this statement, I have appended copies of the "Complaint for Injunctive Relief and an Order for Production of Records" dated November 21, 1972, and the accompanying documentation of that action.

The Department of Health, Education, and Welfare has adopted the position that the only thing settled in the case brought by Mr. Schechter was that the named nursing home reports; namely, 14, had to be made public and that section 1106 of the Social Security Act would still provide the Department with authority to suppress the reports filed with the Department, in accordance with law, regarding other nursing homes.

The attitude and action of the Department indicates, unfortunately, that that "public" agency is not going to release public information without a prolonged legal fight, or unless the Congress of the United States acts to force the Department to live up to the statutes under which it is supposed to operate. Because of the stubbornness of the Department in this matter and because of its highhanded flaunting of the orders of the courts of the land, my bill, H.R. 1917, will further amend the Social Security Act to clearly specify the intent of the Congress with regard to the release of information on nursing homes.

The Department narrowly interprets Judge Waddy's decision to apply only to specific cases, alleging that section 1106 of the Social Security Act provides blanket protection for departmental secrecy regarding other nursing homes. How could section 1106 cover nursing homes? That section of the act was law a long time before the Federal Government became involved in the nursing home programs. This is another one of those all-too-frequent instances where the Congress gave an inch, and the Federal bureaucracy has taken the proverbial mile.

To give the Devil his due, I must bring to your attention a court case which supports the Department's position. In attachment No. 2 of this statement, our colleagues will note a copy of the order of the U.S. District Court for the Northern District of California.

Before one decides that the matter is unresolvable in the courts based on a 1-to-1 decision ratio, I bring to your attention yet another court decision on this matter which was handed down by the U.S. District Court for the Southern District of Florida and, interesting enough, on the same day as the decision from northern California, to wit: November 28, 1972.

In the Florida example, the Department again tried to block the release of public information. The case was brought to the bar under the provisions of the Freedom of Information Act, title 5, United States Code, section 552, and I must quote just one portion of the judge's reasoning about the scope and intent of that act. Judge Hay said:

Initially, adjudication of the instant controversy requires appreciation of the requirement of the Freedom of Information Act's being liberally construed so as to effectuate the purpose of the Act to guarantee the public's right to know how the government is discharging its duty to protect the public interest. Such liberal disclosure requirement is limited only by specific statutory exemptions, which are to be strictly construed, the governmental agency bearing the burden of proof of justifying the requested information as within the ambit of the specific statutory exemption.

And later:

This Court can conclude that the interests of the public in general in being apprised of the manner in which the government is protecting their interests, should prevail over private interests of the scrutinized facilities if, in fact, disclosure would jeopardize any such interest. Further, the amendment to the Social Security Act permitting future disclosure of the survey reports only evinces the Congressional conviction that such reports should be available for public disclosure.

Mr. Speaker, the relevant laws—section 1106 of the Social Security Act; the Social Security Act Amendments of 1972; and the Freedom of Information Act—seem perfectly consistent and obvious in their intent to permit the public to monitor those programs financed by that same public. Nevertheless, an overweening, powerful executive branch bureaucracy seems determined to undermine the intent and the will of the U.S. Congress and I submit, we must not allow this type of action to go unchecked.

In a recent speech on a related matter pending before the Congress with respect to another aspect of HEW's overweening power over our citizens, I said:

The fact that such control has become arbitrary, capricious, without legal foundation, and naturally, contrary to the spirit of the laws enacted by then Congress, should serve as another warning to all in this House that we must radically curb the discretionary power we have granted to the Executive Branch of the Government.

I urge your support and that of our colleagues in the enactment of H.R. 1917. It is not the full answer to the problem of controlling the Frankenstein-like monster the Federal bureaucracy has become, but it is a start.

The attachments follow:

ATTACHMENT No. 1

[United States District Court for the District of Columbia]

COMPLAINT FOR INJUNCTIVE RELIEF AND AN ORDER FOR PRODUCTION OF RECORDS

Malvin Schechter, 6529 Elgin Lane, Bethesda, Maryland 20034, Plaintiff, v. Elliot L. Richardson, Secretary, United States Department of Health, Education and Welfare, 330 Independence Avenue, S.W., Washington, D.C. 20201, Defendant.

1. This is an action under the Freedom of Information Act 5 U.S.C. § 552 to obtain copies of documents which are in the same class of documents already made available by Judge Joseph C. Waddy of this Court in a prior and related Freedom of Information Act action. The documents sought by both actions are documents prepared pursuant to the certification of medical facilities for Medicare.

2. This Court has jurisdiction over this action pursuant to the Freedom of Information Act, 5 U.S.C. § 552(a)(3).

3. Plaintiff is Senior Editor of Hospital Practice, a national magazine with its Wash-

ington office located at 1230 National Press Building, which is concerned primarily with the practice of medicine in hospitals, nursing homes, extended care facilities, and related other institutions and in the community.

4. Defendant Elliot L. Richardson is Secretary of the United States Department of Health, Education and Welfare, and under 42 U.S.C. § 1395(kk) has the chief responsibility for the administration of the Medicare Program and has custody of the documents sought by this action. In order to insure compliance with these requirements, survey reports are compiled on each institution receiving Medicare payments. These survey reports are the general class of documents sought by plaintiff in both this and his prior action.

5. In a letter dated October 16, 1972, a copy of which is attached hereto as Exhibit A, plaintiff requested access to the current and past survey reports concerning United Medical Laboratories, Portland, Oregon and the survey report completed in 1970 of Boston City Hospital after its disaccreditation by the Joint Commission on Accreditation of Hospitals (the "Requested Documents").

6. By letter dated November 14, 1972, a copy of which is attached hereto as Exhibit B, plaintiff was finally denied access to the Requested Documents.

7. In a previous and related action between the same parties, Civil Action No. 710-72, the District Court for the District of Columbia, Waddy, J., granted access to fifteen Extended Care Survey Reports as requested by the plaintiff. The defendant did not seek to appeal that decision, and the survey reports were finally made available to plaintiff.

8. The Requested Documents should be made available in this action for the same reason that documents of the same class were made available in the prior and related case referred to in paragraph 7.

Wherefore, plaintiff prays that this Court (1) issue a permanent injunction to the defendant, his agents, and subordinates enjoining them from further withholding the class of documents sought by this action, (2) order the immediate production of Requested Documents for inspection and copying at the office of defendant in Washington, D.C., (3) award plaintiff reasonable attorney's fees incurred in connection with this action, (4) provide for expedition of proceedings on this complaint, and (5) award such other and further relief as the Court may deem just and proper.

Dated: Washington, D.C. November 21, 1972.

Ronald L. Plesser, Suite 515, 2000 P Street, N.W. Washington, D.C. 20036 (202) 785-3704
Attorney for Plaintiff.

EXHIBIT A

HOSPITAL PRACTICE FOR THE STAFF

AND COMMUNITY PHYSICIAN,

October 16, 1972.

Commissioner ROBERT M. BALL,
Social Security Administration,
Baltimore, Md.

DEAR COMMISSIONER BALL: Pursuant to the Freedom of Information Act, I ask to be permitted to inspect and copy all current and past survey reports concerning United Medical Laboratories, Portland, Ore., a Medicare independent clinical laboratory.

In addition, I ask to copy and inspect the 1970 survey made of Boston City Hospital after its disaccreditation by the Joint Commission on Accreditation of Hospitals.

As you undoubtedly are aware, an action regarding public access to Medicare inspection reports was completed recently in U.S. District Court here (Schechter v Richardson).

In view of the fact that I am now asking for the same type of record, I would expect that the Boston City and UML inspection reports would be made available rapidly.

May I have a response within 14 days?
My thanks for your consideration.
Sincerely,

MAL SCHECHTER.

EXHIBIT B

DEPARTMENT OF HEALTH, EDUCATION,
AND WELFARE, SOCIAL SECURITY
ADMINISTRATION,
Baltimore, Md., November 14, 1972.

Mr. MAL SCHECHTER,
Hospital Practice,
National Press Building,
Washington, D.C.

DEAR MR. SCHECHTER: Commissioner Ball has asked me to reply to your request for access to Medicare survey reports on the United Medical Laboratories and the 1970 report of a special survey of Boston City Hospital.

We must decline to comply with your request. The United States District Court, in the case to which you refer, directed the Department to make available to you Medicare survey reports on 15 named nursing homes, and this order was obeyed. The Department has not acquiesced, however, in that ruling, and continues to be guided by the provisions of section 1106 of the Social Security Act and Social Security Administration Regulations No. 1, subject to the changes in statutory law resulting from the recent enactment of the Social Security Amendments of 1972, Public Law 92-603.

Proposed amendments to the Department's regulations, published in the Federal Register on September 2, 1972, would permit the release of information on survey reports prepared in the future. The Congress, in enacting the Social Security Amendments of 1972, has given legislative support to the prospective release of information from surveys as to the presence or absence of deficiencies in such areas as staffing, fire safety, and sanitation.

When the proposed regulations are published in final form, information from all future surveys of any institutions participating in the Medicare program will be made available on a systematic basis through social security offices all over the country.

We appreciate your continued interest in the administration of the Medicare program and assure you of our cooperation in providing you with information covered by the law and regulations.

Sincerely yours,

RUSSELL R. JALBERT,
Assistant Commissioner for Public Affairs.

[In the United States District Court for the District of Columbia]

MOTION TO EXPEDITE PROCEEDINGS

Malvin Schechter, Plaintiff, v. Elliot L. Richardson, Defendant.

Plaintiff moves to expedite proceedings in this action by reducing the time of the defendant to answer or otherwise plead from 60 days to 20 days.

RONALD L. PLESSER,
Attorney for the Plaintiff.

November 21, 1972.

CERTIFICATE OF SERVICE

I certify that I have served this Motion, the attached Memorandum of Points and Authorities and proposed Order upon the defendant by personally delivering a copy to the office of the United States Attorney for the District of Columbia on November 21, 1972.

RONALD L. PLESSER.

[United States District Court for the District of Columbia]

MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF PLAINTIFF'S MOTION TO EXPEDITE

Malvin Schechter, Plaintiff, v. Elliot L. Richardson, Defendant.

Plaintiff moves this Court to expedite the proceedings in this action by reducing the

time for defendant to answer or otherwise plead from the 60 days provided for government defendants in Rule 12(a) of the Federal Rules of Civil Procedure to 20 days, which is normally allowed all litigants other than government defendants. This is an action under the Freedom of Information Act, 5 U.S.C. § 552 and the Act specifically states that any litigation under it shall be expedited in every way. 5 U.S.C. § 552(a)(3). Since all actions under the Act are against federal agencies, Congress must be considered to have contemplated that the District Court would have authority to reduce the 60-day period provided in Rule 12(a) where justice so requires.

Justice requires a reduction in the time the government has to answer because this is the second time that the facts and legal issues presented in this case have been presented to the United States District Court for the District of Columbia. In a prior decision in related case between the identical parties entitled *Schechter v. Richardson*, C.A. No. 710-72 (copy of the decision is attached hereto as Exhibit A) the Court per Waddy, J. granted access to plaintiff under the Freedom of Information Act to certain records of extended care facilities which receive payment under Medicare, 42 U.S.C. § 1395. In the prior action plaintiff requested 15 reports to constitute a test case. The defendant has not and will not appeal the decision of the District Court granting access to the extended care facilities reports to plaintiff. This current action was brought because the defendant has refused to make any but those 15 reports available as well as the reports sought by this action.*

The Social Security Administration now contends that the legal basis for access has been altered by the recent passage of P.L. 92-603, which amends the Social Security Act to release prospectively the types of documents sought by this and the prior action. However, the report of the Senate Finance Committee generally concerning the amendments stated the following:

It is the committee's intent that the requirement of disclosure of such evaluations and reports not lessen the effort of the Secretary [defendant] in his present information gathering activities nor is the provision in any way to be interpreted as otherwise limiting any disclosure of information otherwise required under the Freedom of Information Act. S. Rept. 92-1230, p. 306 (emphasis added).

The amendments serve as a legislative mandate for the orderly disclosure prospectively of the class of documents sought by this action. They do not affect the public availability of them as previously determined by Judge Waddy. The law as to the public availability of the documents has not changed since the issue was decided in this Court.

Defendant has no justifiable grounds to demand the full 60-day time to answer. The nature of the request, the appeal proceedings, the determination of the prior case and the preparation of the memorandum of Mr. Barrett referred to above has required the agency to formulate its position and its reasons for its denial of the requested records before this action was filed. To allow the government 60 days to answer this complaint would be to further subject the plaintiff to arbitrary and capricious delay in the final adjudication of his rights to receive access to the documents sought both by this and the prior related case.

CONCLUSION

Plaintiff therefore requests that defendant shall be required to answer or file a Motion for Summary Judgment in this action within 20 days of the date of the service of the

*See memorandum of St. John Barrett, Deputy General Counsel of Health Education and Welfare attached hereto as Exhibit B.

summons on his attorney, the United States Attorney for the District of Columbia.

Dated: Washington, D.C., November 21, 1972.

Respectfully submitted.

RONALD L. PLESSER,
Attorney for Plaintiff.

[United States District Court for the District of Columbia]

ORDER GRANTING PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT

Malvin Schechter, Plaintiff, vs. Elliot L. Richardson, Defendant.

Upon consideration of the defendant's motion to dismiss or in the alternative for summary judgment, and the points and authorities thereto, and the opposition thereto, and upon consideration of the plaintiff's cross motion for summary judgment, and the points and authorities thereto and the opposition thereto, and the Court being of the opinion that the documents sought to be produced, i.e. the Extended Care Facility Survey Reports, are not specifically exempted from disclosure by virtue of the provisions of 42 USC 1306, and that these sought after documents are therefore not exempt from disclosure under the provisions of the Freedom of Information Act, 5 USC 552(b)(3), and that there is no genuine material issue of fact, and that plaintiff is entitled to a judgment in his favor as a matter of law, it is this 17th day of July, 1972,

Ordered that the defendant's motion to dismiss, or in the alternative, for summary judgment, be and the same hereby is denied, and it is

Ordered that the motion of the plaintiff for summary judgment be and the same hereby is granted, and it is

Ordered that the defendant produce the Extended Care Facility Survey Reports for the plaintiff's inspection and copying, within 20 days from the date of this order or such other time as the parties hereto may agree upon.

July 17, 1972.

JOSEPH C. WADDY,
U.S. District Judge.

OCTOBER 19, 1972.

For response to inquiries:

In accordance with an order of the U.S. District Court for the District of Columbia, entered on July 17, 1972, the Social Security Administration has made available to Malvin Schechter, the plaintiff in the action in which the order had been entered, copies of extended care facility reports relating to 15 nursing homes. The U.S. Attorney for the District of Columbia in a related action is withdrawing a notice of appeal from the July 17 order which his office had previously filed.

The Solicitor General of the United States determined that the Government should not pursue the appeal in the Schechter case for two reasons. First, the Social Security Administration, after the entry of the District Court order, prepared and published in the Federal Register a proposed amendment to its regulations concerning disclosure of information, which amendment would provide for public disclosure of reports such as those sought and obtained by Mr. Schechter in his lawsuit, where such reports were prepared in the future according to procedures adequately assuring fairness to the nursing homes reported on. Second, Congress has passed and sent to the White House for the President's signature the welfare reform bill, H.R. 1, which contains a provision for public release of any of this type of report prepared six months or more after H.R. 1 is enacted. This measure, if it becomes law, would be determinative of questions such as those involved in the Schechter case.

The Solicitor General has advised the Department of Health, Education, and Welfare that his determination not to pursue the ap-

peal in the Schechter case does not indicate the Government's acquiescence in the ruling of the District Court or any agreement that it correctly states the rule of law applicable to requests for disclosure such as that by Mr. Schechter. Rather, it was a determination that the Schechter case, in light of the considerations just described, was not an appropriate vehicle for raising the issues in the appellate court. Accordingly, the Department of Health, Education, and Welfare, in responding to future requests for disclosure of similar documents, will be guided by its present regulations prohibiting disclosure, subject to any amendments that may be adopted in line with the proposed amendments already published for public comment, and subject to any change in the statutory law resulting from possible enactment of H.R. 1. This means that for the present, the Department of Justice will oppose any further efforts to obtain court orders for the disclosure of nursing home survey reports that have already been prepared.

ATTACHMENT No. 2

[U.S. District Court for the Northern District of California]

ORDER GRANTING DEFENDANTS' MOTION FOR SUMMARY JUDGMENT

People of the State of California, et al., Plaintiffs, vs. Elliot L. Richardson, et al., Defendants, No. C-72-1514 AJZ.

In this suit the California Attorney General, on behalf of the people of the State of California, and two senior citizens organizations seek an order pursuant to the Freedom of Information Act, 5 U.S.C. § 552 (a) (3), requiring the Department of Health, Education and Welfare to produce for copying certain identifiable records. The specific records sought are the Extended Care Facility Reports (Form SSA-1569) concerning California nursing homes that receive Medicare reimbursement. These annual reports certify whether nursing homes comply with various requirements of the Medicare program; plaintiffs argue that they are the only comprehensive records by which Medicare patients can determine which nursing homes provide safe, sanitary, and humane care.

The parties have made cross-motions for summary judgment, agreeing that there are no material facts in dispute. The court concludes that defendants' motion will be granted and the plaintiffs' denied.

The starting point for the court is the express command of 5 U.S.C. § 552(c) that records shall not be withheld by public agencies except as authorized by the Freedom of Information Act. See *Bristol-Myers Co. v. FTC*, 424 F. 2d 935, 938 (D.C. Cir. 1970), cert. denied, 400 U.S. 824 (1970). The Department argues that the Act does allow the withholding of these records in § 552(b) (3), because the records are "specifically exempted from disclosure by statute." The statute the Department relies upon is 42 U.S.C. § 1306(a), which provides:

"No disclosure . . . of any file, record, report, or other paper, or any information, obtained at any time by the Secretary or by any officer or employee of the Department of Health, Education, and Welfare in the course of discharging the duties of the Secretary under this Act . . . shall be made except as the Secretary may by regulations prescribe. . . ."

Plaintiffs suggest two arguments why, despite its broad language § 1306 should not be held to authorize withholding the requested records.¹ First, they argue that the legisla-

tive history of § 1306 demonstrates that this statute was not intended to encompass the reports they seek. The evidence of legislative intent they refer to is a paragraph in the House Report, H.R. Rep. No. 728, 76th Cong., 1st Sess. at 3, and the testimony of Mr. Altmeier, Chairman of the Social Security Board before the House committee. Hearings Before the House Ways and Means Committee, 76th Cong., 1st Sess. at 2418-19. This legislative material, plaintiffs argue, shows that the sole intent of Congress in enacting § 1306 was to protect the privacy of social security applicants and recipients.

The court rejects this argument. The legislative material is not so unambiguous or substantial that it justifies overlooking the unequivocal language of the statute. Moreover, if plaintiffs are correct, the court cannot understand why Congress would have used such broad language in § 1306 when in a parallel statute enacted at the same time Congress only required that states "provide safeguards which restrict the use or disclosure of information concerning applicants and recipients to purposes directly connected with the administration of aid to the blind." 42 U.S.C. § 1202(a) (10). This difference of treatment is strong evidence that Congress acted intentionally when it employed the broad language of § 1306.

Plaintiffs' more substantial argument is that 5 U.S.C. § 552(b) (3) does not encompass § 1306, because no material is "specifically exempted from disclosure" by § 1306. Citing three recent cases holding that 18 U.S.C. § 1905 does not "specifically" exempt materials from disclosure, *Grumman Aircraft Eng'g Corp. v. Renegotiation Bd.*, 425 F. 2d 578, 580 n. 5 (D.C. Cir. 1970); *M. A. Shapiro & Co. v. SEC*, 339 F. Supp. 467, 470 (D.D.C. 1972); *Consumer's Union, Inc. v. Veterans' Administration*, 301 F. Supp. 796, 801-02 (S.D. N.Y. 1969), Plaintiffs question the specificity of § 1306. Certainly § 1306 does not itself single out for nondisclosure any specified documents, as does, for example, 26 U.S.C. § 6103. But § 1306 is considerably more specific than 18 U.S.C. § 1905 which only forbids the disclosure of certain information when disclosure is not otherwise authorized by law. Thus, the court cannot rely on the cases cited by plaintiffs.

This precise problem is considered in *K. Davis, The Information Act*, 34 Cal. L. Rev. 761, 786-87 (1967). As Professor Davis notes, several statutes employ the method of § 1306 and allow agency heads to determine by regulation whether specified information shall be made public. While a respectable argument can be made that such statutes do not specifically exempt the information from disclosure, that interpretation would defeat the intent of these various statutes. It is unlikely that Congress intended such a wholesale repeal of these nondisclosure statutes. Therefore, the court agrees with Professor Davis that these statutes ought to be considered sufficiently specific for purposes of § 552(b) (3).

It is therefore ordered that defendants' motion for summary judgment is granted and plaintiffs' motion for summary judgment is denied.

Dated: November 28, 1972.

Evelle J. Younger, Elizabeth Palmer, Richard M. Meyers, Attorney General, State of California, 6000 State building, San Francisco, California 94102, Telephone: (415) 557-2013.

Of Counsel: Peter D. Coppelman, Phil Neumark, Senior Citizens Law Center, 942 Market Street, San Francisco, California 94102, Telephone: (415) 989-3966.

Laurens Silver, Patricia Butler, National Health and Environmental Project, University of California, 2477 Law Building, 405 Hilgard Avenue, Los Angeles, California 90024, Telephone: (213) 825-7601.

Fred J. Miestand, Jo Ann Chandler, Public Advocates, Inc., 433 Turk Street, San Fran-

cisco, California 94102, Telephone: (415) 441-8850.

Richard McAdams, A. Keith Lesar, Senior Citizens Legal Services Unit, Legal Aid Society, 1835 Soquel Avenue, Santa Cruz, California 95060, Telephone: (408) 426-8824.

ATTACHMENT No. 3

[U.S. District Court, Southern District of Florida]

FINAL ORDER OF SUMMARY JUDGMENT

Max Serchuk, Plaintiff, vs. Elliot Richardson and Robert Ball, Defendants, No. 72-1212-Civ-PF.

This cause, brought pursuant to the Freedom of Information Act, Title 5, United States Code, Section 552, came before the Court on the defendants' Motion to Dismiss or in the alternative for Summary Judgment, and on plaintiff Max Serchuk's Motion for Summary Judgment. The relief sought by plaintiff would require defendant, Elliot Richardson, Secretary of the United States Department of Health, Education and Welfare, statutorily charged with the chief responsibility for the Medicare program, and defendant, Robert M. Ball, to whom, as Commissioner of the Social Security Administration, administrative duties relevant to the Medicare program have been delegated, to grant access to plaintiff, of all "Extended Care Facility Survey Reports" (Form SSA-1569), submitted since January 1, 1970, applicable to facilities located in the State of Florida. Such reports form the basis upon which the administrative determination is made as to whether facilities in question comply with the statutory requirements imposed on Medicare provider institutions by the Social Security Act and regulations issued pursuant thereto, satisfaction of which requirements is prerequisite to the facilities being reimbursed under the Medicare program for services rendered citizens covered by the Medicare program. Hence, such survey reports are the administrative tool utilized to accord or foreclose continued participation of facilities in the Medicare reimbursement program.

Initially, adjudication of the instant controversy requires appreciation of the requirement of the Freedom of Information Act's being liberally construed so as to effectuate the purpose of the Act to guarantee the public's right to know how the government is discharging its duty to protect the public interest. Such liberal disclosure requirement is limited only by specific statutory exemptions, which are to be strictly construed, the governmental agency bearing the burden of proof of justifying the requested information as within the ambit of the specific statutory exemption.

Defendants seek to invoke one of such specific exemptions to avoid disclosure of the reports sought by plaintiff. The relevant statutory language relied upon by defendants provides that the Freedom of Information Act does not mandate the disclosure of "matters that are—specifically exempted from disclosure by statute." Title 5, United States Code, Section 552(b) (3). It is the defendants' position that the survey reports are "specifically exempt from disclosure by statute", specifically Section 1106 of the Social Security Act, which provides:

(a) No disclosure of any return or portion of a return . . . filed with the Commissioner of Internal Revenue under Title VIII of the Social Security Act or under subchapter E of chapter 1 or subchapter A of chapter 9 of the Internal Revenue Code of 1939, or under chapter 2 or 21 or, pursuant thereto, under subtitle F of the Internal Revenue Code of 1954, or under regulations made under authority thereof, which has been transmitted to the Secretary of Health, Education and Welfare by the Commissioner of Internal Revenue, or of any file, record, report, or other paper, or any information, obtained at any time by the Secretary or by

¹ In addition to these arguments, plaintiffs rely upon the decision of Judge Waddy in *Schechter v. Richardson*, Civil No. 710-72 (D.D.C. July 17, 1972), ordering that records of this type be produced for copying. Because that decision consists solely of a bare order, which states no reasons for the conclusion reached, it is of no assistance to this court.

any officer or employee of the Department of Health, Education, and Welfare in the course of discharging the duties of the Secretary under this Act, and no disclosure of any such file, record, report, or other paper, or any information, obtained at any time by the Secretary or by any officer or employee of the Department of Health, Education and Welfare in the course of discharging the duties of the Secretary under this Act, and no disclosure of any such file, record, report, or other paper, or information, obtained at any time by any person from the Secretary or from any officer or employee of the Department of Health, Education, and Welfare, shall be made except as the Secretary may by regulations prescribe. . . .

Rather than "specifically" exempting the survey reports from disclosure, however, the foregoing statute relied upon by defendants is a blanket exclusion of "any file, record, report, or other paper, or any information, obtained at any time by the Secretary or any other officer or employee of the Department of Health, Education and Welfare. . . ." That the blanket exclusion of the provision of the Social Security Act is in blatant contravention of the liberal disclosure requirement of the Freedom of Information Act, the exemptions of which are to be narrowly construed, is patently obvious.

Further, the conflict which has existed since the enactment of the Freedom of Information Act is in no way alleviated as to those survey reports, sought by plaintiff, which were and will be, submitted prior to April 30, 1973, the effective date of Section 299D(c) of the Social Security Amendments of 1972, P.L. 92-603, enacted October 30, 1972, which amendment permits disclosure of survey reports submitted after the effective date of the provision. While the defendants resist disclosure of past survey reports out of apparent concern for the reputational interests of the heretofore investigated institutions, this Court can only conclude that the interests of the public in general in being apprised of the manner in which the government is protecting their interests, should prevail over private interests of the scrutinized facilities if, in fact, disclosure would jeopardize any such interests. Further, the amendment to the Social Security Act permitting future disclosure of the survey reports only evinces the Congressional conviction that such reports should be available for public disclosure.

Accordingly, the Court being satisfied that plaintiff has complied with all procedural requirements of the Freedom of Information Act and the applicable regulations for seeking disclosure of the survey reports, but being denied the requested access under no lawful basis, no genuine issue as to any material fact remains, and summary judgment is hereby entered in favor of the plaintiff.

Done and ordered at Miami, Florida, this 28th day of November, 1972.

PUBLIC TRANSIT IS NECESSARY NOW

The SPEAKER. Under a previous order of the House, the gentleman from California (Mr. BELL) is recognized for 5 minutes.

Mr. BELL. Mr. Speaker, I am today introducing a bill to permit a portion of the highway trust fund to be used to create and improve public transit systems in our Nation's cities.

My native city of Los Angeles has recently been warned that gasoline may be rationed in 1977 to bring the pollution of the air to tolerable levels. The recent proposal by the Environmental Protection Agency would force an 82 percent decrease in the use of automobiles in the

Los Angeles area from May through October. This step is so drastic as to strain credibility—but the fact that the pollution in Los Angeles' air exceeded Federal health standards on at least 250 days in 1970 is equally horrifying. A mass transportation system is the primary means available to prevent massive economic and social upheaval in southern California.

Though Los Angeles may be an extreme case, its need for an improved and expanded public transportation system is by no means unique in the United States. The existing public transit facilities in our major cities are all in need of modernization and upgrading if they are to be made attractive enough to compete successfully with the automobile as a comfortable mode of transportation.

Although the abatement of pollution alone would be sufficiently compelling, it is not the only argument in favor of a radical increase in public transportation. Transportation patterns are to a degree both a reflection and a cause of patterns of social interaction within urban areas. Improved public transit means improved opportunity for the residents of the decaying and disadvantaged areas of our cities. Finally, our current and projected shortages of energy provide an additional reason to encourage a more efficient means of transporting our citizens.

Mr. Speaker, the bill I am introducing today would directly address this need for mass transit by permitting sums apportioned from the highway trust fund to be used for a wide range of mass transportation projects. No money will be removed from the road-building programs unless requested by local officials, who must decide that financing of mass transit projects will increase the efficiency of the entire Federal-aid system.

While there is clearly a need for efficient road systems in the United States, the principal task of the highway trust fund—the Interstate Highway system—is almost completed, and funding of the remaining portions is assured. The Trust Fund is a logical source of funds for mass transportation projects, since highway users will benefit from the decrease in congestion and traffic which mass transit provides, and since highway users have imposed external costs on the population at large in the form of air pollution, noise, and consumption of limited natural resources, such as fossil fuels.

Finally, my bill specifically encourages the development of imaginative public transit systems. There is no reason why American cities should rely today on the basic principle of public transportation—the fixed-route system—as they did nearly a century ago when the first subway systems were established. Modern technology is fully able to develop comfortable, efficient, inexpensive and fast transit systems capable of transporting city dwellers from one point directly to another. Though cities with established systems will doubtless prefer to improve on their existing facilities, other localities embarking on a major public transit effort should be encouraged to devise the most modern and effective system possible.

Mr. Speaker, the arguments in support

of mass transit are overwhelmingly persuasive. This House must now join the Senate in providing extensive Federal funds for public transportation.

RECYCLED PAPER PRODUCTS

The SPEAKER. Under a previous order of the House, the gentleman from Alabama (Mr. EDWARDS) is recognized for 5 minutes.

Mr. EDWARDS of Alabama. Mr. Speaker, I am introducing a bill today which expresses the sense of Congress that the Federal Government should use recycled paper products to the fullest extent possible. As many of my colleagues know, there have been several bills introduced in the past calling for the CONGRESSIONAL RECORD to be printed on 50 percent recycled paper. My bill differs from these bills in two important respects.

First, my bill seeks the use of recycled paper in all Government publications and in all paper used by the Federal Government for any purpose. My investigation has revealed that the CONGRESSIONAL RECORD makes up only a small fraction of the total paper used for governmental printing. I see no good reason to restrict our efforts to this one publication, thereby overlooking paper on which bills, committee reports, pamphlets, and books are printed, not to mention the countless other governmental uses of paper.

Second, my bill does not set an arbitrary percentage for recycled paper. In checking with the Joint Committee on Printing, I find that it is not possible at this time to set a realistic percentage of recycled paper to be used in governmental printing. The committee notes that many questions remain as to the speed and quality of production of recycled paper such as that needed for the printing of the CONGRESSIONAL RECORD. But in the meantime governmental agencies should take the lead in converting to recycled paper. Advocates of recycled paper assert that unless and until the market for recycled paper expands, the recycled paper industry will not develop its full capability. So every effort should be expended to increase the use of recycled paper in all governmental endeavors.

We are all aware of the pressing need to recycle our waste. Recycling can alleviate some of our most serious pollution problems. It can conserve those valuable natural resources which will be depleted if recycling does not occur. And recycling can save millions of dollars in disposal costs and can earn millions of dollars from the value of the recycled products.

I do not say that my bill is the whole story in increasing the use of recycled paper. It may be that the present tax policy works against development of recycled products and should be changed. It may be that more reasonable freight rates are needed for recycled materials. It is likely that the procurement policies of our various agencies should be changed to equal the efforts of the General Services Administration, which has taken positive steps to change its procurement policy for paper products by

removing restrictions and by instituting specified recycled paper requirements.

But my bill is, I think, a good start toward increasing the use of recycled paper. Certainly the Federal Government should set the example in pursuing the goal we all share of cleaning up America.

HEALTH CARE

The SPEAKER. Under a previous order of the House, the gentleman from Illinois (Mr. RAILSBACK) is recognized for 10 minutes.

Mr. RAILSBACK. Mr. Speaker, the 93d Congress must dedicate itself to finding the best possible means of providing adequate health care to all Americans at a reasonable cost.

In the last Congress, I had the privilege of serving as a member of the Republican Task Force on Health, chaired by my able colleague from Kentucky Dr. TIM LEE CARTER. I heard numerous statements on all aspects of our present medical system presented by doctors, nurses, associated health personnel, and representatives from Government agencies, health insurance companies, and medical publications groups. The issues which were raised time and time again during the proceedings of the task force convinced me that we must redouble our efforts to fulfill President Nixon's stated goals: First, to assure that no American be barred from adequate health care because of inability to pay; second, to avoid unnecessary expenses of acute medical care by developing a better system for health maintenance and early rehabilitation, and third, to build on the best elements of our present medical system and reform those elements which are not effective.

First of all, it is quite clear that there is need for basic reforms of our current health care system. Many Americans do not have medical care available to them. A health insurance program must be developed to assure equal access to medical care at a cost citizens can afford.

One serious problem with present insurance coverage is its failure to reach the poor. The House Ways and Means Committee reported that less than 40 percent of the nearly 20 million poor people in this country have any form of hospital insurance at all, and only a third had any type of surgical insurance.

A serious consequence of insufficient access to medical care is the shocking fact that poor people have a 50-percent higher rate of disability than people in higher income brackets. Some method must be provided to bring medical care to the poor. Multipurpose clinics located in poverty areas and expanded public health services may be part of the answer.

Second, every year thousands of Americans are exposed to unusually large medical expenses which can—and often do—result in financial bankruptcy. A rapid rise in medical care costs coupled with scientific gains in medicine and medical technology has increased the possibility that medical expenses will exceed the limits of even major medical and comprehensive health plans. Al-

though some plans do give protection against the costs of catastrophic-type illnesses, the majority of the plans have very limited benefits—generally less than \$20,000.

For the patient with terminal cancer, kidney disease, diseases of the heart and circulatory system, annual medical expenses can easily exceed the limits of such policies. The cost of kidney transplants can range from \$3,000 in uncomplicated cases to \$40,000 if complications arise. Intensive care for a cardiac patient can cost as much as \$800 per day. For the patient and his family the agony and suffering of such a disease or disability is intensified by the unrelenting burden of health costs. I not only support that feature of the administration's health insurance proposal which requires coverage of catastrophic costs under employer-employee plans of up to \$50,000, but believe we must also review that figure and determine whether it should be set higher.

Third, rural areas have an especially difficult time attracting doctors. In Nauvoo, Ill., a small town in my congressional district, I remember seeing a huge sign hanging over the main street for years: "Nauvoo Needs a Doctor." A pediatrician in another Illinois town tried for 7 years before successfully attracting another partner to his clinic. Many rural communities must depend upon medical help which is miles away. The few doctors in rural areas must work strenuously long hours just to fulfill the basic health needs of people in their communities. An expansion of the "Doctor Corps" which has induced some individuals in the medical profession to serve in rural areas by authorizing the Government to repay portions of their medical school loans and other similar programs must be encouraged.

Fourth, drug abuse is one of the Nation's most serious medical problems. There are at least 500,000 heroin addicts in this country, and their numbers are increasing. Research must continue to find a nonaddictive chemical that will block the effects of heroin, and much more must be done to get at the underlying social causes of drug abuse.

Fifth, more attention must be directed toward the welfare of the nearly 20 million persons—50,000 of whom are children—in our country who suffer from mental or emotional illness. At least 50 percent of all surgical and medical cases involve an emotional disturbance or mental illness complication. Since three-fourths of all mentally retarded persons are living in rural and urban slums, special emphasis on finding and treating them is essential. Also, since in only 15 to 25 percent of the cases can the cause of the illness be ascertained, additional research in this area must be encouraged. Finally, the health institutions which now serve the mentally and emotionally disturbed must be assured of proper staffing and equipment.

Mr. Speaker, there are no easy answers to our many health problems. However, I am convinced the 93d Congress will make every effort to solve them. We must do so if we are to retain the confidence of the people and our own integrity. I will be sponsoring legislation

this year I hope will improve our present health care system, and urge my colleagues to do so also.

NIXON ADMINISTRATION CRIPPLES EXCELLENT HOUSING PROGRAMS—TIME TO IMPOUND OMB

The SPEAKER. Under a previous order of the House, the gentleman from Massachusetts (Mr. DRINAN) is recognized for 30 minutes.

Mr. DRINAN. Mr. Speaker, one of the most popular and successful Federal programs in my congressional district of Massachusetts has been the "312" housing rehabilitation loan program administered by the Department of Housing and Urban Development. This program, which provides low-interest Government loans to individuals seeking to improve their property and homes, is essential to the success of neighborhood improvement and urban redevelopment efforts in my district and in urban areas throughout the country.

Actions taken by the President's Office of Management and Budget and by HUD have effectively crippled this important program. These actions are typical of this administration's shortsighted determination to frustrate the will of Congress and to deprive the people of Government services they want and deserve.

As a result of these actions, on-going redevelopment and neighborhood improvement programs in two towns in my district, Brookline and Fitchburg, have been stopped dead in their tracks.

The fact is that available funds for the "312" program are exhausted. This past year only \$50 million in "312" funds were dispersed throughout the country—\$4,750,000 to the Boston area. This sum has proven to be grossly inadequate. I have received numerous letters and complaints from citizens and local housing administrators in my district about the lack of funds. Individuals have applied for loans, had their applications approved by the local housing authorities, and then rejected by HUD because the money has run out.

The sad irony of this situation is that Congress has appropriated enough money—but the all-powerful President's Office of Management and Budget has defied the congressional mandate for this program. Over the past 2 years Congress has demonstrated its confidence in the 312 program by appropriating \$160 million for it. But OMB has released only \$90 million of this amount—\$40 million for fiscal 1972 and \$50 million for fiscal 1973. Thus \$70 million remains frozen in the OMB coffers, in violation of the will of Congress, and in neglect of the needs of the people.

I have recently written to Mr. Caspar Weinberger, Director of OMB, and to his designated successor, Mr. Ash. In my letter I wrote the following of the impoundment action:

In my view this action is unwarranted and of questionable legality. There is no question that the \$50 million that has been spent on the "312" program this year is woefully inadequate, and it is my view that this proven program is being effectively sabotaged by the action of OMB. In my Congressional District alone, more than 18 individuals, whose

loan applications has been approved by the local housing authority, have had their applications returned unfunded as a direct result of the OMB withholding action.

I urge you in the strongest possible way to release the funds for the "312" program immediately.

Mr. Speaker, I am sure that many of our colleagues in Congress have written similar letters to OMB on this and other programs. But OMB continues to violate the constitutional prerogatives of the Congress by withholding appropriated funds. As of June 30, 1972, the late date of an accounting of all funds impounded, OMB had impounded a total of \$9.1 billion. Since that date many additional programs and more funds have been added to this shameful list—including \$6 billion for cleaning up the polluted waters of this country.

OMB IGNORES THE LAW

These actions of the OMB—a few men in the White House and the Executive Office Building—continue to frustrate the will of the people as expressed through their 535 elected Representatives. Nowhere in the Constitution is the executive branch empowered to review the laws of the United States and reject or accept these laws as it sees fit. But this has happened. In too many cases, the months of study and debate in Congress that accompany each appropriations bill have gone for naught.

It is time for Congress to reassert its rightful power of the purse. Otherwise we will become a third-rate, fifth-wheel debating society with nothing more than the trappings of power and responsibility.

We must pass legislation to curb these encroachments by OMB. This long overdue legislation should, I believe, take two forms. First, we must enact legislation that would make the Director of the Office of Management and Budget subject to Senate confirmation and to congressional questioning. Given the enormous policymaking responsibilities of this position, it is necessary that the Director of OMB be accountable to Congress.

Second, we must enact laws that insure that Congress will be kept fully informed of every action taken by OMB and that will set forth the authority of Congress to require the President to cease impounding funds. A bill to this effect which I have already sponsored is H.R. 1760.

In the case of the "312" housing rehabilitation loan program, impoundment is just part of the problem. On December 4, the Department of Housing and Urban Development issued new regulations, under section 221D3, establishing income ceilings governing eligibility for "312" loans. These ceilings were enacted, according to HUD officials, to direct the limited resources available to those with lower incomes. The ceiling in the Boston area varies from an income of \$6,950 for a family of one to \$12,000 for a family of seven.

MISTAKE MADE RETROACTIVE

In addition, these ceilings were made retroactive to July 1, 1972. As a result, loan applications filed before July 1 are not governed by the ceilings. But applications filed after July 1—even though

the regulations were not issued until December 4—are restricted.

As I wrote to HUD Secretary Romney on January 18:

Even more lamentable are the income ceilings announced on December 4 and made retroactive to July 1. These ceilings have had the effect of virtually killing a promising urban renewal effort that was being accomplished in the Washington Square area of Brookline in my District.

One homeowner in Brookline had engaged in 18 months of negotiation with the housing authorities. He had spent \$1,200 to have architectural plans prepared. He put over 500 hours of his own time into the project, had his property surveyed at considerable expense, and went to the trouble of having 15 copies of his blueprints made. All of this time, effort, and money was for nothing—because the income ceilings, unbeknownst to him at the time of his loan application—which was approved by the Brookline Neighborhood Improvement Program—were applied retroactively.

Another resident of Brookline, a teacher, wrote me about a similar problem. In his moving letter he wrote:

We who live here love it. My family has a house, which we can more or less afford at the moment, and we'd like to stay here forever. But we can't afford the repairs it needs. Many of our neighbors are in the same boat. So what all of this comes to is saying that the actual dollars of our incomes are above the poverty line and perhaps in some cases above the median for the Boston area; but in my case at least those dollars are not adequate so that I can do my part in rehabilitating a neighborhood we all cherish.

This man, who needs a \$5,500 loan for the repairs necessary to his home, who wants to see his neighborhood improved and is willing to do his part, has seen his hopes crushed. Is it any wonder that more and more people simply refuse to believe in their Government?

Let me give another example of the problems caused by these new ceilings. The Fitchburg Redevelopment Authority received HUD approval for a neighborhood development program—NDP—in the College Neighborhood Area on July 6, 1972. Initially the renewal effort was to focus on 3 acres of residential area. In a letter dated December 13 to Mr. M. Daniel Richardson, Jr., area director of HUD, and Mr. Porter Dickenson, chairman of the Fitchburg Redevelopment Authority, described the 3 acres as being located "in the heart of the greatest blight and deterioration in the overall area to be developed under the NDP."

The intent was to rehabilitate 92 percent of the existing dwelling units in the area, units that are occupied primarily by low-income families. Specifically, the plan called for the rehabilitation of 23 structures containing 92 dwelling units, the acquisition and demolition of four structures containing eight dwelling units, and the relocation of eight families and individuals.

The rehabilitation plans depended on the "312" program loans. While it would seem that the low-income families dwelling in the units to be rehabilitated would be prime candidates to qualify for the loans under the new income ceilings, this has not been the case. For these

dwelling units are not owned by the low-income families—rather they are owned by absentee landlords whose high incomes disqualify them from receiving the loans under the new guidelines.

While it could be naively hoped that these absentee landlords would obtain private financing for the necessary rehabilitation simply out of the goodness of their hearts, the realities of the situation are different. The experience of the Fitchburg Redevelopment Authority is that even with low-interest loans it is extremely difficult to obtain the cooperation from the absentee landlords necessary for a redevelopment program to work. Without the incentive of low-interest loans, it is virtually impossible to commit the absentee landlords to the rehabilitation program. This has been the real effect of these new income ceilings.

HOMES CANNOT BE FIXED

In the Fitchburg case, of the 23 structures that were to be rehabilitated, only seven appear to be eligible under the new income ceilings, and there are only 14 dwelling units in these seven structures. This means that 85 percent of the dwellings which need to be rehabilitated are now ineligible.

Three landlords control approximately 45 percent of the units that were to be rehabilitated, but they cannot qualify for the loans. Chairman Dickinson wrote about this situation as follows:

And to add to our dilemma, these structures constitute the heart of the blight and deterioration in the first action year area.

The rehabilitation effort in Fitchburg has been thwarted. Once again the Federal Government has pulled the rug out from under local officials trying to improve their communities. It is little wonder that Chairman Dickinson wrote:

The Redevelopment Authority and the residents of the urban area feel that they have been misled once again in their attempts to redevelop the College Neighborhood Area. To make matters worse this on-again-off-again condition has been going on in this area for over five years.

It is clear that these retroactive ceilings are both unjust and ineffective. Citizens hoping to rehabilitate their own homes have, in essence, been deceived—usually at considerable cost to themselves. And those people with lower incomes, least able to afford home improvements and most needful of them, are being victimized by a situation which they are powerless to control. The absentee landlords have to agree to finance the rehabilitation, and given the loss of the low-interest loan incentive it is probably fair to say that they could not care less.

These income regulations should be repealed immediately. The income ceilings are too low and the people who would qualify under the guidelines simply do not exist—"312" loans should be made available to all who need them, including those who rent their homes. And, the program must be adequately financed.

If these regressive income ceilings are not repealed, then I believe that HUD is responsible for the costs incurred by those who are denied loans because of the implementation of the income ceilings.

Congress has allowed its actions to be subverted far too long. The "312" program is further evidence that this administration has contributed little to the people of our country but broken promises and frustration.

Congress must recapture its lost authority. We must not allow the Nixon administration, under the ruses of "reorganization" and "fiscal responsibility" to cut the heart out of those programs that millions of Americans need. For the sake of these people—and for our own sake—we must act now. It is time to impound OMB.

THE NEED FOR LEGISLATION TO LIFT OIL QUOTAS

The SPEAKER. Under a previous order of the House the gentleman from Illinois (Mr. ROSTENKOWSKI) is recognized for 5 minutes.

Mr. ROSTENKOWSKI. Mr. Speaker, in the brief time that this Congress has been in session much has been said in this Chamber in regard to the acute shortage of heating fuels which currently plagues the Nation. Today, I do not intend to enumerate further instances of where this shortage of fuel has caused closings and cutbacks, but rather I would merely like to add my thoughts to those of my colleagues who believe that the administration's announcement of last week was indeed too little, too late.

Last Wednesday, the Office of Emergency Preparedness announced that the administration was eliminating import quotas on heating oils for 4 months and raising the quotas on crude oil imports 65 percent for the remainder of the year. Heralding this as the answer to the shortages of fuel now plaguing New England and much of the Midwest, was in my opinion, both premature and shortsighted. For this is not the first time that this administration has made minor adjustments in the oil quota system as a belated response to a major shortage.

In September, and again in December of last year, the administration made minor adjustments to the quota program with negligible changes resulting each time. On December 18, 1972, the administration announced that the quotas for 1973's first few months would be the same quotas that had proven to be so inadequate in the cold autumn of 1972. On January 8, and finally last Wednesday, the administration again made changes in the oil quota system. Each of these announcements concerning the import program has been billed as the ultimate answer to the present "crisis." Unfortunately, none of them have proven capable of solving the immediate or the long-term fuel shortages presently faced by much of the country.

Mr. Speaker, in the summer of 1970, I took a special order on the floor of the House to discuss the projected shortage of No. 2 heating oil that was anticipated for that year in my own city of Chicago. That year's shortage was predicated by an abnormally low supply of fuel, coupled with new antipollution ordinances for the city—ordinances which required

many industries to convert from their old fuel to the low sulfur residual fuel.

The predicament that was Chicago's in 1970 has now come to trouble the Nation as a whole. The Clean Air Act of 1970 has increased the demand for No. 2 fuel, and this increased demand, when coupled with increasingly small reserves, has led to the present shortage.

The only way to adequately prevent a recurrence of this problem next fall and winter would be to allow domestic suppliers to build up sufficient reserves now to see them through the 7-month period from September 1973 through April 1974. A longer period than the 4 months provided by the Office of Emergency Preparedness seems necessary in light of traditional reluctance of European refineries to engage in short-term contracts and the increased need for this low-sulfur fuel as more communities adopt tough antipollution statutes.

House Joint Resolution 200, introduced by Congressman JAMES BURKE and me would provide for the suspension of the oil import quota on No. 2 heating oil through April 1, 1974. We feel that a year's suspension is necessary to give suppliers sufficient leadtime to make contracting and shipping arrangements to meet the demand of this winter as well as the next one. Also, our legislation would remove completely the quota restrictions on the importation of crude oil for 90 days. This would allow domestic refineries to replenish their supplies of crude which have, to a large degree, been expended in the effort to produce larger quantities of No. 2 heating oil. The lifting of the restriction on importation of crude will help us avert a possible shortage of gasoline and other refining products in the months ahead.

At this point in the RECORD, I would like to insert a list of the cosponsors of House Joint Resolution 200 and its Senate counterpart, Senate Joint Resolution 23, introduced by Senators KENNEDY and STEVENSON:

HOUSE SPONSORS AS OF JANUARY 22, 1973

Dan Rostenkowski, James Burke, Frank Annunzio, Herman Badillo, Edward Boland, Frank Clark, James Corman, William Cotter, George Danielson, James Delaney, and Frank Denholm.

Harold Donohue, Daniel Flood, Donald Fraser, Robert Gialmo, Ella Grasso, William Green, Michael Harrington, Margaret Heckler, John Kluczynski, Peter Kyros, Torbert Macdonald, and Ray Madden.

John Moakley, William Moorhead, John Moss, Thomas O'Neill, Otis Pike, Mel Price, Albert Quile, Henry Reuss, Donald Reigle, Peter Rodino, Robert Roe, Fernand St Germain, Sam Stratton, Gerry Studds, Robert Tiernan, Lester Wolff, and Sidney Yates.

SENATE SPONSORS

Edward Kennedy, Adlai Stevenson, Abraham Ribicoff, Thomas McIntyre, Claiborne Pell, Jacob Javits, William Hathaway, George Aiken, Edward Brooke, and Edmund Muskie.

Harrison Williams, Clifford Case, Robert Stafford, Norris Cotton, Lowell Weicker, Stuart Symington, George McGovern, Richard Clark, Quentin Burdick, and Walter Mondale.

Gaylord Nelson, Birch Bayh, William Proxmire, James Abourezk, John Pastore, Hubert Humphrey, Harold Hughes, Philip Hart, Frank Moss, and Charles Percy.

MR. O'NEILL WISHING ERNEST PETINAUD A HAPPY BIRTHDAY

The SPEAKER. Under a previous order of the House, the gentleman from Massachusetts (Mr. O'NEILL) is recognized for 5 minutes.

Mr. O'NEILL. Mr. Speaker, when most Americans think of Saturday, January 20, 1973, the first thing that comes to mind is Inauguration Day.

Another thought comes to my mind and to the Members and employees of the House of Representatives. Saturday marked the 68th birthday of Ernest Petinaud, maitre d' of the House restaurant for 36 years.

One rarely enters the House restaurant without being warmly greeted by Ernest. Ernest Petinaud gives every Member equal service. He does not differentiate between senior and freshmen, black and white, Democrat and Republican, Southern and Northern Members.

I wish to take this time on the occasion of his 68th birthday to thank Ernest for his superb service, and for his gracious dignity in the performance of his duties. Ernest Petinaud has graced the House restaurant with a touch of elegance for 36 years. He has dedicated himself to pleasing all Members and their guests. A conscientious host, Ernest has a phenomenal memory for knowing every Member of Congress by sight.

Thousands of visitors to the Capitol each year leave here with a warm and personal feeling about the House of Representatives thanks to Ernest and his gracious hospitality.

I have known Ernest for 20 years. He has always shown me and my staff every courtesy. I have spent many happy moments conversing with Ernest after a weary day of legislative business. I know that all my colleagues join me in wishing Ernest a very happy birthday.

END-THE-WAR DEMONSTRATION

The SPEAKER. Under a previous order of the House, the gentlewoman from New York (Ms. ABZUG) is recognized for 5 minutes.

Ms. ABZUG. Mr. Speaker, last Saturday, over 60,000 Americans—far more than attended the inaugural ceremonies and parade—gathered near the Washington Monument to bear witness for peace. Men and women, young and old, they came to tell Richard Nixon that they will not be satisfied by his implied promises that "peace is at hand," but will only believe that we have peace when they see the black and white of a signed cease-fire agreement.

I was privileged to address that gathering, and I include my remarks at this point in the RECORD:

SPEECH BY CONGRESSWOMAN BELLA S. ABZUG AT INAUGURAL DAY PEACE DEMONSTRATION IN WASHINGTON—JANUARY 20, 1973

Welcome to the Washington-Lincoln inauguration. Would you believe that President Nixon just made his inauguration speech and did not even mention the word "Vietnam." We are here to let him know that we will not stop protesting or start celebrating until a peace agreement is actually signed and until Mr. Nixon takes every American pilot, every

G.I., every bomber, every military advisor in or out of uniform, every anti-personnel and Napalm bomb out of all of Southeast Asia.

If he is planning another deception, if once again the interests of President Thieu are to dictate whether Vietnamese and Americans live or die, then Mr. Nixon should know that we are prepared to keep coming back.

We must recognize that those able to come to Washington today to this rally are only a tiny percentage of the millions of Americans who hate and disavow this criminal war.

Possibly Mr. Nixon thought that after a war in which one and a half million people have been killed, three million wounded and seven millions of tons of bombs dropped, nobody would get excited when he ordered another million or so tons of bombs dropped in the most concentrated exhibition of savagery in the history of the world.

He is wrong.

Our protest is not a lonely protest. America's allies have been bombarding Washington with messages of condemnation. Australian longshoremen declared a boycott of American goods. Heads of governments have expressed their outrage. Leaders of the major religious organizations in our own country have denounced Nixon's bombing tantrum. From the Pope—from the head of the United Nations—from Captain Michael Heck, who found his conscience and refused to fly any more B-52's—from the embittered wives and mothers of imprisoned American pilots—the rebellious members of the Philadelphia Symphony—the musicians who played for peace with Leonard Bernstein last night—the Members of Congress who are boycotting the inaugural—from all parts of our Nation, from all over the world comes the demand—stop the war! Sign the peace agreement!

A few of us in Congress who are among the sponsors of this rally were lectured by Jeb Magruder, the head of the president's inaugural committee, who went from merchandising cosmetics and facial tissues to being implicated in the Watergate mess to running the inauguration, which he calls a "Total Marketing Project," issued a public appeal to me and to Congressmen Paul McCloskey and Don Riegle—who happen to be Republicans—to guarantee that there be no violence here today to spoil the President's Inauguration. It might interfere with the sales of plaques and their little plaster statues.

I told Mr. Magruder:

"We are peaceful people 365 days a year. I find it ironic beyond words that a spokesman for the President should lecture us about non-violence when Mr. Nixon has just completed an 11-day orgy of violent bombing in Vietnam that horrified the world."

And, I might add, we have never bombed a hospital or burned little children with napalm or tried to destroy an entire land. So don't lecture us about violence.

Some political leaders have urged us to be good Americans and to unite around the inauguration ceremony as a "reaffirmation of America's ideals and promises." We're told that every four years since 1789, American Presidents have taken the same pledge to "preserve, protect and defend the Constitution of the United States."

I respect the Constitution, and that's why I'm here and not on Capital Hill. That Constitution says it is the Congress, not the President that has the power to make war.

That Constitution says we have three co-equal branches of government, with checks and balances, not an autocracy.

We are not a nation built by or for reverence. We were born in revolution against a despotic king. We have elected Presidents, and rejected them, followed them, respected, loved, hated and reviled them. Always we have reserved the right to protest. And this is a time for protest.

Are we supposed to stand up and cheer while Richard Nixon takes the oath of office, even as he is violating it by his actions?

What are we supposed to unite around?

His dismantling of programs for the poor, for the cities, even for veterans of his war? His reactionary views on women? His reactionary views on race? Or maybe the Watergate scandal, which was a conspiracy to undermine the presidential campaign of the Democratic Party, to subvert the political process, and which is now being hidden from public view in an outrageous abuse of our legal system?

No, we have no intention of uniting around this President.

No, we are not going to let him turn our democracy into a country ruled by one man.

No, we are not going to let him ignore the people and their elected representatives.

There is real anger in Congress now, and a real willingness to act. We in Congress also take a pledge to "preserve, protect, and defend the Constitution of the United States." It's up to you to make your representative do that.

There has been a small number of us in Congress that have voted against every military appropriation for Vietnam and for every bill designed to get us out. But our numbers are growing. We need just 40 more votes to cut off funds for the war, if that is what we have to do. If once again, Richard Nixon is trying to fool the people, those votes will be much easier to get, and your job is to see that we get them.

Those of us standing here between the Washington Monument and the Lincoln Memorial represent the soul of America's democracy, not its merchants. Our protest here is the true reaffirmation of America's ideals and promises—the right to dissent, the right to free speech and a free press, the right of assembly, the right to live peacefully with economic opportunity, equality and justice for all. This is a rededication to our right to protest and to the power of the American people to change the policies they oppose.

Richard Nixon would deny these rights to any who stand in the way of his pursuit of power for the special interests he represents. We would extend these rights to all Americans. We would turn our Nation from the world's greatest purveyor of death into a nation of peace and friendship and respect for ourselves and other countries. That is our pledge to ourselves on this inaugural day of conscience.

President Nixon said in his inaugural address, "Let us measure what we will do for others by what we will do for ourselves." We will do for ourselves. We will use the energies and resources of democratic government to make sure that the American people will have the ability to live in dignity, security and equality.

CONGRESS MUST HAVE CONTROL OF FUNDS

The SPEAKER. Under a previous order of the House, the gentleman from New Jersey (Mr. HOWARD) is recognized for 5 minutes.

Mr. HOWARD. Mr. Speaker, the Congress and the executive branch of Government are on a collision course over the way funds which have been authorized and appropriated by the Congress are being impounded.

It is time we met this problem head-on. Some Members of Congress have previously introduced legislation to prevent this practice and others are preparing to cosponsor similar legislation.

The impounding of funds is a direct

challenge to the Congress itself and I respectfully urge all of my colleagues to join in cosponsoring such legislation and seeing that we pass a bill which will again put this matter into proper perspective.

Last year we authorized and appropriated \$24.6 billion for water pollution control, and my own State of New Jersey would have received more money than any other State in the Nation with the exception of New York.

Now the Executive is saying it may spend less than half of the money authorized and appropriated by Congress.

Each Member of Congress has many badly needed programs in his district, which could have progressed as a result of the Water Pollution Control Act funding. There is a desperate need in most communities for water and sewer moneys; there is a great need for more money for health care, and there is certainly a need for more housing. These, however, are some of the programs which are being further crippled because the funds appropriated by the Congress are being impounded.

It is time we asserted our power and stopped this nonsense.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. KYROS (at the request of Mr. O'NEILL) from today through February 7 on account of official business.

Mr. JOHNSON of Colorado for the period Tuesday, January 23, 1973, through Friday, January 26, 1973, on account of official business.

Mr. WOLFF (at the request of Mr. STRATTON) for January 23, 1973, through February 5, 1973, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. ABENOR) to revise and extend their remarks and include extraneous material:)

Mr. DERWINSKI, for 30 minutes, January 23.

Mr. BELL, for 5 minutes, today.

Mr. EDWARDS of Alabama, for 5 minutes, today.

Mr. RAILSBACK, for 10 minutes, today.

(The following Members (at the request of Mr. THORNTON) to revise and extend their remarks and include extraneous material:)

Mr. GONZALEZ, for 5 minutes, today.

Mr. DRINAN, for 30 minutes, today.

Mr. ROSTENKOWSKI, for 5 minutes, today.

Mr. O'NEILL, for 5 minutes, today.

Ms. ABZUG, for 5 minutes, today.

Mr. HOWARD, for 5 minutes, today.

Mr. REUSS, for 30 minutes, January 23.

Mr. ALEXANDER, for 45 minutes, January 23.

Mr. MITCHELL of Maryland, for 60 minutes, January 25.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. SAYLOR and to include extraneous matter notwithstanding the fact that it exceeds two pages of the CONGRESSIONAL RECORD and is estimated by the Public Printer to cost \$637.50.

Mr. GROSS and to include extraneous matter.

(The following Members (at the request of Mr. ABDNOR) to revise and extend their remarks and include extraneous matter:)

Mr. HASTINGS.

Mr. DERWINSKI in three instances.

Mr. ARENDS.

Mr. FINDLEY.

Mr. PARRIS in five instances.

Mr. RIEGLE.

Mr. SCHERLE in 10 instances.

Mr. FRENZEL.

Mr. ZWACH.

Mr. RAILSBACK in three instances.

Mr. HUBER.

Mr. NELSEN in two instances.

Mr. BROTZMAN.

Mr. MINSHALL of Ohio in two instances.

Mr. BURKE of Florida in four instances.

Mr. BRAY in three instances.

Mr. MIZELL in four instances.

(The following Members (at the request of Mr. THORNTON) to revise and extend their remarks and include extraneous matter:)

Mr. SARBANES in five instances.

Mr. CARNEY of Ohio.

Mr. FULTON in 10 instances.

Mr. ALEXANDER in five instances.

Mr. ASPIN in 10 instances.

Mr. GONZALEZ in three instances.

Mr. RARICK in three instances.

Mr. HUNGATE.

Mr. KASTENMEIER.

Mr. WOLFF in five instances.

Mr. HARRINGTON in five instances.

Mr. BADILLO in five instances.

Mr. HOWARD.

Mr. OWENS in five instances.

Mr. DRINAN in two instances.

Mr. RANGEL.

Mr. BRINKLEY.

Mr. BOLAND.

JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. HAYS, from the Committee on House Administration, reported that that committee did on January 18, 1973, present to the President, for his approval a joint resolution of the House of the following title:

H.J. Res. 1. A joint resolution extending the time within which the President may transmit the Budget Message and the Economic Report to the Congress and extending the time within which the Joint Economic Committee shall file its report.

ADJOURNMENT

Mr. THORNTON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 9 minutes, p.m.) the House adjourned until tomorrow, Tuesday, January 23, 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:

261. A letter from the Deputy Assistant Secretary of Defense (Inter-American Affairs), transmitting a semiannual report on the implementation of section 507(b) of the Foreign Assistance Act of 1961, as amended dealing with the furnishing of military assistance to American Republics, covering the period July 1 through December 31, 1972, pursuant to 22 U.S.C. 2319(b); to the Committee on Foreign Affairs.

262. A letter from the Secretary of Transportation, transmitting the Third Annual Report on Operations under the Airport and Airway Development Act of 1970, covering fiscal year 1972, pursuant to 49 U.S.C. 1724; to the Committee on Interstate and Foreign Commerce.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ANDREWS of North Dakota:

H.R. 2555. A bill to amend the Rural Electrification Act of 1936, as amended, to reaffirm that such funds made available for each fiscal year to carry out the programs provided for in such act be fully obligated in said year, and for other purposes; to the Committee on Agriculture.

By Mr. ANNUNZIO:

H.R. 2556. A bill to create the National Credit Union Bank to encourage the flow of credit to urban and rural areas in order to provide greater access to consumer credit at reasonable interest rates, to amend the Federal Credit Union Act, and for other purposes; to the Committee on Banking and Currency.

H.R. 2557. A bill to permit officers and employees of the Federal Government to elect coverage under the old-age, survivors, and disability insurance system; to the Committee on Ways and Means.

By Mr. BADILLO (for himself, Ms.

ABZUG, Mr. ALEXANDER, Mr. ADDABBO, Mr. BAKER, Mr. BARRETT, Mr. BENNETT, Mr. BINGHAM, Mr. BLACKBURN, Mr. BRECKINRIDGE, Mr. BRASCO, Mr. BROTHILL of Virginia, Mr. BROWN of California, Mr. BUCHANAN, Mrs. BURKE of California, Mr. BURTON, Mr. CARTER, Mrs. CHISHOLM, Mr. CLAY, Mr. CLEVELAND, Mr. CONYERS, Mr. CORMAN, Mr. DOMINICK V. DANIELS, Mr. DANIELSON, and Mr. DAVIS of South Carolina):

H.R. 2558. A bill to amend the Education of the Handicapped Act to provide tutorial and related instructional services for home-bound children through the employment of college students, particularly veterans and other students who themselves are handicapped; to the Committee on Education and Labor.

By Mr. BADILLO (for himself, Mr. DELLENBACK, Mr. DE LUGO, Mr. DENT, Mr. DOWNING, Mr. DRINAN, Mr. EDWARDS of California, Mr. EILBERG, Mr. FULTON, Mr. GONZALEZ, Mr. GRAY, Mr. GREEN of Pennsylvania, Mr. GUDE, Mrs. HANSEN of Washington, Mr. HANSEN of Idaho, Mr. HARRINGTON, Mr. HAWKINS, Mr. HECHLER of West Virginia, Mr. HELSTOSKI, Mr. HICKS, Mr. HOGAN, Miss HOLTZMAN, Mr. KOCH, Mr. LEGGETT, and Mr. LEHMAN):

H.R. 2559. A bill to amend the Education of the Handicapped Act to provide tutorial and related instructional services for home-

bound children through the employment of college students, particularly veterans and other students who themselves are handicapped; to the Committee on Education and Labor.

By Mr. BADILLO (for himself, Mr. LONG of Maryland, Mr. MADDEN, Mr. MAILLIARD, Mr. MATSUNAGA, Mr. MAZZOLI, Mr. METCALFE, Mr. MITCHELL of Maryland, Mr. MIZELL, Mr. MOAKLEY, Mr. MCDADE, Mr. MCCORMACK, Mr. NICHOLS, Mr. NIX, Mr. O'HARA, Mr. PEPPER, Mr. PETTIS, Mr. PODELL, Mr. PREYER, Mr. PRICE of Illinois, Mr. RANGEL, Mr. REES, Mr. RINALDO, Mr. RODINO, and Mr. ROE):

H.R. 2560. A bill to amend the Education of the Handicapped Act to provide tutorial and related instructional services for home-bound children through the employment of college students, particularly veterans and other students who themselves are handicapped; to the Committee on Education and Labor.

By Mr. BADILLO (for himself, Mr. ROSENTHAL, Mr. ROYBAL, Mr. SARBANES, Mr. STOKES, Mr. STUDDS, Mr. SYMINGTON, Mr. TAYLOR of North Carolina, Mr. TIERNAN, Mr. THOMPSON of New Jersey, Mr. VANIK, Mr. WALDIE, Mr. WHITE, Mr. WOLFF, Mr. WON PAT, and Mr. YATRON):

H.R. 2561. A bill to amend the Education of the Handicapped Act to provide tutorial and related instructional services for home-bound children through the employment of college students, particularly veterans and other students who themselves are handicapped; to the Committee on Education and Labor.

By Mr. BELL:

H.R. 2562. A bill to authorize appropriations for construction of certain highway projects in accordance with title 23 of the United States Code, and for other purposes; to the Committee on Public Works.

By Mr. BEVILL:

H.R. 2563. A bill to assure the free flow of information to the public; to the Committee on the Judiciary.

H.R. 2564. A bill to amend title II of the Social Security Act to provide that a woman otherwise qualified may become entitled to receive widows' insurance benefits specially reduced, at age 35 (while retaining her right to receive regular widows' insurance benefits upon attaining the age presently required therefor); to the Committee on Ways and Means.

By Mr. BINGHAM (for himself, Mr.

BUCHANAN, Mr. MAZZOLI, Mrs. MINK, Mr. MITCHELL of Maryland, Mr. MOAKLEY, Mr. MOORHEAD of Pennsylvania, Mr. PARRIS, and Mr. PODELL):

H.R. 2565. A bill to provide for the election of President and Vice President as required by the article of amendment to the Constitution proposed by House Joint Resolution 215 of the 93d Congress; to the Committee on House Administration.

By Mr. BROTHILL of Virginia:

H.R. 2566. A bill to amend the District of Columbia Police and Firemen's Salary Act of 1958 to permit the equitable reappointment of officers and members of the Metropolitan Police Force, the Fire Department of the District of Columbia, the U.S. Park Police, and the Executive Protective Service; to the Committee on District of Columbia.

H.R. 2567. A bill to eliminate the ceilings on the amounts of group life insurance policies available in the District of Columbia; to the Committee on District of Columbia.

H.R. 2568. A bill to amend the Healing Arts Practice Act, District of Columbia, 1928, to revise the composition of the Commission on Licensure To Practice the Healing Art, and for other purposes; to the Committee on District of Columbia.

H.R. 2569. A bill to provide for the regulation of the practice of dentistry, including the examination, licensure, registration, and regulation of dentists and dental hygienists, in the District of Columbia, and for other purposes; to the Committee on District of Columbia.

H.R. 2570. A bill to repeal section 453(d) (5) of the Internal Revenue Code of 1954; to the Committee on Ways and Means.

By Mr. DELLUMS:

H.R. 2571. A bill to amend the Food Stamp Act of 1964 to allow food stamps to be used to obtain meat and meat products which are imported into the United States; to the Committee on Agriculture.

H.R. 2572. A bill to protect the political rights and privacy of individuals and organizations and to define the authority of the armed forces to collect, distribute, and store information about civilian political activity; to the Committee on Armed Services.

H.R. 2573. A bill to amend the U.S. Housing Act of 1937 to provide for the inclusion of child-care facilities in low-rent housing projects, and to provide that eligibility of a family to remain in such a project despite increases in its total income shall be determined solely on the income of the head of such family (or its other principal wage earner); to the Committee on Banking and Currency.

H.R. 2574. A bill to authorize and direct the Commissioner of the District of Columbia to conduct an election for the purposes of a referendum on the question of statehood for the residents of the present District, election of delegates to a constitutional convention, and for other purposes; to the Committee on the District of Columbia.

H.R. 2575. A bill to provide the protection of the safety and health standards under the Occupational Safety and Health Act of 1970 for individuals participating in athletic contests between secondary schools or between institutions of higher education; to the Committee on Education and Labor.

H.R. 2576. A bill to amend the Age Discrimination in Employment Act of 1967 to extend the protection of that act to employees of States and their political subdivisions; to the Committee on Education and Labor.

H.R. 2577. A bill to amend title 5, United States Code, to provide that individuals be apprised of records concerning them which are maintained by Government agencies; to the Committee on Government Operations.

H.R. 2578. A bill to limit the sale or distribution of mailing lists by Federal agencies; to the Committee on Government Operations.

H.R. 2579. A bill to restore to Federal civilian employees their rights to participate, as private citizens, in the political life of the Nation, to protect Federal civilian employees from improper political solicitations, and for other purposes; to the Committee on House Administration.

H.R. 2580. A bill to amend the Federal Food, Drug, and Cosmetic Act to provide for the registration and licensing of food manufacturers and processors, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 2581. A bill to change the minimum age qualification for serving as a juror in Federal courts from 21 years of age to 18 years of age; to the Committee on the Judiciary.

H.R. 2582. A bill to prevent lawless and irresponsible use of firearms, by requiring national registration of firearms, by establishing minimum standards for licensing possession of firearms, and to prohibit the importation, manufacture, sale, purchase, transfer, receipt, possession, or transportation of handguns; to the Committee on the Judiciary.

H.R. 2583. A bill to establish minimum prison and parole standards in the United

States, and for other purposes; to the Committee on the Judiciary.

H.R. 2584. A bill to protect confidential sources of the news media; to the Committee on the Judiciary.

H.R. 2585. A bill to extend unemployment insurance coverage to employers employing four or more agricultural workers for each of 20 or more weeks; to the Committee on Ways and Means.

By Mr. DERWINSKI:

H.R. 2586. A bill to amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits thereunder; to the Committee on Ways and Means.

H.R. 2587. A bill to amend the Internal Revenue Code of 1954 to provide a tax credit for homeowners, apartment owners, small businessmen, and car owners who purchase and install certified pollution control devices; to the Committee on Ways and Means.

By Mr. DOWNING:

H.R. 2588. A bill to establish the Great Dismal Swamp National Wildlife Refuge; to the Committee on Merchant Marine and Fisheries.

By Mr. FRENZEL:

H.R. 2589. A bill to provide for the issuance of \$2 bills bearing the portrait of Susan B. Anthony; to the Committee on Banking and Currency.

H.R. 2590. A bill to prohibit travel at Government expense outside the United States by Members of Congress who have been defeated, or who have resigned, or retired; to the Committee on House Administration.

H.R. 2591. A bill establishing a Council on Energy Policy; to the Committee on Interstate and Foreign Commerce.

H.R. 2592. A bill to amend the Federal Trade Commission Act (15 U.S.C. 41) to provide that under certain circumstances exclusive territorial arrangements shall not be deemed unlawful; to the Committee on Interstate and Foreign Commerce.

H.R. 2593. A bill to provide the Secretary of Health, Education, and Welfare with the authority to make grants to States and local communities to pay for the costs of eye examination programs to detect glaucoma for the elderly; to the Committee on Interstate and Foreign Commerce.

H.R. 2594. A bill to direct the Administrator of the Environmental Protection Agency to establish and carry out a bottled drinking water control program; to the Committee on Interstate and Foreign Commerce.

H.R. 2595. A bill to authorize the National Science Foundation to conduct research, educational, and assistance programs to prepare the country for conversion from defense to civilian, socially oriented research and development activities, and for other purposes; to the Committee on Science and Astronautics.

H.R. 2596. A bill to discourage the production of one-way containers for carbonated and/or malt beverages so as to reduce litter, reduce the cost of solid waste management, and to conserve natural resources; to the Committee on Ways and Means.

H.R. 2597. A bill to amend the Social Security Act to prohibit the payment of aid or assistance under approved State public assistance plans to aliens who are illegally within the United States; to the Committee on Ways and Means.

By Mr. HANRAHAN:

H.R. 2598. A bill to authorize appropriations to be used for the elimination of certain hazardous rail-highway grade crossings in the State of Illinois; to the Committee on Public Works.

By Mr. HANSEN of Idaho:

H.R. 2599. A bill to require the Secretary of Agriculture to carry out a rural environmental assistance program; to the Committee on Agriculture.

By Mr. HARVEY (for himself, Mr. ANDREWS of North Dakota, Mr. ARENDT, Mr. BROOMFIELD, Mr. BROWN of Michigan, Mr. BURLISON of Texas, Mr. CEDERBERG, Mr. CHAMBERLAIN, Mr. CONABLE, Mr. COUGHLIN, Mr. DEVINE, Mr. EDWARDS of Alabama, Mr. FISHER, Mr. ERLBORN, Mr. EVINS of Tennessee, Mr. FORSYTHE, Mr. FRELINGHUYSEN, Mr. FRENZEL, Mr. GROVER, Mr. HASTINGS, Mr. HENDERSON, Mr. HOSMER, Mr. HUNT, Mr. LENT, and Mr. MCCLORY:

H.R. 2600. A bill to amend the Railroad Labor Act and the Labor Management Relations Act, 1947, to provide more effective means for protecting the public interest in national emergency disputes, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. HARVEY (for himself, Mr. CLEVELAND, Mr. NELSEN, Mr. ROBINSON of Virginia, Mr. ROBISON of New York, Mr. ROYBAL, Mr. SCHNEEBELI, Mr. SEBELIUS, Mr. SMITH of New York, Mr. J. WILLIAM STANTON, Mr. VANDER JAGT, Mr. VEYSEY, Mr. WARE, Mr. WHITEHURST, Mr. BROYHILL of North Carolina, and Mr. KUYKEN-DALL):

H.R. 2601. A bill to amend the Railroad Labor Act and the Labor Management Relations Act, 1947, to provide more effective means for protecting the public interest in national emergency disputes, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. HELSTOSKI:

H.R. 2602. A bill to establish a Transportation Trust Fund, to encourage urban mass transportation, and for other purposes; to the Committee on Ways and Means.

By Mr. HOWARD:

H.R. 2603. A bill to amend title III of the act of March 3, 1933, commonly referred to as the "Buy American Act," with respect to determining when the cost of certain articles, materials, or supplies is unreasonable; to define when articles, materials, and supplies have been mined, produced, or manufactured in the United States; to make clear the right of any State to give preference to domestically produced goods in purchasing for public use, and for other purposes; to the Committee on Public Works.

H.R. 2604. A bill to amend the tariff and trade laws of the United States to promote full employment and restore a diversified production base; to amend the Internal Revenue Code of 1954 to stem the outflow of U.S. capital, jobs, technology, and production, and for other purposes; to the Committee on Ways and Means.

By Mr. MILLS of Arkansas:

H.R. 2605. A bill to amend the emergency loan program under the Consolidated Farm and Rural Development Act, and for other purposes; to the Committee on Agriculture.

H.R. 2606. A bill to authorize equalization of the retired or retainer pay of certain members and former members of the uniformed services; to the Committee on Armed Services.

H.R. 2607. A bill to amend the act entitled "An Act to provide for the preservation of historical and archeological data including relics and specimens which might otherwise be lost as the result of the construction of a dam," and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 2608. A bill to amend the Communications Act of 1934 to establish orderly procedures for the consideration of applications for renewal of broadcast licenses; to the Committee on Interstate and Foreign Commerce.

By Mr. MINISH:

H.R. 2609. A bill to create the National Credit Union Bank to encourage the flow of credit to urban and rural areas in order to

provide greater access to consumer credit at reasonable interest rates, to amend the Federal Credit Union Act, and for other purposes; to the Committee on Banking and Currency.

H.R. 2610. A bill to amend the Vocational Rehabilitation Act to extend and revise the authorization of grants to States for vocational rehabilitation services, to authorize grants for rehabilitation services to those with severe disabilities, and for other purposes; to the Committee on Education and Labor.

H.R. 2611. A bill to amend the tariff and trade laws of the United States to promote full employment and restore a diversified production base; to amend the Internal Revenue Code of 1954 to stem the outflow of U.S. capital, jobs, technology, and production, and for other purposes; to the Committee on Ways and Means.

H.R. 2612. A bill to create a national system of health security; to the Committee on Ways and Means.

By Mr. MIZELL:

H.R. 2613. A bill to provide that the funds allocated for fiscal year 1973 under the rural environmental assistance program shall be expended; to the Committee on Agriculture.

By Mr. MOORHEAD of Pennsylvania (for himself, Mr. MORGAN, Mr. CLARK, Mr. DENT, Mr. BADILLO, Mr. MIZELL, Mr. HEINZ, and Mr. BENITEZ):

H.R. 2614. A bill to provide for the striking of medals in commemoration of Roberto Walker Clemente; to the Committee on Banking and Currency.

By Mr. PEYSER (for himself, Mr. ANDERSON, Mr. ANDERSON of California, Mr. ANDERSON of Illinois, Mr. BELL, Mr. BROWN of California, Mrs. CHISHOLM, Mr. COUGHLIN, Mr. FORSYTHE, Mr. GROVER, Mr. HANNAHAN, Mr. HELSTOSKI, Mr. KEMP, Mr. MCKINNEY, Mr. MOAKLEY, Mr. PETTIS, Mr. STOKES, Mr. RIEGLE, Mr. ROBISON of New York, Mr. RONCALLO of New York, Mr. ROSTENKOWSKI, Mr. WOLFF, Mr. WRIGHT, and Mr. YOUNG of Georgia):

H.R. 2615. A bill to repeal section 15 of the Urban Mass Transit Act of 1964, to remove certain limitations on the amount of grant assistance which may be available in any one State; to the Committee on Banking and Currency.

By Mr. RAILSBACK:

H.R. 2616. A bill to make rules respecting military hostilities in the absence of a declaration of war; to the Committee on Foreign Affairs.

H.R. 2617. A bill to amend the Social Security Act to provide for medical and hospital care through a system of voluntary health insurance including protection against the catastrophic expenses of illness, financed in whole for low-income groups through issuance of certificates, and in part for all other persons through allowance of tax credits; and to provide effective utilization of available financial resources, health manpower, and facilities; to the Committee on Ways and Means.

H.R. 2618. A bill to amend the Social Security Act to require employers to make an approved basic health care plan available to their employees, to provide a family health insurance plan for low income families not covered by an employer's basic health care plan, to facilitate provision of health services to beneficiaries of the family health insurance plan by health maintenance organizations, by prohibiting State law interference with such organizations providing such services, and for other purposes; to the Committee on Ways and Means.

By Mr. ROYBAL:

H.R. 2619. A bill to amend title 10 of the United States Code to establish special

boards for the review of certain administrative discharges; to the Committee on Armed Services.

H.R. 2620. A bill to amend the Fair Credit Reporting Act, and to create a new title in the Consumer Credit Protection Act in order to license consumer credit investigators; to the Committee on Banking and Currency.

H.R. 2621. A bill to amend the Public Health Service Act to provide assistance for research and development for improvement in delivery of health services to the critically ill; to the Committee on Interstate and Foreign Commerce.

H.R. 2622. A bill to increase to full annuities the reduced civil service retirement annuities of certain employees who retired before July 18, 1966; to the Committee on Post Office and Civil Service.

By Mr. THOMSON of Wisconsin:

H.R. 2623. A bill to amend the Soil Conservation and Domestic Allotment Act to establish an improved rural environmental protection program, and for other purposes; to the Committee on Agriculture.

By Mr. ULLMAN (for himself, Mrs. GREEN of Oregon, and Mr. WYATT):

H.R. 2624. A bill to provide for the establishment of the Hells Canyon National Forest Parklands; to the Committee on Interior and Insular Affairs.

By Mr. WHALEN:

H.R. 2625. A bill to repeal the Connally Hot Oil Act; to the Committee on Interstate and Foreign Commerce.

H.R. 2626. A bill to terminate the oil import control program; to the Committee on Ways and Means.

By Mr. ZWACH:

H.R. 2627. A bill to require the Secretary of Agriculture to carry out a rural environmental assistance program; to the Committee on Agriculture.

By Mr. BINGHAM (for himself, Mr. BUCHANAN, Mr. MAZZOLI, Mrs. MINK, Mr. MITCHELL of Maryland, Mr. MOAKLEY, Mr. MOORHEAD of Pennsylvania, Mr. PARRIS, and Mr. PODELL):

H.J. Res. 215. Joint resolution proposing an amendment to the Constitution of the United States relating to the election of the President and Vice President; to the Committee on the Judiciary.

By Mr. BURKE of Massachusetts (for himself, Mr. ROSTENKOWSKI, Mr. ANNUNZIO, Mr. BADILLO, Mr. CLARK, Mr. CORMAN, Mr. DANIELSON, Mr. DENHOLM, Mr. DONOHUE, Mr. FLOOD, Mr. GREEN of Pennsylvania, Mrs. HECKLER of Massachusetts, Mr. KLUCZYNSKI, Mr. MADDEN, Mr. PIKE, Mr. PRICE of Illinois, Mr. QUOTE, Mr. REUSS, Mr. RIEGLE, Mr. STRATTON, Mr. YATES, and Mr. WOLFF):

H.J. Res. 216. Joint resolution to authorize the emergency importation of oil into the United States; to the Committee on Ways and Means.

By Mr. DELLUMS:

H.J. Res. 217. Joint resolution proposing an amendment to the Constitution of the United States lowering the age requirements for membership in the Houses of Congress; to the Committee on the Judiciary.

By Mr. FINDLEY (for himself, Mr. O'NEILL, Mr. CLARK, Ms. ANZUG, and Mrs. BURKE of California):

H.J. Res. 218. Joint resolution to create an Atlantic Union delegation; to the Committee on Foreign Affairs.

By Mrs. GRASSO:

H.J. Res. 219. Joint resolution to retain May 30 as Memorial Day and November 11 as Veterans Day; to the Committee on the Judiciary.

By Mr. RAILSBACK:

H.J. Res. 220. Joint resolution proposing an amendment to the Constitution of the United

States to require that persons 18 years of age and older be treated as adults for the purpose of all law; to the Committee on the Judiciary.

H.J. Res. 221. Joint resolution authorizing the President to proclaim the 24th day of October of each year as Illumination Day; to the Committee on the Judiciary.

By Mr. BEVILL:

H. Con. Res. 86. Concurrent resolution expressing the sense of Congress with respect to those individuals who refused to register for the draft, refused induction or being a member of the Armed Forces fled to a foreign country to avoid further military service; to the Committee on Armed Services.

By Mr. BROTZMAN:

H. Con. Res. 87. Concurrent resolution to direct the Executive to take positive steps to effect freedom of emigration for certain citizens of the Soviet Union currently denied that right; to the Committee on Foreign Affairs.

By Mr. DORN:

H. Con. Res. 88. Concurrent resolution authorizing certain printing for the Committee on Veterans' Affairs; to the Committee on House Administration.

By Mr. EDWARDS of Alabama:

H. Con. Res. 89. Concurrent resolution expressing the sense of the Congress that the Federal Government should use recycled paper products to the fullest extent possible; to the Committee on House Administration.

By Mr. DELLUMS:

H. Res. 148. Resolution to abolish the Committee on Internal Security and enlarge the jurisdiction of the Committee on the Judiciary; to the Committee on Rules.

By Mr. DORN:

H. Res. 149. Resolution to provide funds for the expenses of the investigation and study authorized by House Resolution 134 of the 93d Congress; to the Committee on House Administration.

By Mr. FRENZEL:

H. Res. 150. Resolution calling upon the Voice of America to broadcast in the Yiddish language to Soviet Jewry; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANNUNZIO:

H.R. 2628. A bill for the relief of Anka Kosanovic; to the Committee on the Judiciary.

By Mr. BELL:

H.R. 2629. A bill for the relief of Leonard Alfred Brownrigg; to the Committee on the Judiciary.

By Mr. BINGHAM:

H.R. 2630. A bill for the relief of Edward N. Evans; to the Committee on the Judiciary.

H.R. 2631. A bill for the relief of Ivan Augustus Palmer; to the Committee on the Judiciary.

H.R. 2632. A bill for the relief of Lena S. Tillman; to the Committee on the Judiciary.

By Mr. DELLUMS:

H.R. 2633. A bill for the relief of Col. John H. Sherman; to the Committee on the Judiciary.

By Mr. DRINAN:

H.R. 2634. A bill for the relief of Kevin Patrick Saunders; to the Committee on the Judiciary.

By Mr. HANSEN of Idaho:

H.R. 2635. A bill for the relief of Walter M. Piccirillo, his wife, Emma Piccirillo, and their children, Mario Piccirillo and Daniel Piccirillo; to the Committee on the Judiciary.

By Mr. HASTINGS:

H.R. 2636. A bill for the relief of Jean Albertha Service Gordon; to the Committee on the Judiciary.

By Mr. LONG of Maryland:

H.R. 2637. A bill for the relief of Peter Boscas, deceased; to the Committee on the Judiciary.

By Mr. MURPHY of New York:

H.R. 2638. A bill for the relief of Koo Po Li and Yuk Kiu Li; to the Committee on the Judiciary.

By Mr. RAILSBACK:

H.R. 2639. A bill to provide for the relief of Sandstrom Products Co. of Fort Byron,

Ill.; to the Committee on the Judiciary.

H.R. 2640. A bill for the relief of Howard D. Harden; to the Committee on the Judiciary.

By Mr. WYATT:

H.R. 2641. A bill for the relief of Chester C. Clark, Mary L. Clark, and Dorothy J. Wilbur, copartners doing business under the firm name of Alsea Veneer; to the Committee on the Judiciary.

By Mr. FASCELL:

H. Res. 151. Resolution referring the bill H.R. 2209 entitled "A bill for the relief of the Cuban Truck and Equipment Co., its heirs and assignees" to the Chief Commis-

sioner of the U.S. Court of Claims; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

30. By the SPEAKER: Petition of the Board of Selectmen, Brookline, Mass., relative to the rehabilitation loan program; to the Committee on Banking and Currency.

31. Also, petition of Louis Mira, Chino, Calif., relative to redress of grievances; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

APOLLO 17

HON. EDWARD P. BOLAND

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, January 22, 1973

Mr. BOLAND. Mr. Speaker, the House of Representatives welcomes today three truly intrepid, courageous, brilliant Americans—the crew of Apollo 17—Capt. Eugene A. Cernan, Capt. Ronald E. Evans, and Dr. Harrison H. Schmitt.

Their remarkable, practically flawless 12½-day flight to the moon and back marked the final mission in the Apollo program of lunar exploration—the last in this series of man's most magnificent and courageous adventures. While this was the last of the Apollo missions, it was certainly not the least. Quite the contrary, Apollo 17 was clearly the most successful of the seven manned lunar landing missions. Astronauts Cernan, Schmitt, and Evans brought to earth the largest payload of lunar material from perhaps the most complex geological area visited during the entire Apollo program. The mission logged more hours than any previous lunar landing including the longest time ever in lunar orbit and a record total of almost 1 full day in extravehicular activity. While the Apollo program has ended, the efforts of these brave men have provided us invaluable data on the origins of the moon and form the first stepping stone in man's effort to grasp and understand his place in the universe.

On a broader scale, the success of Apollo 17 highlighted a year in which NASA recorded a perfect launch record for the first time. In all, this past year saw the space agency accomplish 18 straight flawless launches. As the year before us unfolds, I look with confidence to NASA to continue its fine work in space science, applications, aeronautics, and space technology. And as we approach the launching of the Skylab space laboratory later this spring, I am reminded of Captain Cernan's eloquent words as he stood onboard the *Ticonderoga* last month:

Nothing is impossible in this world, when dedicated people are involved. And it's a fundamental law of nature, that either you must grow, or you must die. Whether that be an idea, whether that be a man, whether

that be a flower or a country, I thank God that our country has chosen to grow.

Mr. Speaker, it was my privilege, in company with other Members of Congress, to witness aboard the primary recovery ship, the U.S.S. *Ticonderoga*, the incredibly perfect splashdown of the Apollo 17 command module and the recovery operations on December 19, 1972. I extend my congratulations to Capt. Norman K. Green and his entire crew on the U.S.S. *Ticonderoga*, Comdr. E. E. Dahill III, officer in charge of the HC-1 recovery helos, Lt. Jon Smart, officer in command of Underwater Demolition Team 11, and all of their crews for their masterful performance in the recovery of the spaceship America.

Mr. Speaker, I include with these remarks the thanksgiving offered by Chaplain John A. Ecker, lieutenant commander, U.S. Navy, upon the safe return of these distinguished American astronauts:

The heavens declare your glory, Oh Lord—the planets, the sun, the moon, and the stars which you set in place. In humble gratitude we thank you for the safe return from your heaven of these pioneers in space. May their achievements contribute to the unity of mankind and peace for all of your people in this holy season. Amen.

AND YOUR RIGHT TO KNOW

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 22, 1973

Mr. ZWACH. Mr. Speaker, in all of my years of public office, I always have been a strong supporter of the people's right to know what their Government, local, State, and Federal, is doing.

I firmly believe in freedom of information and I have introduced legislation to open Government meetings to the press. I have also introduced legislation to protect news sources.

The need for such legislation and the support it is receiving is typified by the following editorial written by Publisher Lynn Smith and which recently appeared in the *Monticello Times*, a newspaper printed weekly in our Minnesota Sixth Congressional District.

Mr. Speaker, I insert Publisher Smith's

editorial in the *RECORD* and I would recommend its reading to my colleagues and all of the other interested people who read the *RECORD*:

AND YOUR RIGHT TO KNOW

Two bills which would further guarantee the public's right to know will be introduced when Congress reconvenes this month.

Minnesota's Sixth District Congressman John Zwach announced recently that his proposed legislation would "require that all meetings of government agencies at which official action is taken, or discussed, shall be open to the public except on matters affecting national security or internal management of an agency."

Zwach's measure also stipulates that meetings of congressional committees be open to the public. Furthermore, it would require that a transcript of all meetings be made available to the public, and would provide for court enforcement of the open meeting requirements.

Meanwhile in the Senate, Oregon's Mark Hatfield will introduce a bill that would help reporters protect their sources of information.

"For nearly 200 years a free press has served this country as a balance to government," Hatfield said. "Its unbridled voice is as vital today as it was in 1776."

However, the senator continued, the First Amendment freedoms are repeatedly being threatened by recent court decisions eroding the ability of reporters to present information to the American public.

"Congress must act to see that undue judicial interference is removed from the news gathering and dissemination process," Hatfield said.

The announcements of these two proposals come at a point in America's history when the public's right to news is being challenged like at no other time previously. Unfortunately, despite the guarantees in the First Amendment, legislation such as these measures has become a necessity to secure your right to know. For this reason, it is important that Zwach's and Hatfield's bills receive support not only from newspaper, magazine and television people, but also from the general public. For in reality, the fight is yours just as much as it is ours in the news media.

INDIA SHOULD FREE POW'S

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, January 22, 1973

Mr. DERWINSKI. Mr. Speaker, an editorial in the *Chicago Tribune* of Wednes-